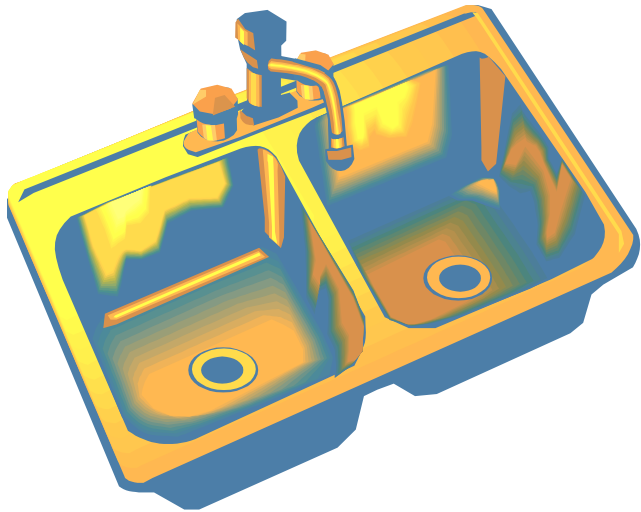


GREASE TRAP INSPECTION AND MAINTENANCE



Department of Health
Inspectional Services Department
Department of Public Works

March 2005

GENERALLY:

- It is unlawful in the City of Newton to discharge into the public sewer any “solid or viscous substance” in such amounts that it may clog or obstruct the flow of sewage and cause a backup. See 360 CMR 10.023(8), Newton Ords. §29-76. This includes anything oily or greasy - like butter - that has a tendency to collect and solidify as it cools down.
- It is forbidden to discharge into Newton public sewers:
 - wastewater containing visible floating fats, oils, or greases, or
 - wastewater containing any fats, oils, wax, or grease in excess of 100 milligrams per liter, or
 - wastewater containing any substance which may collect and/or solidify at temperatures between 32° and 180° Fahrenheit.
- According to the Federal Food Code, as enforced by the Newton Department of Health, a sewer backup is a potential “Imminent Health Hazard.” 1999 Fed. Food Code, §8-404.11.

WHO MUST HAVE A GREASE TRAP?

- To comply with state regulations and City ordinances regarding the discharge of fats, oils, or greases into the public sewer, the following establishments must have a functioning grease trap:
 - Restaurants, cafeterias, hotels, hospitals, factories, clubs, and other commercial and/or institutional kitchens,
 - Food and meat packing and processing establishments,
 - Supermarkets, bakeries, and other establishments where grease can be introduced into the sewer system in large amounts.



GREASE TRAP STANDARDS:

- Grease traps must be approved by the State Board of Examiners of Plumbers and Gas Fitters, and must follow other minimum state and federal standards, including:
 - Retention capacity of at least two pounds of grease for each gallon of water flow,
 - Equipped with devices to control the rate of flow of wastewater through the trap,
 - No waste from in-sink kitchen garbage disposers (grinders),
 - Easily accessible for inspection and cleaning,
 - Local air intake vent.
- Owner/operator of a grease trap must regularly inspect and clean the grease trap, and keep records of such maintenance and cleaning. 360 CMR 10.017
 - If a grease trap is connected to a septic tank, state regulations require that the grease trap be inspected by the owner at least once a month, and cleaned out every three months, or whenever the volume of collected grease reaches 1/4 of the inside depth of the trap, whichever is sooner. 310 CMR 15.351.

WHO HAS AUTHORITY CONCERNING GREASE TRAPS?

- In Newton, three City departments have overlapping responsibility over the proper installation and maintenance of grease traps: the Inspectional Services Department, the Department of Health, and the Department of Public Works.

Inspectional Services Department (“ISD”):

- ISD is responsible, in part, for regulating plumbers and the construction and installation and sizing of systems, including grease traps, in the City. ISD is also responsible for enforcing state plumbing regulations, including standards for materials, installation, and operation of plumbing fixtures.
- ISD is required to have on file the names, business addresses, and qualifications of all persons employed as plumbers within the City.
- Every new plumbing system must be inspected and permitted by ISD.
- Every repair or alteration of a plumbing system must be inspected and permitted by ISD.
- If new plumbing has been covered up prior to inspection, it must be *uncovered* to permit the inspector to do his/her job.
- Except in emergencies, ISD inspectors must perform inspections during normal business hours.

