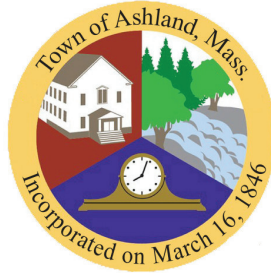


**Board of Health
Town of Ashland, Massachusetts**



**REGULATIONS and SPECIFICATIONS
Management of Fats, Oil and Grease**

Revision No.	4
Effective Date	October 17, 2009

**Reginald A. S. Mimms, Chair
Anthony Kritikos, Vice Chair
Malcolm Smart, Clerk
Mark Oram, M.P.H., C.H.O.
Diane Mortensen, Administrative Secretary**

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315-1. Purpose

The Board of Health of the Town of Ashland, Massachusetts is charged with the protection and enhancement of public health for the Ashland community. The Board of Health, in conjunction with the Department of Public Works and the Department of Inspection Services, have determined and mutually agree that enactment of this regulation is necessary and will further safeguard the health and safety of the Ashland community. This regulation provides for the codification of requirements, specifications and procedures for the effective management of fats, oil and grease. In order to preserve and protect the public health of the inhabitants of the Town of Ashland the Board of Health has determined the following regulations are necessary.

315-2. Authority

This Regulation has been adopted in accordance with, pursuant to and under the authority of the provisions of G.L. c. 111, § 31 including any amendments any other powers and additions thereto, and by any other power thereto enabling.

315-3 Definitions

Abbreviations and their meanings as used in this regulation include:

ASME	American Society of Mechanical Engineers
BMP	Best Management Practices
CMR	Code of Massachusetts Regulations
DEP	Massachusetts Department of Environmental Protection
DPW	Department of Public Works of the Town of Ashland
FDA	United States Food and Drug Administration
GPM	Gallons per minute
LPM	Liters per minute
MGL	Massachusetts General Laws
MWRA	Massachusetts Water Resources Authority

AGENT - Any person duly appointed by the Ashland Board of Health in accordance with the provisions of G.L. c.111 § 30.

BOARD OF HEALTH or BOARD – The Board of Health of the Town of Ashland, Massachusetts and its agents.

DISPOSAL SYSTEM INSTALLER or INSTALLER – A person, licensed in accordance with 310 CMR 15.09; or G.L. c.142 §§ 1-22; and G.L. c. 112 §§ 61-65.

EFFECTIVE CAPACITY – The volume of a tank below the design discharge point, liquid level line.

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EFFLUENT – Discharging or discharged Sewage.

ESTABLISHMENT – Any business or operation that discharges or may discharge FOG as a constituent of its wastewater, including but not limited to Food Establishments.

EXTERNAL GREASE INTERCEPTOR - A liquid tight device designed and installed to separate and retain for removal, by manual (passive) means, dissolved and/or suspended FOG and other deleterious, hazardous, or undesirable matter from other solid and liquid constituents of Sewage as it is being discharged into the drainage system by gravity in accordance with: 248 CMR 10.00, Massachusetts Plumbing Code, under the authority of the Board of State Examiners of Plumbers and Gas Fitters; 360 CMR 10.00 Sewer Use under the authority of the Massachusetts Water Resources Authority; and 310 CMR 15.230, the state environmental code, specifically Title 5, under the authority of the Massachusetts Department of Environmental Protection. The rated flow is not less than 50 gallons per minute (gpm) (189 LPM). Usually this device is installed below ground.

FOG – Fat, oil and grease, wax, deleterious, hazardous or undesirable matter.

FOG DIVERSION AND RECOVERY EQUIPMENT – All equipment or devices utilized for the purpose of removing, storing or disposing of FOG. This includes, but is not limited to, grease traps, external grease interceptor, pipes, and containers.

FOG TRANSPORTER – Any company, personnel or equipment engaged in any activity of removing FOG from the establishment where it was generated and delivering it to a facility that is licensed by the DEP, in accordance with 310 CMR 15.00; G.L. c. 111 § 31A, for further processing. All FOG transporters operating within the geographical borders of the Town of Ashland shall be licensed by the Board of Health.

FOOD ESTABLISHMENT – An operation that prepares, stores, packages, serves, vends or otherwise provides food for human consumption as defined in the Food Code of the United States Food and Drug Administration (FDA).

GREASE TRAP – Also referred to as an Internal Grease Trap. A liquid tight device designed and installed to separate and retain for removal, by manual (passive) means, dissolved and/or suspended grease and oils and other deleterious, hazardous, or undesirable matter from other solid and liquid constituents of Sewage as it is being discharged into the drainage system by gravity in accordance with 248 CMR 10.00. The rated flow is not more than 50 gallons per minute. An external grease interceptor is defined as a grease trap in 310 CMR 15.000 (Title 5).

