

APPENDIX C

FATS, OILS, AND GREASE ENFORCEMENT PLAN

A. Introduction

The purpose of this document is to present a plan for uniform enforcement actions to deal with User noncompliance with applicable state and federal laws required by the Clean Water Act of 197 as amended and the City of Senoia Sewer Use Ordinance, specifically Section 6.6 which states:

6.6 Grease, oil and sand interceptors and Commercial/Industrial wastewater filters shall be provided when, in the opinion of City of Senoia, they are necessary for the proper handling of liquid wastes containing floatable grease in excessive amounts, sand, or other harmful ingredients; except that such interceptors/filters shall not be required for private living quarters or dwelling units. All interceptors/filters shall be of a type and capacity approved by the General Manager and shall be located as to be readily and easily accessible for cleaning and inspection. In the maintenance of these interceptors / filters, the owner shall be responsible for the proper removal and disposal by appropriate means of the captured material and shall maintain records of the dates and means of disposal which are subject to review by the City Manager. Any removal and hauling of the collected materials not performed by the owner's personnel must be performed by currently licensed waste disposal firms.

B. User Inventory

It is the responsibility of the City of Senoia to maintain an inventory of users that have, or are required to have grease interceptors. The following list includes a number of resources used by the City of Senoia for identifying new facilities:

- 1.) Telephone listings
- 2.) Previous survey results
- 3.) Restaurant directories
- 4.) Sewer connection permits
- 5.) Referrals from other agencies (Environmental Health, etc.)
- 6.) Site visits
- 7.) Reports from other regulated industries
- 8.) Citizen reports
- 9.) Contact from potential restaurants
- 10.) Observations by sampling/surveillance/inspection/personnel
- 11.) Websites, Newspaper, trade journal, or business magazine articles
- 12.) Chamber of Commerce
- 13.) City of Senoia Commercial Plumbing Inspector.

All new food service facilities are subject to requirements in the City of Senoia Grease Management Program and are added to the master list of regulated facilities.

C. Compliance Monitoring Procedures

Compliance monitoring activities conducted by the CITY OF SENOIA are necessary to identify and document violations that can be presented as admissible and irrefutable evidence in administrative actions and legal proceedings. Industrial compliance with applicable regulations is determined and evaluated through:

- 1.) Reported data from users
- 2.) Inspections conducted by THE CITY OF SENOIA
- 3.) Surveillance sampling and analysis conducted by THE CITY OF SENOIA
- 4.) Evaluation of application information by THE CITY OF SENOIA

D. Data Screening

The majority of the data to be screened and evaluated is generated through manifests, maintenance logs, inspections, and sampling. All data generated by these activities are reviewed by the Inspector on a weekly basis. Each violation is noted, and appropriate enforcement action initiated. The specific responses and time frames are detailed in the Enforcement Response section. Screening and tracking of reports submitted as part of a schedule of compliance are reviewed at least twice monthly. Action is taken if required reports are not received or if milestones are missed. Tracking of timely submission of information and other data is done on a database made specifically for that purpose.

E. Identification of Violations

The identification of a violation of grease requirements, regardless of the severity, will initiate the enforcement process. Discovery of a violation may occur as a result of any number of activities that include:

1. Review of THE CITY OF SENOIA's surveillance-sampling results
2. Review of user manifests and maintenance logs
3. Spill/accidental discharge reports from user
4. Notification of violation by the user
5. Site visits/inspections by THE CITY OF SENOIA personnel
6. Other information provided by the user's employees
7. Information provided by the public or private citizens
8. Review of compliance schedule.
9. Review of agreed judgment requirements
10. Information provided by other agencies.

Once violations are identified, it is the responsibility of the Director to implement the appropriate enforcement response required in the plan. When determining an appropriate response, particularly one that includes the imposition of penalties and/or fines, the specific procedures outlined in the Enforcement Response section must be followed. However, additional criteria may be used in this determination as listed on the following page.