- Upon showing of proper ID and credentials, ISD inspectors have the right to enter private property, during reasonable hours, to perform inspections necessary to protect public health.
- Any person who obstructs or prevents the entry onto premises of an ISD inspector performing an authorized inspection is punishable by a fine between \$50 and \$100.

Department of Health (“Health”):

- Health has broad authority to enforce proper maintenance and operation standards for grease traps located in restaurants and other food-service establishments.
- No one can operate a food-service establishment in Newton without a permit from Health. Health has authority to suspend or revoke the permit to operate a food-service establishment if its safety requirements are not being met.
- Health is responsible for enforcing the Mass. Sanitary Code (105 CMR 590.000) with regard to the safety of food-service establishments.
 - The Mass. Sanitary Code incorporates most of the 1999 Federal Food Code, which defines a sewer backup as a potential public health emergency.
- Before opening, a food-service establishment must be inspected by Health to verify that the establishment is

constructed safely, and has established operating procedures to ensure safe operation.

- Once the food-service establishment is operational, Health must inspect its premises and operations at least once every six months.
- No prior warning of inspection is needed. An inspector must only show proper ID, credentials, and a notice laying out the purpose of inspection, to gain access to the premises.
- Inspections should be conducted during normal business hours, or other times when the person in charge of the establishment can reasonably be found there.
- The inspector’s findings must be written up on a specially-prepared report form.
 - The report must contain observations of any special conditions, or any violations that the inspector finds, as well as the inspector’s opinion whether any of the detected violations or conditions create an imminent health hazard.

- If an imminent health hazard is discovered, Health may, at its discretion, summarily suspend the operating permit of the food-service establishment without a prior hearing, and order the owner to correct the detected violation.
- If the owner continues to create a serious health hazard on the premises of the food-service establishment, including conditions which create or potentially create a sewer backup, Health may, after notice and hearing, completely revoke the owner's permit to operate a food-service establishment on the premises.



Department of Public Works (“DPW”):

- DPW is the operating authority for the City's wastewater collection system, which, in turn, is part of the MWRA's Metropolitan Sewerage Service Area.

- DPW employees clean and unclog a City sewer once a backup or blockage occurs, and make sure that nothing gets discharged into the MWRA's sewer system which would obstruct or damage it.
- DPW can also be called upon to clean a private building sewer.
 - In such a case, DPW must charge the owner of the premises a specified fee of \$25 for a service call during normal business hours, or \$75 for a service call during overtime hours.
- Although DPW has the primary responsibility for the safe maintenance and operation of the City's sewer system, it has significantly less authority than either Health or ISD to perform on-site inspections of grease traps.
- The standards for the discharge of fats, oils, and greases into an MWRA sewer system are set by the MWRA.
 - Although clearly dangerous to the safe operation of a public sewer, fats, oils, and greases are not considered “pollutants.”
- DPW employees can only access private sewers to investigate an actual or potential discharge of *pollutants* (not grease) into the public sewer.

- It is a violation of City ordinances to restrict access to premises of DPW employees performing their official duties.
- In all other cases, the MWRA, but not DPW, has the authority to conduct on-site inspections.
- When confronted with an imminent sewer backup, DPW may consider calling upon the rapid-response resources of the MWRA and DEP, which are authorized to enter private premises to inspect grease traps, and to abate or prevent an imminent danger to public health resulting from improper discharges of wastewater. 360 CMR 10.012(2).
- When confronted with a situation where a food-service establishment may potentially be releasing fats, oils, or greases into the public sewer in violation of state standards and City ordinances, DPW should call Health, which has the broadest authority to conduct inspections of food-service establishments and take appropriate enforcement actions.

