

# Fats Oil & Grease (FOG) Ordinance Summary Sheet

## City of Elkhart Ordinance No. 5434, as amended

### Quick Breakdown of Ordinance Requirements

	Existing FSE	New FSE into Existing Building	New FSE into New Building
<b>City Registration</b>	Yes	Yes	Yes
<b>BMP</b>	Yes	Yes	Yes
<b>Recordkeeping</b>	Yes	Yes	Yes
<b>Inspections</b>	Yes	Yes	Yes
<b>Specific Device Requirement</b>	No*	Yes	Yes
<b>Variance Possible?</b>	Yes	Yes	Yes
<b>Control Manhole</b>	No*	No**	Yes
<b>Compliance Monitoring</b>	No*	No**	No*



\*May be required if problems occur.  
 \*\*May be required if problems occur or receive variance.

### Ordinance Overview

#### FOG Discharge Certificate Application

All food service establishments (FSEs) must register with the City of Elkhart before directly or indirectly discharging any wastewater into the sewer system. The registration is for a specific FSE and a specific operation and creates no vested rights.

#### Expectations of Existing FSEs

All existing FSE's should be registered with the City. In addition, all existing FSE's are required to implement at least the basic BMPs included in the ordinance. Existing FSE's are expected to continue to operate as normal while remaining just as vigilant in cleaning and maintaining grease traps or interceptors. All FSE's are expected to keep records of cleaning and maintenance onsite for 3 years will continue to be required for all FSEs. The installation of a new or additional grease trap or interceptor will not be required except if problems arise (we will work with all FSEs to try to resolve the problem before exploring additional grease traps or interceptors).

#### Expectations of New FSEs

All new FSE's regardless of establishing services in a new or existing building will be required to register with the City no less than 30 calendar days prior to commencing food preparation activities. It is recommended, however, that a FSE begins the registration process as soon as possible-this will reduce the potential for late changes in plans to adjust for grease trap, interceptor or control manhole requirements. Upon receiving the FOG Discharge Certificate Application, the Utility will work with the new FSE to determine if a grease control device will be necessary as well the appropriate size of the device. In addition, new FSEs will be required to implement at least the basic BMPs included in the ordinance. New FSE's are expected to regularly clean and maintain grease traps or interceptors and keep records of cleaning and maintenance onsite for 3 years.

#### Transfer of Ownership

At the time of any transfer of ownership of an FSE the current FOG Registration Certificate will become null and void. Any transfer of ownership will require notification to Elkhart Public Works & Utilities within 5 calendar days of taking ownership of the FSE. The new owners will need to apply for a new Certificate within 15 calendar days after notifying Public Works.

PLEASE NOTE: This document is not intended to summarize or address every component of the FOG ordinance. For more detailed information please refer to the FOG Ordinance in its entirety.

### **Change in the Authorized Representative**

If there is a change in the designated authorized representative of the FSE, an FSE is required to notify Elkhart Public Works & Utilities within 15 calendar days of when the authorized representative will change to another person. In addition, the new authorized representative shall notify the utility within 15 calendar days after assuming responsibility.

### **Remodeling, Renovations, Improvements to the FSE, Expansions, Changes to the Menu**

If any of these situations occur please notify PWU. They will help determine if any changes or upgrades will be required to your grease trap or interceptor.

### **Requirements for Maintenance and Cleaning of FOG control device**

Grease control devices including grease traps or interceptors must be properly installed and maintained in satisfactory condition. To help ensure that all grease traps and interceptors operate effectively all establishments will be required to follow the 25% Rule: the combined FOG and solids accumulation cannot exceed 25% of the design hydraulic depth of the grease trap or interceptor. When cleaning, all FOG, water and solids in the grease control device must be removed. The materials removed during the cleaning process may not be returned to the grease control device. In addition, each FSE will need to determine the frequency of cleanings to keep devices operating satisfactorily.

### **Best Management Practices**

All FSEs shall implement Best Management Practices in its operation to minimize the discharge of FOG to the Sewer system.

### **Specific Prohibitions and Limitations**

No FSE shall:

- Discharge Wastewater containing FOG that causes or contributes to obstructions of the POTW.
- Discharge Wastewater exceeding the Effluent Limitation of 200 mg/L of total Fats, Oils and Grease into POTW.
- Install Food Grinder(s) in the plumbing system of newly constructed FSEs. Any Existing FSE having a Food Grinder in place before the effective date of this Ordinance may continue use and maintain the Food Grinder until the FSE renovates the kitchen.
- Introduce any additives into an FSE's Wastewater system for the purpose of emulsifying or chemically treating FOG.
- Dispose of FOG into any internal or external drain.
- Connect Sanitary Wastewater from fixtures such as toilets and urinals into a FOG Control Device.
- Discharge FOG to toilets, urinals, wash basins, and other fixtures intended for Sanitary Waste.
- Discharge any Waste including FOG and solid materials removed from the FOG Control Device to the sewer system.
- Discharge any Waste including FOG and solid materials removed from floor mats and kitchen appliances directly to the POTW.
- Discharge water with temperatures in excess of 140°F to a Grease Trap.
- Operate any FOG Control Device with FOG and solids accumulation exceeding 25% of the total operating depth of the FOG Control Device (25% Rule).
- Cause the POTW to violate any Effluent Limitation in the POTW's permit.
- Make any false statement, representation or certification in any application, record, report, plan or other document filed or required to be maintained pursuant to this Ordinance.
- Falsify, tamper with, or render inaccurate any monitoring device or method required under this Ordinance.
- Return any substances removed from a grease control device back into a grease control device.

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## Timeframes and Deadlines

What	Who does this apply to?	Timeframe
<b>Certificate Application Submission Time Frame</b>	New FSEs	No less than 30 calendar days prior to commencing food preparation activities
<b>Notification to Elkhart Public Works &amp; Utilities of a Transfer of Ownership</b>	Existing/Transferred FSEs	Notify the Utility within 5 calendar days after taking ownership of the FSE
<b>Certificate Application Submission Deadline After a Transfer of Ownership</b>	Existing/Transferred FSEs	Apply for a new Certificate within 15 calendar days after notifying the Utility.
<b>Change of Authorized Representative or Designated Facility Contact</b>	Existing FSEs	Notify the Director within 15 calendar days when the Authorized Representative of the FSE changes, once a new Authorized Representative is selected the FSE has 15 calendar days to notify the Director of their new selection.
<b>Remodeling, Renovations, Improvements to the FSE, Expansions, Changes to the Menu</b>	Existing FSEs	Notify the Utility within 15 calendar days prior to the commencement of the work
<b>Remodeling</b>	Any Entity that expands or renovates its operations to include a new FSE	Notify the Utility within 15 calendar days prior to the commencement of the work
<b>Certificate Duration</b>	All FSEs	Certificates shall be renewed every three years
<b>Certificate Renewal Application Deadline</b>	Existing FSEs	Submit 180 calendar days prior to the expiration of the current certificate

## Questions & Additional Information

If you have questions or need additional information please contact:

Elkhart Public Works  
 Pretreatment Program  
 1201 S. Nappanee St.  
 Elkhart, IN 46516

**Email:** [pretreatment@coei.org](mailto:pretreatment@coei.org)

**Website:** [www.elkhartindiana.org/departments/division.php?structureid=272](http://www.elkhartindiana.org/departments/division.php?structureid=272)

**Si require una copia en española, por favor contacte a Pretreatment en Elkhart Public Works y Utilidades al (574) 293-2572.**