PERFORMANCE STANDARD – All grease traps shall comply with the following performance standard: Sewage discharge into the Ashland wastewater collection system shall contain not more than one hundred milligrams per liter (100 mg/L) of FOG or contain any substance that may modify or become viscous between the temperatures of

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thirty-two and one hundred eighty degrees Fahrenheit (32°-180°F); or between zero and eighty-two degrees Celsius (0°-82°C).

ONSITE SEWAGE DISPOSAL SYSTEM or ONSITE SUBSURFACE SEWAGE DISPOSAL SYSTEM – A system or series of systems for the treatment and disposal of sanitary Sewage below the ground surface on a facility.

- A. The standard components of a system are: a building sewer; a septic tank to retain solids and scum; a distribution system; a soil absorption system containing effluent distribution lines to distribute and treat septic tank effluent prior to discharge to appropriate subsurface soils; and a reserve area.
- B. These terms also include tight tanks, shared systems and alternative systems. Unless the text of 310 CMR 15.00 indicates otherwise, these terms also include nonconforming systems.

SANITARY BUILDING DRAIN – A pipe with one end inside a building and the other end extending outward to not less than ten (10) feet beyond the exterior of the foundation wall for conveying the discharge of wastewater (sewage), in accordance with 248 CMR 10.09 and 310 CMR 15.00.

SANITARY BUILDING SEWER – A pipe with one end connected to the sanitary building drain at a point not less than ten (10) feet from the outside of the building foundation and the other end connected to the wastewater collection system.

SANITARY SEWER – Any arrangement of pipes, conduits, pumping stations, force mains, structures and devices utilized for collecting and conveying wastewater to a public or private treatment works, including Onsite Sewage Disposal Systems, but does not collect or convey storm water, surface water, clear water or groundwater.

SEWAGE – Any waste containing animal matter, vegetable matter or chemicals in suspension or solution.

SEWER PIPE – Any Sanitary Sewer piping, including but not limited to: the interior and exterior building sanitary sewer piping, any main or lateral sewer piping, regardless of whether it is located on private or municipal property.

TOWN OFFICIALS – Representatives of the Department of Public Works, representatives of the Department of Inspection Services, representatives of the Board of Health. The Board of Health may appoint officials other than those listed in the previous sentence.

WASTEWATER COLLECTION SYSTEM – Any arrangement of pipes, conduits, pumping stations, force mains, structures and devices utilized for collecting and conveying wastewater to a public treatment works, but does not collect or convey stormwater.

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315-4. General Provisions

- A. All Establishments in operation prior to the adoption of this Regulation shall install the required equipment and be in full compliance in not more than one (1) year from the effective date of this regulation – July 1, 2008. The required external grease interceptor shall be installed by **July 1, 2009** with the requirement that the design plans for the Grease Interceptor be forwarded to the Department of Public Works by **March 1, 2009**.
- B. Every business generating FOG that is or may be introduced to wastewater, or is or may be discharged as a constituent of wastewater shall comply with all the provisions of this Regulation, applicable plumbing codes, building codes, environmental codes, and all other applicable local, state and federal laws, regulations and codes. Examples of businesses that shall be required to comply with this regulation include, but are not limited to: kitchens in a restaurant; cafeterias; nursing homes; schools; hospitals; hotels; institutional facilities; factories; clubs; bars where food is prepared; commercial kitchens; residential buildings equipped with commercial cooking equipment; food and meat processing and packaging facilities; supermarkets; bakeries and other commercial or industrial Establishments where FOG of any kind is disposed of as a constituent of wastewater.
- (1) All Establishments that are required to install and operate a Grease Trap(s) and/or Exterior Grease Interceptor(s) as provided in this regulation shall demonstrate to: the DPW and the Department of Inspection Services; and when Effluent is discharge to an onsite disposal system the Board of Health, that the Grease Traps or External Grease Interceptors are properly sized and installed and are in full compliance with this Regulation and all local, state and federal laws and regulations when one or more of the following occur:
- i. Change of use occurs for the Establishment.
 - ii. The establishment is remodeled through the building permit process.
 - iii. Establishment is sold to new ownership
 - iv. Establishment has acquired a new occupant.
 - v. An application for a Sanitary Sewer service connection to the Ashland wastewater collection system.
 - vi. New construction.
 - vii. Repair or construction of an Onsite Sewage Disposal System.
- (2) All FOG transporters operating within the geographical borders of the Town of Ashland shall be licensed by the Board of Health. All FOG transporters shall provide proof of a contract or agreement that all FOG shall be delivered to and accepted by a facility that is licensed by the DEP for further processing.

