



## **General Permit for the Discharge of Wastewater Associated With Food Preparation Establishments Program Update June 30, 2011**

### **Summary**

Fats, Oils, and Grease (FOG) is a major component of discharges from certain food preparation establishments and one of the leading causes of public sewer system blockages that result in sewer back-ups into homes, businesses, and the environment. The costs to perform sewer system maintenance associated with keeping the sewer system cleaned of FOG and fix blockages can run in the hundreds of thousands of dollars per year for a moderately sized sewer system. The General Permit for the Discharge of Wastewater Associated With Food Preparation Establishments (the FOG General Permit) was issued in September 2005 to address this problem.

### **Permit Applicability**

The FOG General Permit was issued in **September 2005**, applies throughout the State, and every food preparation establishment (FPE) is covered. One requirement of the permit is that certain FPEs discharging to municipal sewer systems limit the amount of FOG that they discharge by installing either passive or active FOG treatment systems. Compliance with all of the permit requirements, including installation of a treatment system, is triggered if a facility initiates a new discharge, or undergoes a change in ownership or a major renovation, and **for all other facilities (those existing restaurants and other FPEs) compliance is required by July 1, 2011**. The CT DEP established this 5 plus year compliance period to allow existing FPEs time to prepare and comply.

### **Education and Outreach Efforts**

CT DEP has worked extensively during this 5 year period with municipal officials, the restaurant industry and FPEs to prepare and assist them with implementation. The Department has worked directly with "authorized agents" (Water Pollution Control Authority (WPCA) or its designee) in each municipality with a sewer system to clarify their duties and to help them assist FPEs by providing outreach and technical assistance. The Department also assisted municipalities with their sewer ordinances by providing model language to help clarify the FOG requirements and ensure users of the sewer system will not impair the ability of the sewerage system (both conveyance and treatment) to function properly and comply with the permit requirements. The Department and local officials have been providing outreach and technical assistance to the restaurant industry with presentations, public forums and meetings, along with direct assistance for individual FPEs including factsheets, guidance, forms, checklists and a website. As a result of this 5 plus year compliance period and the outreach and education efforts by DEP and local officials, substantial progress has been made.



### **Short Term Compliance Strategy**

Although FPEs and municipalities have taken substantial efforts to comply with the permit requirements, it is understood that not all FPEs have complied and some owners and operators are seeking additional time to explore and implement appropriate treatment measures.

The Department is currently advising FPEs in those situations as follows:

- Continue to work with your local officials to comply with the permit requirements,
- Immediately implement appropriate best practices to minimize FOG releases,
- Although there are limited exemptions under the permit for certain regulated FPEs, discuss with your local official if you may be eligible for an exemption with any operational changes,
- Provide your local official with your intentions and a schedule to comply with the permit requirements or identify specific circumstances beyond your control.

Although enforcement discretion is limited, the Department's initial implementation and enforcement strategy is as follows with regard to the July 1, 2011 compliance date:

- After July 1, 2011, if a sewer bypass occurs, the Department will consider compliance with the FOG General Permit when determining its enforcement response to the bypass based on the contribution of FOG to the cause,
- The Department will continue its dialogue with municipalities with sewer service to determine the compliance status of affected FPEs in their towns,
- The Department will assess the degree of non-compliance, including the potential of existing FPEs to cause sewer blockage, the susceptibility of the sewer system to blockages, and the steps being taken to ensure compliance,
- The Department will continue evaluating the appropriateness of initiating progressive levels of enforcement starting with notices of violation.

### **Contacts and Further Information**

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[http://www.ct.gov/dep/lib/dep/Permits\\_and\\_Licenses/Water\\_Discharge\\_General\\_Permits/food\\_rep\\_establishment\\_gp.pdf](http://www.ct.gov/dep/lib/dep/Permits_and_Licenses/Water_Discharge_General_Permits/food_rep_establishment_gp.pdf)



Individual FPEs are also encouraged to contact the authorized agent in your town, the Water Pollution Control Authority or designee.

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