SOME HELPFUL INTERNET LINKS:

The Plumbing and Drainage Institute -----
www.pdionline.org
 (web site features downloadable publications outlining the functioning of grease traps and standards for their installation and operation)

The Massachusetts Water Resources Authority -----
www.mwra.state.ma.us

State Board of Examiners of Plumbers -----
www.mass.gov/dpl/boards/pl/index.htm
 (includes links to the State Plumbing Code and other Rules)

City of Newton Home Page ----- www.ci.newton.ma.us
 (links to departments, and the full text of City ordinances)

GREASE TRAP INSPECTION AND MAINTENANCE

APPENDIX: APPLICABLE ORDINANCES, REGULATIONS, AND STATUTES:

Newton City Ordinances, §5-16

(a) There shall be established an inspectional services department, which ...

(b) ... shall perform the following functions:

(1) The execution of statutes of the commonwealth relating to buildings and the state building codes, including enforcement of regulations relating to plumbing ...

Newton City Ordinances, Chap. 29, Water, Sewers and Drains

§29-19

... (b) The public works department shall undertake all sewerage operations. This function shall include all sewer construction and repair; all sewer connections to buildings; all flushing and rodding; all clearing of stoppages and emergency stoppages; all maintenance of pumps; all the stocking and control of repair parts; all operation of construction equipment; and any other allied functions normally associated with sewer operations.

§29-67

Garages and other establishments ... where wastes containing grease in excessive amounts ... can be discharged and are connected with public sewers, shall be provided with a suitable trap or separator. All traps or separators shall be of a type and

capacity approved by the commissioner [of public works] and shall be located so as to be readily and easily accessible for cleaning and inspection.

§29-67A

(a) Whenever the city is engaged to rod-out, unclog or otherwise clean a building sewer, a fee shall be charged. Except in those cases involving excavation, such fees shall be as follows:

\$25.00 flat rate for a service call during normal hours;

\$75.00 flat rate for a service call during overtime hours. ...

§29-76

(a) No person shall discharge or cause to be discharged into any public sewer any ... substances, waters or wastes which the commissioner [of public works] or the M.W.R.A. has identified as likely ... to:

(1) harm either the sewerage system or the water treatment process, ...

(5) endanger life, limb, or public property, or

(6) constitute a nuisance.

(b) Specifically, no person shall discharge or cause to be discharged any of the following described waters or wastes into any public sewers:

...

(4) Solid or viscous substances in quantities or of such size capable of causing obstruction to the flow in sewers, or other interference with the proper operation of the sewage works... [.]

(c) Substances or materials with any or all of the following characteristics shall not be discharged into the public sewers without the approval of the commissioner [of public works] and/or the M.W.R.A.

...

(2) Any water or waste containing fats, wax, grease, or oils, whether emulsified or not, in excess of one hundred (100) mg/l, or containing substances which may solidify or become viscous at temperatures between thirty-two degrees (32°) and one hundred fifty degrees (150°) F (0° and 65° C) in excess of one hundred (100) mg/l.

§29-84

No owner, occupant, or other person shall refuse, impede, inhibit, interfere with, restrict or obstruct entry and free access to properties by the commissioner [of public works, or his authorized agents] where inspection is sought in order to assure compliance with applicable ordinances, statutes, codes, and/or regulations.

§29-85

While performing the necessary work on private properties referred to in section 29-84 above, the commissioner [of public works] or duly authorized employees of the city shall observe all safety rules applicable to the premises established by the occupant and the city shall indemnify the occupant against loss or damage to its property by city employees, except as such may be caused by negligence or failure of the occupant to maintain safe conditions.

§29-86

The commissioner [of public works] and other duly authorized employees of the city bearing proper credentials and identification shall be permitted to enter all private properties through which the city holds any sewer easement for the purposes of, but not limited to, inspection, observation, measurement, sampling, repair and maintenance of any portion of the sewage works lying within said easement. All entry, and

any subsequent work on said easements, shall be done in full accordance with the terms, if any, of the easement pertaining to the private property involved.

§29-87

Any person found to be violating any provision of this chapter except Article IV shall be served by the city with written notice stating the nature of the violation and providing a reasonable time limit for the satisfactory correction thereof. The offender shall, within the period of time stated in such notice, permanently cease all violations.

§29-88

Any person who shall continue any violation beyond the time limit provided for in a notice, shall be subject to a fine not to exceed two hundred dollars (\$200.00). Each day in which any such violation continues shall be deemed a separate offense.