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315-5. Specifications and Requirements for External Grease Traps
All external Grease Traps as defined in 310 CMR 15.000, shall be installed and shall be operated in accordance with 310 CMR. 15.000 (Title 5).

315-6. Specifications and Requirements for External Grease Interceptors
All External Grease Interceptors shall be installed and operated in accordance with 248 CMR 10.09 and 360 CMR 10.

315-7. Requirements and Qualifications for Installers and Repairers of FOG
 Diversion and Recovery Equipment
Installation or repair of Grease Traps and External Grease Interceptors shall performed only by qualified licensed Disposal System Installer in accordance with 310 CMR 15.000; or a qualified licensed drain layer certified in accordance with G.L. c.142 §§ 1-22 and G.L. c. 112 §§ 61-65 and 248 CMR 10.000.

315-8. Specifications and Requirements for the Installation of Grease Traps
All grease traps shall be installed in accordance with the provisions of 248 CMR 10.000, and all other applicable local, state and federal laws and regulations.

315-9. Specifications and Requirements for the Installation of External Grease
 Interceptors
All Grease Traps shall be installed in accordance with the provisions of 248 CMR 10.000 and 310 CMR 15.000 all other applicable local, state and federal laws and regulations.

315-10. Specifications and Requirements for the Operation and Maintenance of
 Grease Traps

- A. In accordance with 360 CMR 10.000 and 248 CMR 10.000 internal Grease Traps shall be cleaned and maintained.
- B. Proof of cleaning shall be certified to the Department of Public Works in accordance with the requirements provided in the Documentation section of this Regulation.
- C. Failure to install or clean Grease Traps or to provide proper certification of such cleaning may result in suspension of sewer service until full compliance is achieved.
- D. All materials recovered from cleaning shall not be stored on the premises and shall be removed from the premises upon the completion of the cleaning process. Under no circumstances shall any recovered materials be deposited into the plumbing system, Sanitary Building Drain, Sanitary Building Sewer or wastewater collection system. Premises shall not include the allowed disposal into grease reclamation containers located externally onsite
- E. All Grease Traps shall be maintained by the owner, at his/her own expense, in an efficient operating condition that meets or exceeds the performance standards of this Regulation.

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- F. The following schedule specifies the minimum criteria and time schedule. This schedule is subject to change at anytime by the Board of Health. Each of these operations shall be recorded in accordance with the provisions in the Documentation section of this Regulation.
- (1) All Grease Traps shall be inspected by the owner or operator in intervals of not more than seven (7) days between inspections.
 - (2) All FOG and other materials shall be removed and Grease Traps shall be cleaned in intervals of not more than thirty (30) days or as directed by the Board of Health or Town Officials.
- G. Accumulated waste FOG shall be stored in tallow drums or in poly bags sufficient in strength and integrity to prevent leakage or breakage. Poly bags shall be securely closed and placed inside a leak proof container and tightly sealed. The sealed container shall be stored and disposed of in accordance with laws and regulations applicable to solid waste.
- H. A sign shall be posted on or in the immediate area of the Grease Trap. The lettering of the sign shall be not less than one inch high. The sign shall state the following in exact language:

<p>IMPORTANT</p> <p>This interior grease trap shall be inspected and thoroughly cleaned on a regular and frequent basis. Failure to do so could result in damage to the piping system, and the Ashland wastewater collection system (or private drainage system – onsite sewage disposal system).</p>

315-11. Specifications and Requirements for the Operation and Maintenance of External Grease Interceptors/External Grease Trap as Defined by 310 CMR 15.000-Title 5

In accordance with 310 CMR 15.000, 360 CMR 10.000, and 248 CMR 10.000 all External Grease Interceptors shall be cleaned and maintained.

- A. The following documents shall be submitted to the Department of Public Works when requesting a connection to the Ashland wastewater collection system, subject to verification.

