

ORDINANCE 20-27

**TO AMEND TITLE 10 OF THE BLOOMINGTON
MUNICIPAL CODE ENTITLED "WASTEWATER"**

WHEREAS, Bloomington Municipal Code Title 10 sets forth uniform requirements for users of the publicly owned treatment works for the City of Bloomington's Wastewater and Stormwater utilities and enables the City to comply with all applicable state and federal laws, including the Clean Water Act and the General Pretreatment Regulations established by the United States Environmental Protection Agency under 40 CFR 403; and

WHEREAS, the City of Bloomington, Indiana (the City) has constructed and has in operation a wastewater collection system for the purpose of collecting and treating wastewater and operates its pretreatment program in accordance with and under the provisions of 40 CFR 403.8 under a National Pollutant Discharge Elimination System permit; and

WHEREAS, Bloomington Municipal Code Title 10 at Chapter 17 establishes the City of Bloomington Utilities Department's ("CBU") fats, oils and grease ("FOG") program and is intended to minimize introduction of those substances into the wastewater collection system; and

WHEREAS, Bloomington Municipal Code Title 10 at Chapter 17 obligates all food service establishments to properly size, install and maintain FOG retention devices and establishes appropriate administrative and inspection requirements of the food service establishments; and

WHEREAS, the City wishes to reduce the economic impact to food service establishments of the requirement to install such FOG devices by expanding the types of FOG devices acceptable to the City, and incentivize education of the FOG hauling industry on the proper and best methods for cleaning and maintaining FOG devices through a permitting program; and

WHEREAS, CBU staff recommends an amendment to Title 10, Chapter 17 that expands the types of effective FOG retention devices acceptable to CBU, and to establish a FOG hauling permit program that is free to all FOG haulers and incentivizes proper education and training; and

WHEREAS, the proposed amendments to Title 10, Chapter 17 have been duly considered by the Utilities Service Board and found satisfactory, a copy of the proposed amendment is attached hereto, marked as Exhibit "A" and incorporated herein; and

WHEREAS, the City of Bloomington Utilities Service Board recommends to the Council that these Amendments be received, reviewed and adopted by the Common Council of the City of Bloomington; and

WHEREAS, the proposed amendments to Title 10, Chapter 17 have been duly considered by the Common Council of the City of Bloomington.

NOW, THEREFORE, BE IT HEREBY ORDAINED BY THE COMMON COUNCIL OF THE CITY OF BLOOMINGTON, MONROE COUNTY, INDIANA, THAT:

SECTION I. Section 10.17.020 shall be amended by adding the following additional definitional language within the alphabetical ordering of that section as follows:

"Gravity grease interceptor" means a device typically located outdoors and underground, typically constructed of concrete, and designed to separate, trap and hold fats, oils, and grease based on device volume alone without the use of any flow control mechanism.

"Hydromechanical grease interceptor" means a device typically located outdoors and underground, or in the lower level of a facility, and designed to separate, trap, and hold fats, oils, and grease with the use of a flow control mechanism.

SECTION II. Section 10.17.020 shall be further amended by adding the language “both gravity and hydromechanical” to the existing definition of a grease retention device as follows:

"Grease retention device" means a device so constructed as to separate, trap, and hold fats, oils, and grease from the wastewater discharged by a facility to prevent these substances from entering the sanitary sewer. Grease retention devices include *both gravity and hydromechanical* grease interceptors, grease traps, and alternative grease retention devices.

SECTION III. Delete and replace in its entirety Section 10.17.110 to read as follows:

10.17.110 - Design criteria.

- (a) Domestic wastewater shall not be discharged into a grease retention device.
- (b) Wastewater from dishwashing sinks, prep sinks, mop sinks, hand sinks, and floor drains shall be discharged into a grease retention device.
- (c) Interior plumbing plans shall be submitted to the director depicting all fixtures proposed to be connected to a grease retention device.
- (d) Grease retention device proposals shall be submitted to the director. Grease retention devices shall not be installed without the prior approval of the director.
- (e) Gravity grease interceptors shall be constructed and installed in accordance with CBU Standard Detail #21. The minimum size for a gravity grease interceptor is seven hundred and fifty gallons. Dishwashers shall not be connected to a properly sized gravity grease interceptor.
- (j) Hydromechanical Grease Interceptors shall be of the type and capacity approved by CBU. The minimum capacity for a hydromechanical grease interceptor is two hundred and fifty (250) gallons. Dishwashers shall not be connected to a properly sized hydromechanical grease interceptor.
- (f) All grease interceptors shall be designed to allow for complete access for inspection and maintenance of inner chambers as well as viewing and sampling of wastewater discharged to the sanitary sewer.
- (g) Grease traps shall be designed to allow for complete access for inspection and maintenance activities. Newly installed grease traps shall meet the definition of automatic grease removal device. Dishwashers shall not be connected to grease traps.
- (h) Alternative grease retention devices or technologies shall be subject to the approval of the director. Such approval shall be based on demonstrated removal efficiencies of the proposed technology.
- (i) Garbage disposals are prohibited in all FSEs.

SECTION IV. Add the Following new Section 10.17.115:

10.17.115 – Grease Hauling Permits.

Any and all grease haulers shall apply for and receive a grease hauling permit from CBU prior to hauling any and all fats, oils and grease content, including floating materials, wastewater and bottom sludges and solids from any and all grease retention devices.