§29-89

Any person violating any of the provisions of this chapter shall become liable to the city for any expense, loss or damage occasioned the city by reason of such violation.

CODE OF MASS. REGULATIONS:

105 CMR 590.000: THE MASS. SANITARY CODE, INCORPORATING THE 1999 FEDERAL FOOD CODE

105 CMR 590.002: ... Definitions

Board of Health means the appropriate and legally designated health authority of the city ... having the usual powers and duties of the board of health of a city or town. [in Newton, this is the Department of Health].

Department means the Massachusetts Department of Public Health.

FC-Regulatory Authority [also “Regulatory Authority”] means ... the board of health [in Newton the Department of Health].

1999 FEDERAL FOOD CODE CHAPTER 5

5-402.12 Grease Trap. If used, a grease trap shall be located to be easily accessible for cleaning.

105 CMR 590.010: ...1999 Federal Food Code Chapter 8-1

...

(B) Local Enforcement. Unless otherwise expressly provided herein, each board of health is responsible for the administration and enforcement of 105 CMR 590.000 and may enforce 105 CMR 590.000 by suspension or revocation of permits in accordance with 105 CMR 590.014 or otherwise at law or equity in the same manner that local rules and regulations are enforced.

105 CMR 590.014: Inspection and Correction of Violations - ... 1999 Federal Food Code Chapter 8-4.

... (D) FC 8-402.11 Allowed at Reasonable Times. FC 8-402.11 shall be stricken and replaced by the following: No prior notice of an inspection is required so long as the FC-regulatory authority presents official credentials and provides notice of the purpose of, and an intent to conduct, an inspection, the person in charge shall allow the FC-regulatory authority to determine if the food establishment is in compliance with the federal 1999 Food Code by allowing access to the establishment, allowing inspection, and providing information and records specified in the federal 1999 Food Code and to which the FC-regulatory authority is entitled according to law, during the food establishments hours of operation and other reasonable times.

... (E) FC 8-403.10 Documenting Information and Observations. FC 8-403.10 and FC 8-403.20 are stricken and replaced by the following:

(1) Whenever an inspection of a food establishment is made,

the findings shall be recorded on a printed inspection report form, which shall summarize the requirements of 105 CMR 590.000/federal 1999 Food Code. A prototype of an inspection form, which meets the requirements of 105 CMR 590.013(E), may be obtained from the Department. A board of health may use this form or, subject to approval by the Department, any form consistent with this prototype. Each board of health shall submit the form it adopts to the Department.

(2) If an inspection reveals that a food establishment does not comply with 105 CMR 590.000, the board of health or its agent shall notify the permit holder or person in charge of the violations and shall order the permit holder to correct the violations. The inspection report may, if so stated, constitute an order to correct, or the board of health or its authorized agent may issue a separate order. If the inspection report left at the time of the inspection constitutes an order to correct, the agent shall notify the board of health within three days that an order was served. An order to correct shall include, but need not be limited to the following:

(a) Administrative information about the food establishment and the inspection including but not limited to:

1. The food establishment's legal identity, street and mailing addresses, permit holder's name and address, type of establishment and operation as specified under 105 CMR 590.012(C), inspection date, type of inspection and other information such as type of water supply and sewage disposal, status of the permit, and personnel certificates that may be required; and
2. The name of the inspector;
3. The date and time of the inspection;
4. The time frame for correction of the violations as specified under FC 8-404.11, FC 8-405.11, and FC 8-406.11;
5. The signature of a member of the board of health or its

agent; and

6. The signature of the person in charge of the food establishment at the time of the inspection, or other proof of service of the order.