An original valid contract or agreement with a business (or businesses) that is normally engaged in the following activities for External Grease Interceptors or onsite Sewage disposal systems:

- Inspection
- Cleaning
- Maintenance
- Service
- Pumping
- Transportation

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- B. Proof of cleaning shall be certified to the Department of Public Works in accordance with the requirements provided in the Documentation section of this Regulation.
- C. Failure to install or clean External Grease Interceptors or to provide proper certification of such cleaning may result in suspension of sewer service until full compliance is achieved.
- D. All materials recovered from cleaning shall be removed from the premises upon the completion of the cleaning process. Under no circumstances shall any recovered materials be deposited into the plumbing system, Sanitary Building Drain, Sanitary Building Sewer or wastewater collection system.
- E. All External Grease Interceptors shall be maintained by the owner, at his/her own expense, in an efficient operating condition that meets or exceeds the performance standards of this Regulation.
- F. The following schedule specifies the minimum criteria and time schedule. This schedule is subject to change at anytime by the Board of Health or Town Officials. Each of these operations shall be recorded as required in the Documentation section of this Regulation.
 - (1) All External Grease Interceptors shall be inspected by the owner or operator in intervals of not more than thirty (30) days between inspections.
 - (2) All FOG and other materials shall be pumped and all External Grease Interceptors shall be cleaned in intervals of not more than ninety (90) days or whenever the level of FOG is not less than twenty-five percent (25%) of the effective capacity or as directed by the Board of Health or Town Officials; whichever of these shall occur soonest.
- G. When emptied, the External Grease Interceptor shall be thoroughly washed and all interior plumbing connections inspected for completeness and integrity.
- H. All External Grease Interceptors shall be serviced in intervals of not more than ninety (90) days.
- I. A sign shall be posted on or in the immediate area of the External Grease Interceptor. The lettering of the sign shall be not less than one inch high. The sign shall state the following in exact language:

IMPORTANT

The exterior grease interceptor or exterior grease trap for the septic system shall be inspected and thoroughly cleaned on a regular and frequent basis. Failure to do so could result in damage to the piping system, and the Ashland wastewater collection system (or private drainage system – onsite sewage disposal system).

- 315-12. Requirements and Procedures for the Management Used of Frying Oil
- A. All waste frying oil shall be stored in a grease/oil reclamation container with a secure cover.

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- B. The appropriate spill containment equipment and spill cleanup materials, specifically for frying oil, shall be onsite, in sufficient supply and readily available for use when needed.

315-12. Prohibitions

- A. In accordance with 360 CMR 10.000, chemical, biological or physical means shall not be used to release fats, wax oil or grease into the sewer, bypass the Grease Trap or External Grease Interceptor or otherwise make the Grease Trap or External Grease Interceptor operate less effectively.
- B. FOG removal or recovery by devices or processes other than those included in this Regulation shall not be considered for compliance with this Regulation, 248 CMR 10.000 or 310 CMR 15.000. Any installation or use of such devices or processes is in violation of this Regulation.
- C. The addition of any chemical or biological agent to a Grease Trap or External Grease Interceptor to convert FOG or any other material to a substance regardless of whether it is regulated or not regulated by 360 CMR 10.000 is prohibited.
- C. In no case shall any contents of a Grease Trap or External Grease Interceptor be discharged into the Ashland wastewater collection system or an Onsite Sewage Disposal System.

315-13. Requirements and Procedures for Unplanned or Uncontrolled Discharge or Release

- A. The appropriate spill containment equipment and spill cleanup materials, shall be onsite, in sufficient supply and readily available for use when needed.
- B. Immediate notification is required of any unplanned or uncontrolled discharge or release.
- C. Should an unplanned or uncontrolled discharge or release of FOG or substances prohibited or limited by this Regulation or 360 CMR 10.000 or any slug loads or spills enter into the building sewer, immediately call the Department of Public Works.
- D. Should an unplanned or uncontrolled discharge or release of FOG or substances prohibited or limited by this Regulation or 310 CMR 15.000(Title 5) or any slug loads or spills enter into an Onsite Sewage Disposal System, immediately call the Board of Health.

315-14. Specifications and Requirements for Documentation and Records

- A. All documents and records included in this section and elsewhere in this Regulation shall be readily accessible and made available for inspection by the Board of Health or Town Officials upon their request.
- B. All logbooks shall be hard covered, permanently bound and all pages shall have been permanently pre-numbered.
- C. All entries recorded into logbooks shall be completed in real time.
- D. A separate equipment logbook shall be maintained for each Grease Trap or External Grease Interceptor. Each equipment logbook shall contain the following

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- information and any additional information that may be requested by the Board of Health or Town Officials:
- (1) Make model, type and manufacturer's serial number of the device.
 - (2) The date the device was first brought into service.
 - (3) A brief description of all cleaning, maintenance, service and repair followed by the name of the person or company who performed the procedure and the date the procedure occurred.
 - (3) At the end of entry into the logbook, the person who made the entry shall record his/her initials and the date of the entry. The date may or may not be the same date of the process being recorded.
 - (4) All corrections shall be done with one line through the entry (or part of entry) that is in error, and the correction recorded as close to the original entry as possible. The person making the correction shall enter his/her initials and the date of the correction as close as possible to the cross out.
- E. Requirements for Records Retention and Submittal
- (1) Records and logbooks for the previous calendar year shall be submitted to the Department of Public Works not later than January 31.
 - (2) All records pertaining to storage and transporting FOG and shall be kept on the premises of the Establishment for not less than two (2) years from the date of the record.

