

**RULES AND REGULATIONS FOR THE MAINTENANCE OF GREASE TRAPS
AND REMOVAL OF FATS, OILS & GREASE (F.O.G) FROM FOOD
ESTABLISHMENTS**

I AUTHORITY

The Millis Board of Health acting under the authority of Chapter 111, Section 31 of the Massachusetts General Laws and any amendments and additions thereto, and by any other power thereto enabling, has adopted the following rules and regulations during its June 11, 2003 meeting.

II PURPOSE

The purpose of this Regulation is to protect residents, businesses and the environment within the Town of Millis from blockages of the Town's Sanitary Sewer caused by grease discharged from food service establishments located in the Town.

III DEFINITIONS

<i>Agent-</i>	means any duly authorized agent of the Millis Board of Health as specified under MGL c. 111, sec. 30
<i>FOG's</i>	refers to fats, oils and grease from food establishments
<i>Permitted Offal Hauler-</i>	means any Offal Hauler that is issued a Permit to Haul Offal by the Millis Board of Health
<i>Food Establishment-</i>	is defined as any establishment issued a Permit to Operate a Food Establishment by the Millis Board of Health under the State FC 1-201.10 (B) (31)
<i>Grease trap-</i>	also referred to as a grease interceptor by the State Plumbing Code, is a device designed to removed dissolved and/or suspended grease and waste oil from wastewater
<i>Sewer pipe-</i>	means any building or town sanitary sewer piping including but not limited to interior and exterior building sanitary sewer piping, any main, or lateral sanitary sewer piping regardless whether it is located on private or municipal land
<i>Waste grease or oil-</i>	means waste oil or grease generated by a Food Service Establishment during the food preparation or cooking process

IV GENERAL PROVISIONS

A Grease trap installation

The Board of Health may at any time require the installation and/or relocation of an internal grease trap, as it may deem necessary to maintain any particular building sewer pipe, any lateral sewer pipe, or sewer main pipe free from obstructions caused by grease or oil emanating from a food establishment.

B Food establishment or related business

In every case where a food establishment is preparing or selling food, or other business in which grease is a by product of production, a suitable internal or external grease trap in compliance with the specifications on file with the Board of Health and conforming to applicable building and plumbing codes, must be installed.

C New or remodeled food establishments or Change of Ownership

New or remodeled establishments or food establishments with a change of ownership that prepare food with a seating capacity in excess of 100 seats must install an external grease trap with a 1500-gallon capacity in compliance with this Regulation and 310 CMR 15.230 and 15.351.

D Sites with multiple food establishments

Any building, address, or location that houses two (2) or more food establishments, including individual establishments with less than one hundred (100) seats, may be required by the Board of Health to install an external grease trap.

E Grease trap size and installation specifications

External grease traps must have a minimum capacity of 1500 gallons and shall be sized in accordance with 310 CMR 15.203 of the Code of Massachusetts Regulations, Title 5. External grease traps shall be installed, operated, and maintained as set forth in 310 CMR 15.000.

F Grease trap maintenance

Internal grease traps must be cleaned monthly (records required, see below). Exceptions may be granted on a case-by-case basis as determined by the Board of Health. Internal grease traps must be cleaned by the owner, operator, or permitted Offal Hauler. External grease traps must be pumped, at a minimum, by a permitted Offal Hauler every three (3) months, pursuant to 310 CMR 15.351. Service records must be maintained, (on a form provided by the Board of Health), on a monthly basis in a binder readily accessible to Board of Health inspectors and agents.

G Waste grease and oil storage and removal

Waste grease and oil shall not be disposed of in the sanitary sewer. All waste oil and grease must be collected in an appropriate container provided by an approved vendor, stored in an appropriate location on premise. The container must be stored on an impervious surface such as concrete, or asphalt. Containers must be capable of being sealed to prevent entry of precipitation, or stored in a sheltered area. A Permitted Offal Hauler shall remove all waste and grease oil; said material should be removed from the premises monthly. While being stored all grease containers and surrounding areas must be kept in a sanitary condition at all times.

V ENFORCEMENT AND INSPECTION

- A** The Board of Health shall enforce the provisions of this Regulation. Any Agent of the Board of Health may, according to law, enter upon any premises at any reasonable time to inspect for compliance.
- B** All records pertaining to purchasing, storage, and removal of grease related products and waste products, and the owner or operator on premise shall retain waste products for no less than two (2) years.
- C** Upon request by an agent of the Board of Health, an owner or operator shall furnish all information required to enforce and monitor compliance with this Regulation, including but not limited to, a complete inventory of all food and maintenance related products that are purchased by the establishment, receipts from Permitted Offal Haulers retained to remove waste grease or oil from the establishment, and any other maintenance records retained by the individual operator.
- D** The Board of Health may, after providing opportunity for a hearing, order the revocation of a Permit to Operate a Food Establishment or the termination of one or more particular operations for:

 - 1. Serious or repeated violations of this Regulation,
 - 2. Interference with the Board of Health in the performance of its duty, and/or
 - 3. For keeping or submitting any misleading or false records or documents required by this Regulation.
- E** Any person that violates any provision of this regulation shall be liable to the Town for any expense, loss or damage incurred by the Town due to such violation. Said expenses will include, but not be limited to all time ad materials required to clean/clear the line, whether the Millis Department of Public Works or any hired contractor performs the work. Failure to provide said reimbursement may result in the loss of the facility's Food Establishment license, and the Town ma enforce this regulation or obtain reimbursement through other lawful means.

VI VIOLATION

Written notice of any violation of this Regulation shall be given to the Owner and Operator by an Agent of the Board of Health, specifying the nature, time and date of the violation any preventative measure required to avoid future violations, and a correction time frame.

VII VARIANCE

Any requests for a variance from the provisions of this Regulation must be presented in writing. The request should specify if the variance is being requested due to restrictions in the amount of available space and/or economic hardship. Variance requests regarding the size of a grease trap should be accompanied by kitchen flow calculations prepared by a Massachusetts licensed plumber supporting an alternate size.

VIII HEARING

The person or persons 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 must be in writing and shall be filed in the office of the Board of Health within ten (10) days after receipt of the order or notice.

IX PENALTY

Any person that violates any provision of this Regulation may be punished, under Chapter 40 section 21D of the Massachusetts General Laws, by a fine of no more than \$100.00 or by filing a criminal complaint at the appropriate venue. Each day or portion thereof during which a violation continues shall constitute a separate offense; if more than one, each condition violated shall constitute a separate offense. Failure to correct violations of any provision of this Regulation may result in the suspension or revocation of a Permit to Operate a Food Establishment or refusal to issue a Permit to Operate a Food Establishment as provided in 105 CMR 590.012 or 105 CMR 590.014.

X 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.

BOARD OF HEALTH
Millis, Massachusetts

James M. White, Jr., Chairman
Ali Parand
Kathleen Lannon

Dated: June 11, 2003
November 12, 2003 Revision #1