(b) Specific factual observations of violative conditions or other deviations from the federal 1999 Food Code that require correction by the permit holder including but not limited to:

1. Nonconformance with specific provisions of the federal 1999 Food Code;

2. Failure of the person in charge to demonstrate the knowledge of foodborne illness prevention, application of HACCP principles, and the requirements of the federal 1999 Food Code specified under 105 CMR 590.003(A);

3. Failure of food employees and the person in charge to demonstrate their knowledge of their responsibility to report a disease or medical condition as specified under 105 CMR 590.003(H) through (I);

4. Failure of the appropriate food employees to demonstrate their knowledge of, and ability to perform in accordance with, the procedural, monitoring, verification, and corrective action practices required by the FC-regulatory authority as specified under FC 8-103.12;

5. Failure of the person in charge to provide records required by the FC-regulatory authority for determining conformance with a HACCP plan as specified under FC 8-201.14;

6. Nonconformance with critical limits of a HACCP plan; and

7. A determination by the inspector whether any of the violations create an imminent health hazard.

(c) A statement that the order when signed constitutes an order of the board of health to correct any violations of 105 CMR 590.000 that are indicated on the order within the time periods designated. It shall be within the discretion of the board of health whether the order shall be signed by the board of health

or its agent.

(d) A statement that failure to comply with any time limits for correction may result in suspension or revocation of the food establishment permit and cessation of food establishment operations.

(e) A statement informing the permit holder of his right to a hearing before the board of health, his responsibility to request the hearing in writing within ten days of receipt of the notice, and the address of the board of health.

... (G) FC 8-403.50 Public Information. FC 8-403.50 is stricken and replaced by the following: The completed inspection report form and other related enforcement documents are public records as defined in M.G.L. c. 4, § 7 clause 26th and shall be made available for public disclosure, unless exempted by law, to any person who requests it pursuant to M.G.L. c. 66, § 10.

(H) Record Retention. All inspection report forms and other related enforcement documents shall be maintained by the board of health for a minimum of five years or longer if otherwise required by law.

105 CMR 590.014: Permits - Suspension and Revocation

(A) Summary Suspension of Permit / Emergency Closure without a Prior Hearing.

(1) In accordance with M.G.L. 111, § 30, the board of health or its authorized agent, as determined by the board of health, may, without a prior hearing, suspend a permit to operate a food establishment or to operate one or more particular operations if an imminent health hazard is found to exist.

(2) A permit may be summarily suspended without providing prior written notice, notice of a hearing, or a hearing, provided that the right to a hearing is afforded within three business days of the request.

(3) A summary suspension order shall be in writing and shall be posted at a public entrance to the food establishment and a

copy provided to the permit holder of the food establishment, pursuant to 105 CMR 590.015(2). The order summarily suspending the permit or specific operation of the permit holder shall be immediately effective upon posting of the order at the food establishment by an authorized agent of the board of health. ...

... (C) Revocation of a Permit with Notice.

(1) The board of health or its authorized agent, as determined by the board of health, may issue an order to revoke a permit or refuse to renew a permit to operate a food establishment or terminate one or more particular operations of the establishment for:

(a) Serious or repeated violations of any of the requirements of 105 CMR 590.000. ...

1999 FEDERAL FOOD CODE CHAPTER 8

8-401.10 Establishing Inspection Interval.

(A) Except as specified in ... (B) and (C) of this section, the Regulatory Authority shall inspect a Food Establishment at least every 6 months.

(B) The Regulatory Authority may increase the interval between inspections beyond 6 months if:

(1) The Food Establishment is fully operating under an Approved and Validated HACCP Plan as specified under §8-201.14 and ... 8-103.12(A) and (B);

(2) ... the Food Establishment is assigned a less frequent inspection frequency based on a written risk-based inspection schedule approved by the department that is being uniformly applied throughout the jurisdiction and at least once every six months the establishment is contacted by telephone or other means by the FC-Regulatory Authority to ensure that the establishment manager and the nature of food operation are not changed, or

(3) The Establishment's operation involves only coffee service and other unpackaged and prepackaged food that is not potentially hazardous such as carbonated beverages and snack food such as chips, nuts, popcorn and pretzels.

8-404.11 Ceasing Operations and Reporting.

(A) ... [A] permit holder shall immediately discontinue operations and notify the Regulatory Authority if an Imminent Health Hazard may exist because of an emergency such as a fire, flood, extended interruption of electrical or water service, sewage backup, ... or other circumstance that may endanger public health.

248 CMR 2.0: SUPERVISION OF PLUMBING

248 CMR 2.09: Interceptors, Separators, Backwater Valves, and Holding Tanks

...