315-15. Procedure for Variance Requests

- A. All requests for variance from the provisions of this Regulation shall be presented in writing to the Board of Health.
- B. The granting of any variance shall be at the sole discretion of the Board of Health based upon the facts and circumstances of each request.

315-16. Variance Renewal

- A. All variances currently held shall remain in effect until their scheduled expiration date.
- B. Variances shall be valid for ___ years from the date of issuance or renewal.
- C. Variances may be renewed by the Board upon verification through _____ testing (mark this is a camera test or something like that) that the system remains free of grease or is in acceptable condition to the Board and therefore remains eligible for a variance.
- D. In the event there is a change in ownership of the property for which a variance has been issued or if there is a change in activities performed on the property, including a change in the method or type of food preparation, the variance holder must perform a _____ test to establish that the property is still eligible for a variance.
- E. In the event the Board suspects there has been a change on the property requiring the performance of a _____ test, the Board shall contact the owner of the property and require that the test be performed. Said test shall be performed within 30 days notice from the Board and the Applicant shall provide said results

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to the Board at or before the next regularly scheduled meeting of the Board following the test.

315-17. Procedures for Verification of Compliance with this Regulation

- A. The Board of Health, Town Officials or the MWRA may, enter upon any premises at any reasonable time to inspect for compliance with this and other regulations or laws. The inspection may include a review of records, an inspection of the Establishment and a sample of the discharge to determine compliance with this regulation and 248 CMR 10.000. The sample may be a grab sample. The sample taken shall be tested and must meet the required levels of FOG in the performance standards noted in Section 315-3.
- B. Should the DPW, after an assessment of the wastewater collection system, advise the Board of Health, that an Establishment is discharging FOG that is or may be contributing to a “sewage backup,” the Board of Health may conduct an inspection of the Establishment.
- C. Board of Health, in order to prevent a public health hazard or sewage back up, may authorize the DPW to inspect an Establishment solely for the purpose of investigation and enforcement of this and other applicable regulations or laws on a “case by case” basis.
- D. Upon request by the Board of Health or Town Officials, the owner or operator of an Establishment shall furnish all information, records and documents to verify compliance or required for the enforcement of this regulation, 248 CMR 10.000 and MWRA regulations. Records requested may include, but are not limited to, a complete inventory of food and maintenance products that are or were on the premises, logbooks and receipts from FOG transporters.

315-18. Enforcement

The Board of Health and Town Officials shall enforce the provisions of this Regulation.

315-19. Violation

Any owner or operator of an Establishment who is found to be in violation of any provision of this Regulation shall be notified by the Board of Health or Town Officials of the nature of the violation and shall immediately and permanently cease all violations. The owner or operator shall submit a written statement detailing his/her proposed plan to attain and continue compliance with this Regulation. The Board of Health shall review the proposed plan, request more information if needed, and deliver a decision of approval, revision required, or rejection. The Board of Health shall issue a reasonable time limit for the approved plan to be implemented.

315-20. Hearing

The person(s) to whom any order or notice issued pursuant to this Regulation has been directed may request a hearing before the Board of Health. Such request shall be in writing and shall be filed in the office of the Board of Health in not more than ten (10) days of receipt of the order or notice.

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315-21. Penalty

Whoever violates any provision of these Rules and Regulations may, at the sole discretion of the Board of Health, be penalized by a non-criminal complaint in the District Court pursuant to the provisions of G.L. c 40, § 21D. For the purpose of this provision the penalty to apply in the event of a violation shall be as adopted by Town Meeting.

315-22. Severability

Each provision of this Regulation shall be construed as separate to the end that if any part of it shall be held invalid for any reason, the remainder shall continue in full force and effect.

These Rules and Regulations were adopted by unanimous vote of the Board of Health of the Town of Ashland on **May 11, 2007**, and are to be in full force and effect on and after **May 11, 2007**. and revised on November 17, 2009 A copy thereof shall be deposited in the office of the Town Clerk.

Ashland Board of Health

Chairperson Anthony Kritikos

Vice Chairperson Malcolm Smart

Clerk Leslie Githens

John Reap, M.D, Member

Dimitri, Karpouzis, Member