



Spartanburg Sanitary Sewer District

Grease Control Program

Legal and Regulatory Basis:

Pursuant to the authority of Act No. 1503 of 1970 as amended, general laws and statutes of the State of South Carolina, and Federal law, the Spartanburg Sanitary Sewer District ("the District") is empowered to establish rules and regulations. Act 1503 specifically authorizes the District to "establish rules, regulations and policies related to the use, operation and administration of sewerage facilities under the control of the Commission...". The District is also empowered in Act 1503 to establish such rules, regulations and policies related to "all sewerage facilities not controlled by the District but from which sewerage is contributed to the District's system". Act 1503 empowers the District's Commission to "promulgate and publish such rules and regulations as it may deem appropriate and necessary...".

Effective January 1, 1972, the "Sanitary Sewer Use Rules and Regulations" were adopted by the commission to control, restrict and limit, in the interest of public health and safety, the discharge or deposit of certain substances, materials and flow into any sanitary sewer line which, in turn, discharges into any sanitary sewer line or treatment plant owned and/or maintained by the District. (Excerpt from SSSD R&R 1.1) The "Sanitary Sewer Use Rules and Regulations" are periodically revised as the District deems necessary. Revisions are approved and adopted by the District Commission.

Prohibition of Oil and Grease Discharge:

... No person shall discharge or cause to be discharged any of the following described water or wastes either directly or indirectly into the sewerage facilities of the District:

...

(d) any wastewater containing more than 100 parts per million by weight of total fats, wax, grease or oil, whether emulsified or not, or containing substances which may solidify or become viscous at a temperature between 32° and 160° Fahrenheit (0° and 71° Celsius). The use of chemical or biological agents, physical methods, or any other means to dissolve, liquefy, suspend, disperse, emulsify, entrain, or otherwise cause any oil, grease, or other similar material to flow through the sewer collection system is prohibited.

...
(i) any substance which will cause interference; i.e., contribute to the treatment plant violating its NPDES Permit or the water quality standards of the receiving stream or any other federal or state permit regulating the operation of the treatment plant.

...
(k) any materials which form excessive amounts of scum or foam which may interfere with the operation of the sewerage facilities of the District or cause undue additional labor or expense in the operation of same.

...
(v) any trucked or hauled pollutants or wastewater except as specifically authorized by the District.

...

If the District determines to its satisfaction, that any prohibited discharge has taken place, the District shall employ whatever enforcement actions it deems necessary. (Excerpt from SSSD R&R 2.1)

Requirements For Oil And Grease Traps or Interceptors:

District approved grease, oil and sand traps or interceptors shall be provided for food service establishments or operations, vehicular service facilities and car washes when, in the opinion of the District, they are necessary for the proper handling and control of wastewater being discharged to public sewers containing grease, oil or sand in excessive amounts. Such traps or interceptors shall not be required for private living quarters or dwelling units, but may be required for industrial or commercial establishments, public eating places, hospitals, hotels, abattoirs, or other institutions. Such traps or interceptors shall be readily accessible for cleaning and inspection and shall be maintained by the owner at his expense and in continuous efficient operation at all times. Whenever District or subdistrict inspection of such existing traps or interceptors results in a written notice for action on the part of the person responsible for the trap or interceptor, such action shall be completed within the compliance period granted by the inspecting authority.

When retained or trapped material (including but not limited to oil, grease, sand, grit, etc.) must be removed from grease, oil and sand traps or interceptors, such material shall be removed by pumping or other physical means and shall be hauled away for disposal in accordance with applicable Federal, State, and Local regulations. No such retained or trapped material in any form shall be allowed to pass from the trap or interceptor into the sewer collection system. The use of chemical or biological agents, physical methods, or any other means to dissolve, liquefy, suspend, disperse, emulsify, entrain, or otherwise cause retained or trapped material to flow from the trap or interceptor into the sewer collection system is prohibited. The owner shall provide the District, upon request, with accurate information as to the ultimate disposal method and location of the material pumped or otherwise removed from the trap or interceptor. (Excerpt from SSSD R&R 3.3)

Acceptance of Hauled Waste Containing Oil and Grease:

The District accepts pumpings originating from within Spartanburg County from septic tank and grease trap cleaning operators licensed by the South Carolina Department of Health and Environmental Control (DHEC). The District shall keep records concerning each tank load to indicate origin, type, and volume of waste. (Excerpt from SSSD R&R 11.1)

The facility operating schedule for accepting pumpings shall be published and distributed by the District to those haulers licensed to discharge to the District. (Excerpt from SSSD R&R 11.2)

Pumpings will be accepted only from:

- (a) wastewater of domestic origin from human sources (those generated from normal human activities) from septic tanks; and
- (b) grease traps containing oil and/or grease of animal and vegetable origin from restaurants, hotels, or any other source which prepares food for retail sales for direct human consumption on the premises. Only grease in a liquid form such that it can pass through a one-inch mesh screen will be accepted. (Excerpt from SSSD R&R 11.3)

Enforcement Authority:

If a user fails to comply with any provision of these Rules and Regulations or fails to comply with any requirement of the District's permit system, including submission of monitoring reports, or fails to produce an effluent that meets the applicable discharge limitations, whether or not the user is a "significant" discharger, the District will take enforcement action pursuant to the guidelines established in the "Spartanburg Sanitary Sewer District Enforcement Response Guide." The Enforcement Response Guide is a document developed by the

District, based on federal and state regulations and guidance, that provides District personnel with guidelines for appropriate enforcement responses for various types and degrees of violations. The remedies provided in this section are not exclusive. The District shall have the right, at its discretion, to take any, all, or any combination of these actions against any non-compliant user. It is the District's intent that enforcement for violations will be pursuant to the "Spartanburg Sanitary Sewer District Enforcement Response Guide." However, the District reserves the right to take any other action, either more or less stringent, that the District determines to be appropriate against any user for any violation of any provision of the District Rules and Regulations, wastewater permit or authorization, or orders issued. Further, the District is empowered to take more than one enforcement action against any non-compliant user. The current version of the "Spartanburg Sanitary Sewer District Enforcement Response Guide" is an enforceable part of the Rules and Regulations, and is incorporated herein by reference. (Excerpt from SSSD R&R 9.10)

Penalties for Non-Compliance:

Any person violating any provision of these Rules and Regulations shall be deemed guilty of a misdemeanor and, upon conviction, shall be punished by a fine not exceeding \$100.00 or imprisoned for a period not exceeding thirty (30) days. Violations of discharge into the District's sewerage system will be counted as separate violations for each parameter whose discharge limits or permit condition is exceeded. Upon written notice to a person committing such violation, each day after receipt of such notice that the violation is continued shall constitute a separate offense. (Excerpt from SSSD R&R 12.1)

Any person violating any provisions of these Rules and Regulations shall be subject to a civil penalty not to exceed Two Thousand Dollars (\$2,000) for each violation. For purposes of penalty assessment, each day on which a given violation occurs or continues shall be deemed a separate and distinct offense. In the case of discharge limits with required monitoring less frequent than daily, the civil penalty may be assessed for each day during the period of violation. Civil penalties assessed under this Section shall be in addition to any criminal penalties or any other penalties and remedies. All penalties assessed under the provisions of this Section shall constitute a debt payable to the District and shall constitute a lien against the property of the person against whom the penalties are assessed.

The District must issue all civil penalties in the form of an Administrative Order that states, at minimum: (1) the amount of civil penalty; (2) the violation(s) for which the civil penalty is being assessed; and (3) the compliance date upon which the civil penalty must be paid in full. On or before the compliance date specified in the Administrative Order, the user against whom the penalty has been assessed must either pay the penalty in full or make a written request for

an informal conference with the District to attempt to negotiate a settlement agreement.

If the user against whom the penalty has been assessed fails to pay the penalty in full or to make a written request for an informal conference to negotiate a settlement agreement on or before the compliance date specified in the Administrative Order, the District will issue to the user a Show Cause Order specifying which violation(s) is(are) charged and requiring the user to appear at an adjudicatory hearing and show cause why the civil penalty should not be imposed. If an informal conference is scheduled and the user fails to appear at the informal conference at the time and date specified for the conference, or if an informal conference is conducted and the user and the District cannot negotiate a settlement agreement at the informal conference, the District will issue to the user a Show Cause Order specifying which violation(s) is(are) charged and requiring the user to appear at an adjudicatory hearing and show cause why the civil penalty should not be imposed.

An adjudicatory hearing on the Show Cause Order will be held before the Commission or its designee appointed to conduct a hearing. All appeals from the final decision of the Commission or its designee under the provisions of this Section shall be heard in the Court of Common Pleas in Spartanburg County. All appeals from the final decision of the Commission or its designee under the provisions of this Section must be filed within 30 calendar days of the final decision of the Commission or its designee.

The remedies provided in this section are not exclusive. The District reserves the right to take any other action, either more or less stringent, that the District determines to be appropriate against any user for any violation of any provision of the District Rules and Regulations, wastewater permit or authorization, or orders issued. (Excerpt from SSSD R&R 12.3)

Provision For Recover Of Costs:

Any non-domestic user, whether or not classified as significant, shall be billed by the District for all costs associated with an enforcement action or actions in which the District identifies the user as being in violation of any discharge permit or discharge authorization limit, or any other requirement of the District's Sewer Use Rules and Regulations. Costs may include, but are not limited to: monitoring at the user's discharge point, in the District's collection system, or at the District's facilities which the District deems necessary to investigate and/or identify the user as the source of a pollutant; costs of District personnel time and materials used in conducting any monitoring or investigation which the District deems necessary to the enforcement action, or in any remedial efforts which the District deems necessary to mitigate or correct the impact on any District facilities or processes of a user's violation(s); costs of outside laboratories or consultants utilized by the District in the investigation or in any remedial efforts which the

District deems necessary to mitigate or correct the impact on any District facilities or processes of a user's violation(s); any fines or penalties imposed on the District as the result of violation of any NPDES or other permit condition, any state or federal regulation, or any law; any attorneys' fees incurred by the District in connection with a violation of the Rules and Regulations. ((Excerpt from SSSD R&R 9.8.4)