(2) Grease Interceptors

(a) A grease interceptor shall be installed in the waste line leading from sinks, drains or other fixtures in the following establishments: Restaurant, cafeteria, hotel, hospital, institutional, factory, club, and other commercial kitchens; food and meat packing and processing establishments; super markets, bakeries, and other establishments where grease can be introduced into the drainage system in quantities that can cause line stoppage or hinder sewage disposal. ...

(b) Testing and Rating. Grease interceptors shall not be installed unless tested, rated and bear the seal of acceptance of P.D.I., or approved by the [State] Board [of Examiners of Plumbers and Gas Fitters].

(c) Capacity. Installed grease interceptors shall have a grease retention capacity of not less than two pounds for each gallon-per-minute (gpm) of flow.

(d) Rate of Flow Controls. Grease Interceptors shall be equipped with devices to control the rate of water flow through the interceptors so that it does not exceed the rated flow of the interceptors.

(e) Food Waste Grinders. The waste from food waste grinders (garbage disposers) shall not discharge into the drainage system through a grease interceptor.

(f) Water Cooled Interceptors. The use of water cooled interceptors is prohibited.

(g) Interceptors Not Required. Grease interceptors are not required for individual dwelling units or any private living quarters.

310 CMR 15.000: THE STATE ENVIRONMENTAL CODE, TITLE 5: STANDARD REQUIREMENTS FOR THE SITING, CONSTRUCTION, INSPECTION, UPGRADE AND EXPANSION OF ON-SITE SEWAGE TREATMENT AND DISPOSAL SYSTEMS AND FOR THE TRANSPORT AND DISPOSAL OF SEPTAGE.

310 CMR 15.203 Pretreatment Units - Grease Traps

(1) Grease traps shall be provided for kitchen flows at restaurants, nursing homes, schools, hospitals and other facilities from which quantities of grease can be expected to be discharged.

(2) Grease traps shall be installed on a separate building sewer serving kitchen flows into which the grease will be discharged. The discharge from the grease trap must flow to a properly designed septic tank or to a building sewer prior to the septic tank.

(3) Grease traps shall have a minimum depth of four feet and a minimum capacity of 1,000 gallons, and shall have sufficient capacity to provide at least a 24-hour detention period for the

kitchen flow. Kitchen flow shall be calculated in accordance with 310 CMR 15.203.

(4) Grease traps shall be watertight and constructed of the materials specified in 310 CMR 15.221 and 15.226(1) and (2).

(5) The inlet tee shall extend to the mid depth of the tank. The outlet tee shall extend to within 12 inches of the bottom of the tank. Tees shall be cast-iron or Schedule 40 PVC and properly supported by a hanger, strap or other device.

(6) Grease traps shall be installed on a level stable base that has been mechanically compacted and onto which 6 inches of crushed stone has been placed to minimize uneven settling.

(7) Grease traps shall be provided with a minimum 20-inch diameter manhole frame and cover to grade over the inlet and outlet tees.

(8) Grease traps shall be accessible for inspection and maintenance. No structures shall be constructed directly upon or above the grease trap access locations.

(9) The invert elevation of the inlet of a grease trap shall be at least two inches above the invert elevation of the outlet. The inlet and outlet shall be located at the center line of the tank, and at least 12 inches above the maximum groundwater elevation.

(10) Backfill around the grease trap shall be placed in such a manner as to prevent damage to the tank.

(11) Grease traps shall be maintained in accordance with 310 CMR 15.351.

(12) Grease removal by other devices located within the building as part of the internal plumbing are not within the jurisdiction of 310 CMR 15.000 and shall not be considered for compliance with 310 CMR 15.230 except with the prior written approval of the Department.

310 CMR 15.351(2) Grease traps shall be inspected monthly and shall be cleaned by a licensed septage hauler whenever the level of grease is 25% of the effective depth of the trap, or at least every three months, whichever is sooner.