- (a) A grease hauling permit for grease waste hauling may be obtained by:
 - (i) Submitting an application on a form provided by CBU; and
 - (ii) Completing a mandatory operator training course provided by CBU.
- (b) Along with the application, the applicant shall submit a copy of the IDEM registration license receipt issued to each vehicle that the applicant wants registered under the permit.
- (c) The grease hauling permit shall identify the person permitted to haul grease waste, the vehicles the grease hauler may use to haul grease waste, and the expiration date.
- (d) A copy of the permit shall be kept with each grease hauling vehicle at all times
- (e) Grease hauling permits are not transferrable.
- (f) Grease hauling permits expire two years from issuance. Grease hauling permits may be renewed for an additional two year period by following CBU renewal policies.
- (g) Grease hauling permits do not authorize any person from hauling any materials that are hazardous in nature.
- (h) The Director may revoke any permit.

SECTION V. Delete and replace in its entirety Section 10.17.120 to read as follows:

10.17.120 - Best management practices.


The following best management practices or BMPs shall be implemented and adhered to by all FSEs:

- (a) Installation. All new and existing FSEs are required to install a grease retention device.
- (b) Pumping. All grease retention devices shall be maintained by the user at the user's expense. Maintenance shall include the complete removal of all contents, including floating materials, wastewater, and bottom sludges and solids.
- (c) Pumping Prohibitions. Decanting or discharging of removed waste liquid back into the interceptor or trap from which the waste was removed or any other grease interceptor or trap, for the purpose of reducing the volume to be disposed, is strictly prohibited.
- (d) Gravity Grease Interceptor Maintenance Frequency. Gravity grease interceptors must be pumped out completely a minimum of once every ninety days or more frequently if the unit has accumulated waste, both floatable and settleable, accounting for twenty-five percent of its wetted depth, as measured from the static water level to the interior tank bottom.
- (e) Gravity and Hydromechanical Grease Interceptor Reporting Requirements. Grease hauler pumping receipts must be mailed, faxed, or electronically submitted to the director within fourteen days of the date of grease interceptor maintenance.
- (k) Hydromechanical and Gravity Grease Interceptor Maintenance Frequency. Hydromechanical and Gravity grease interceptors must be pumped out completely a minimum of once every ninety days or more frequently if the unit has accumulated waste, both floatable and settleable, exceeding the manufacturer's specifications.
- (f) Grease Trap Maintenance Frequency. Grease traps must be pumped/cleaned out completely a minimum of once every thirty days or more frequently if the unit has accumulated waste, both floatable and settleable, accounting for twenty-five percent of its wetted depth, as measured from the static water level to the interior tank bottom.
- (g) Grease Trap Reporting Requirements. Each time the grease trap is cleaned out by the FSE, the FSE is required to fill out the grease trap maintenance verification log. The log shall include the date, time, and volume of waste removed, disposal site, and signature. The logs must be kept on file at the facility for a minimum of two years and must also be made available to the director during inspections.
- (h) If the FSE hires a grease hauler to pump out the grease trap, the FSE is required to submit the grease hauler's receipts to the Director. The receipts must be mailed, faxed, or electronically submitted to the director within fourteen days of the date of grease trap maintenance.
- (i) Chemical Treatment. The use of chemical treatments such as bacterial additives, emulsifiers, drain cleaners, enzymes, acids, and other chemicals used to dissolve, purge, digest or remove grease from grease retention devices or the sanitary sewer is strictly prohibited.
- (j) Dishwashing Requirements. FSEs are required to scrape food into the trash and "dry wipe" grease from pots, pans, and dishware prior to dishwashing. Food waste is required to be disposed of as solid waste.

SECTION VI. If any section, sentence or provision of this ordinance, or the application thereof to any person or circumstances shall be declared invalid, such invalidity shall not affect any of the other sections, sentences, provisions, or applications of this ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are declared to be severable.


SECTION VII. This ordinance shall be in full force and effect from and after its passage by the Common Council of the City of Bloomington, approval of the Mayor and all other requirements of the Indiana Code.

PASSED AND ADOPTED by the Common Council of the City of Bloomington, Monroe County, Indiana, upon this 4th day of NOVEMBER, 2020.




STEPHEN VOLAN, President
Bloomington Common Council

ATTEST:




NICOLE BOLDEN, Clerk
City of Bloomington

PRESENTED by me to the Mayor of the City of Bloomington, Monroe County, Indiana, upon this 5 day of November, 2020.



NICOLE BOLDEN, Clerk
City of Bloomington

SIGNED and APPROVED by me upon this 9th day of November, 2020.



JOHN HAMILTON, Mayor
City of Bloomington

SYNOPSIS

This ordinance amends the Bloomington Municipal Code Title 10 at Chapter 17 to expand the types of fats, oils and grease (“FOG”) devices acceptable to CBU in its FOG program, in an effort to reduce the overall economic impact to the food service industry for complying with the FOG program while increasing cooperation in the FOG program. These amendments also establish a new permit program which requires all FOG hauling services to first apply for and receive a permit from CBU before engaging in any hauling of FOG waste in the City. The permit program is free and contains an educational component to educate the FOG hauling industry on best practices for cleaning and maintaining FOG retention devices as well as best practices for hauling and disposing of FOG waste. This program is intended to increase the effectiveness of FOG retention device maintenance which will, in turn, increase the effectiveness of the FOG retention device in keeping FOG waste material from entering the wastewater collection system.

Distributed to Clerk, Council Attorney, Legal, Mayor, and Utilities.