F. Enforcement Procedures

Generally, all violations identified by the City of Senoia are reviewed, evaluated, and then addressed, using the appropriate enforcement response. The standards or conditions that are considered when determining enforcement actions include:

Magnitude of violation

1. Duration of violation
2. Effects of the violation
3. Compliance history of the industrial user
4. Good faith of the industrial user

Enforcement actions begin with issuance of an initial notice of violation. This letter describes the nature of the violation and informs the user that any additional violations may result in an escalated enforcement action. Once the user has been notified of a violation or has knowledge of the violation, the user may be allowed up to thirty (30) days to correct the noncompliance before escalation of the enforcement process occurs. This thirty (30) day period applies only to the initial violation. Any violations occurring after this period will be evaluated according to plan procedures. Emergency conditions require immediate correction of noncompliance.

G. Enforcement Remedies Available to THE CITY OF SENOIA

The following list is arranged from least severe to most severe:

Verbal Warning (VW) or Letter of Warning (LW)

1. Site Visit or Re-inspection (SV)
2. Notice of Violation (NOV)
3. Increased Self-monitoring or reporting (ISM)
4. Consent Orders (CO)
5. Show-cause Hearing (SCH)
6. Compliance Order or Schedule of Compliance (SOC)
7. Cease and Desist Order (CDO)
8. Administrative Fines (AF)
9. Emergency Suspensions (ES)
10. Termination of Discharge (TOD)
11. Water Supply Severance (WSS)
12. Judicial Enforcement Remedies or Litigation (LIT)

For further information or definitions of these enforcement remedies, consult the City of Senoia's Sewer Use Ordinance, section 11.

H. Staff Responsibilities

The City Manager, Director and staff oversee all collection and screening of data, organization of enforcement actions, review of actions taken, and city manager or their appointee of enforcement response procedures. They are authorized to administer enforcement remedies from Verbal Warnings to Increased Self-monitoring. Enforcement will be in conformance with these regulations and the City's Sewer Use Ordinance.

GREASE ENFORCEMENT RESPONSE GUIDE

(See previous page, section G for key to abbreviations)

NONCOMPLIANCE	NATURE OF VIOLATION	RANGE OF RESPONSE
Record or Reporting Violation	Missing or incomplete Information	VW, LW, SV, NOV
	Failure to provide Required Reports (30 days late)	NOV, SCH, SOC, AF
	Failure to Pump Interceptor at required frequency	VW, LW, SV, NOV
	Failure to Pump Interceptor after receiving Verbal Warning or NOV	\$200.00 AF, CO, SCH, TOD, WSS
	Falsification of records or manifests	CO, SCH, AF, TOD, WSS, LIT
Failure to Maintain Grease Interceptor	Infrequent	VW, LW, SV, NOV
	Frequent or Recurring	CO, SCH, AF, TOD, WSS, LIT
Improper Waste Disposal	Evidence of Intent (Dumping into sewer)	CO, SCH, AF, TOD, WSS, LIT
Compliance Schedules	Missed Milestone	VW, LW, SV, NOV
	Failure to Install Required Equipment	CO, SCH, AF, TOD, WSS, LIT
	Missed Final Date (90 days outstanding without valid cause)	CO, SCH, AF, TOD, WSS, LIT
Failure to Mitigate Noncompliance or Cease Production	Failure to cease	CO, SCH, AF, TOD, WSS, LIT
Failure to Provide Free access to Facility or Records	Initial Violation	VW, LW, SV, NOV
	Recurring Violation	CO, SCH, AF, TOD, WSS, LIT

ENFORCEMENT GUIDANCE AND TIME FRAMES

1. Whenever a Notice of Violation is issued that requires a response and the user fails to respond, the next level of enforcement will be taken.
2. Enforcement responses may be escalated as needed and THE CITY OF SENOIA is empowered to take more than one enforcement action against any non-compliant user.
3. THE CITY OF SENOIA may charge any user for Recovery of Costs incurred.
4. Time frames for enforcement responses:
 - a) All violations will be identified and documented within seven (7) days of receiving compliance information.
 - b) Initial enforcement responses involving contact with industrial user and requesting information on corrective or preventative action(s) will occur within thirty (30) days of violation detection.
 - c) Follow up actions for continuing or recurring violations will be taken within sixty (60) days of the initial enforcement response. For all continuing violations, the response will include a compliance schedule.
 - d) Violations that threaten health, property or environmental quality are considered emergencies and will receive immediate responses such as halting the discharge of the user.