360 CMR 10.000: THE MASSACHUSETTS WATER RESOURCES AUTHORITY

360 CMR 10.012 Access to Facilities

(1) For purposes of investigating or inspecting any condition relating to the discharge or possible discharge of pollutants, and/or inspecting records relating to such discharge, authorized representatives of the Authority, the Municipality where a discharge occurs, the Executive Office of Environmental Affairs and its departments, and the EPA shall be permitted to enter any public or private property connected directly or indirectly to the Sewer and all areas of any premises owned or controlled by a permittee which the Authority believes may be used in connection with activities governed by 360 CMR 10.000, including any area where wastewater is generated or where chemicals, raw materials, or products are stored.

(2) Without limiting 360 CMR 10.012(1), Authority representatives shall have access for purposes of:

(a) inspecting, sampling, dye testing, and gauging any Sanitary Sewage and/or Wastewater conveyed through or to a Sewer;

(b) inspecting, diagramming, and/or photographing any monitoring equipment, Pretreatment equipment or systems, pipes, or any other equipment which the Authority believes may be used in connection with discharges to or through a Sewer;

(c) examining, copying, and/or photographing any

records or matters pertaining to discharges to or through a Sewer or pertaining to the operation of a Pretreatment system or process line that generates Wastewater and/or Sanitary Sewage discharged to a Sewer;

(d) determining compliance with St. 1984, c. 372 and St. 1987, c. 307 and 360 CMR 10.000; and/or

(e) preventing an imminent danger to the public health, safety, welfare or the environment from the discharge or threatened discharge of Wastewater and/or Sanitary Sewage to a Sewer.

(3) Upon request by an authorized representative of the Authority, every Person whose activities are governed by 360 CMR 10.000 shall make immediately available a person with knowledge and authority regarding the Person's wastewater discharges for purposes of escorting the Authority's representatives through the premises or any portion thereof.

(4) In conducting inspections or other monitoring or surveillance activities pursuant to 360 CMR 10.000 or St. 1984, c. 372 and St. 1987, c. 307, the Authority and Municipality shall be deemed to be performing a governmental function for the benefit of the general public and neither the Authority nor the Municipality nor representatives of either shall be liable for any loss or damage as a result of the performance of such governmental function.

(5) If a Person governed by 360 CMR 10.000 has security measures in force which require proper identification and clearance before entry into his premises, the Person shall make necessary arrangements with his security staff so that at any reasonable time, upon request and presentation of suitable identification, representatives of the Authority, the Municipality in which the discharge occurs, the Executive Office of Environmental Affairs and its departments, and the EPA shall be permitted to enter without delay for the purpose

of carrying out their responsibilities.

(6) If a Person governed by 360 CMR 10.000 has security measures in force which prohibit the taking of photographs within his premises or bringing photographic equipment onto his premises, and an Authority representative wishes to photograph any equipment, materials, or portion of the premises pertaining to discharges to or through a Sewer or pertaining to the operation of a Pretreatment system or process line that generates Wastewater and/or Sanitary Sewage discharged to a Sewer, the Person shall provide a staff member for the purpose of taking the photographs required by the Authority representative and providing those photographs to the Authority representative within a reasonable period of time. The Person may claim that a photograph contains confidential information and may file a request for confidentiality pursuant to 360 CMR 10.011 but such claim of confidentiality shall not authorize the Person to fail to take and provide the photographs required by 360 CMR 10.012(6).

(7) The Authority may have warrantless access:

(a) during business hours and at any other reasonable time; and

(b) at any time: with the consent of the owner or person in charge of the premises; in situations presenting imminent danger to health or safety; in any other exceptional circumstance where time or opportunity to apply for a warrant is lacking; or where a warrant is not required by the laws and constitutions of Massachusetts or the United States.

(8) 360 CMR 10.000 shall not limit the power to enter and inspect granted by St. 1984, c. 372 and St. 1987, c. 307 and M.G.L c. 21, § 40.

360 CMR 10.017 Grease Traps and Grease Interceptors

(1) A person who is required by Massachusetts law or regulation to have a grease trap or grease interceptor (including by 310 CMR 15.230 and 248 CMR 2.09) shall have grease traps and grease interceptors of the appropriate size, type, construction, and location as required by state law or regulation. Such Person shall assure that its grease traps and grease interceptors are appropriately cleaned and maintained so that they operate efficiently and effectively.

(2) Chemical, biological, or physical means shall not be used to release fats, wax, oil, or grease into the sewer, bypass the trap or interceptor, or otherwise make the trap or interceptor operate less effectively. A chemical or biological agent that the Authority has approved in writing for use in a grease trap or interceptor may be added to a trap or interceptor to convert the fats, wax, oil, and grease in a trap or interceptor to a substance not regulated by 360 CMR 10.021 through 10.024 if the resulting discharge from the trap or interceptor will not cause or contribute to an obstruction or blockage in the sewer or otherwise violate 360 CMR 10.021 through 10.024. Unless so converted, the fats, wax, oil, and grease contents of a grease trap or interceptor shall not be discharged to the sewer system.

360 CMR 10.021 General Prohibitions

No Person shall discharge or cause or allow to be discharged, directly or indirectly, to the Authority Sewerage System any Wastewater, Sanitary Sewage, or substance that, either singly or in combination with any other Wastewater, will:

(1) Harm or interfere with the Authority Sewerage System or a Municipal Sewer;

(2) Cause Pass Through or Interference, or be otherwise incompatible with the Authority wastewater treatment process, including Sludge use, management, or disposal;

(3) Cause a violation of any federal or state law or any federal

- or state permit issued to the Authority;
- (4) Affect adversely Receiving Waters or violate water quality criteria;
- (5) Endanger or threaten to endanger the life, health, or welfare of any person or persons, or the public health, safety, or welfare, or the environment, or public property.
- (6) Constitute a nuisance.

360 CMR 10.023 Specific Prohibitions

No Person shall discharge, or cause or allow to be discharged, directly or indirectly, into the Authority Sewerage System, any of the following:

...

(3) Fuel oil, crude oil, lubricating oil, or any other oil or grease of hydrocarbon or petroleum origin except:

(a) in compliance with the limit for fats, wax, oil and grease in 360 CMR 10.023(10).

(b) in compliance with the prohibitions and limits in 360 CMR 10.024

(c) when discharged:

(1) incidental to an industrial process in Industrial Waste authorized to be discharged by a permit issued by the Authority;

(2) incidental to the appropriate use of a gas/oil separator that is in compliance with 360 CMR

is unable to comply with the 300 mg/l requirement after treatment, the Authority may increase the limit on a case by case basis if the Authority and appropriate Municipality are satisfied that such increase will not contribute to nuisance conditions or an adverse impact on the Sewerage System, Receiving Waters, or the Authority's Wastewater Residuals program. In no circumstances will the Authority increase

10.016 when a permit is not required by 360 CMR 10.000; or

(3) in de minimis amounts, and not from the disposal of waste, used, excess, or unwanted oil or grease, when neither a permit nor a gas/oil separator is required by 360 CMR 10.000; and

(d) otherwise in compliance with 360 CMR 10.000.

...

(8) Any solid or viscous substance in an amount or size which obstructs or may obstruct the flow in any Sewer, or which causes or may cause an interference, including but not limited to ... grease, ... tar, ... residues from refining or processing fuel or lubrication oil,

...

(10)(a) In the Metropolitan Sewerage Service Area, waters or Wastes containing fats, wax, oil, and grease, in excess of 300 mg/l (based on the materials recovered in the applicable EPA approved procedure, unless otherwise authorized or required by the Authority and EPA), or containing any substance which may solidify or become viscous at temperatures between 32°F (0° C) and 180°F (82°C). Waters or Wastes containing such substances, excluding normal household Waste, shall exclude all visible floating oils, fats and greases. The use of chemical, biological, or physical means to bypass or to release fats, wax, oil, and grease into the sewer is prohibited. If a Person the limit to allow a discharge of more than 300 mg/l of oil or grease of hydrocarbon or petroleum origin, including fuel oil, crude oil, and lubricating oil. The Authority may apply a monetary charge to any increase in the 300 mg/l limit to recover the costs it reasonably expects to incur as a result of the increase.

360 CMR 10.046 General Responsibilities

Every Municipality shall be responsible for assuring that no discharge from any source originating within its jurisdiction shall be of a nature as to cause obstruction, damage, surcharging or any other impairment of the Authority Sewerage System.