

RULES AND REGULATIONS NO. 15

**RULES AND REGULATIONS
GOVERNING THE DISCHARGE OF **FATS, OILS, AND GREASES (FOG)**
INTO EL PASO'S WASTEWATER SYSTEM**

BY THE AUTHORITY GRANTED TO THE PUBLIC SERVICE BOARD BY VIRTUE OF ARTICLES 1111-1118, REVISED CIVIL STATUTES OF TEXAS, THE TEXAS WATER CODE, EL PASO MUNICIPAL CODE • 15.12.010, AND ORDINANCE 752, PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF EL PASO, TEXAS, ON MAY 22, 1952, AS AMENDED; NOW, THEREFORE, BE IT RESOLVED BY THE PUBLIC SERVICE BOARD OF THE CITY OF EL PASO THAT THE FOLLOWING RULES FOR GOVERNING THE **GENERATION, TRANSPORTATION AND DISPOSAL OF FATS, OILS, AND GREASES FROM FOOD ESTABLISHMENTS** INTO EL PASO'S WASTEWATER SYSTEM ARE HEREBY ESTABLISHED AND WHICH SHALL READ AS FOLLOWS:

SECTION I GENERAL

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SECTION II GENERAL PROVISIONS

A. PURPOSE AND POLICY

These Rules and Regulations of the Public Service Board (PSB), together with applicable provisions of PSB Rules and Regulations No. 6, No. 9, and No. 13, set forth the uniform requirements for the installation, operation, and maintenance of grease traps or interceptors as well as for the transportation and disposal of FOG generated by the manufacturing, processing, or preparation of food products. The purposes of Rules and Regulations No. 15 are as follows:

1. To prevent the introduction of fats, oils, and greases (FOG) in such qualities or quantities that may interfere with the operation and maintenance of El Paso's wastewater collection and treatment system.
2. To prevent sanitary sewer overflows and to protect the health and safety of PSB employees and the citizens of El Paso

B. APPLICABILITY

These requirements are applicable to all grease trap/interceptor waste transporters as well as food establishments, including those that are undergoing:

1. New construction.
2. Interior remodeling to accommodate expansion or operational modifications.
3. Changes of ownership/occupancy.

C. ABBREVIATIONS AND DEFINITIONS

The following abbreviations, when used in this rule, shall have the designated meanings as follows:

CFR	Code of Federal Regulations
EPA	Environmental Protection Agency
NPDES	National Pollutant Discharge Elimination System
TCEQ	Texas Commission on Environmental Quality
TPDES	Texas Pollutant Discharge Elimination System
POTW	Publicly Owned Treatment Works
PSB	Public Service Board

Act or "the Act":

The Federal Water Pollution Control Act, also known as the Clean Water Act, as amended, 33 U.S.C. 1251, et. seq.

City or El Paso:

The City of El Paso, Texas as governed by the City Council of El Paso, Texas.

Discharge:

Includes to deposit, conduct, drain, emit, throw, run, allow to seep, or otherwise release or dispose, or to allow, permit, or suffer any of these acts or omissions.

Disposal Facility:

A person, firm, corporation, municipality, or utility permitted or registered by the appropriate state and/or federal regulatory agencies to engage in receiving, storing, transferring, processing and/or ultimately disposing of grease trap/interceptor waste.

Environmental Protection Agency:

The United States Environmental Protection Agency

Exempt Establishment:

A food establishment that:

- 1) Operates for not more than ten (10) days in connection with an annual event such as a fair, carnival, circus, public exhibition, or other public gathering, serving only food that does not require additional processing or cooking;
- 2) Sells or serves pre-packaged or pre-cooked food that requires only warming;
- 3) Serves only snow cones, drinks or ice cream products;
- 4) Bars and clubs serving drinks only and where food is not prepared;
- 5) Produce markets without food grinders;
- 6) Grocery or convenience stores without food preparation, meat cutting or packaging, delicatessens, or bakeries.

FOG (Fats, Oils, and Greases):

Organic polar compounds derived from animal and/or plant sources that contain multiple carbon chain triglyceride molecules. These substances are detectable and measurable using analytical procedures established in 40 CFR 136, as may be amended from time to time.

Food:

Any substance whether solid or liquid or animal or vegetable or fruit in origin intended for use or commonly used as food for human consumption.

Food Establishments:

Facilities generating FOG as a result of food manufacturing, processing, preparation, or food service; such facilities include, but are not limited to restaurants, food manufacturers, food processors, hospitals, schools, hotels and motels, prisons, nursing homes, or any other facility preparing, serving, or otherwise making any food products available for consumption. This term excludes private residences where food is prepared for individual family consumption.

Generator:

Means any person who owns or operates a grease trap or interceptor, or whose activity produces grease trap or interceptor waste.

Grab Sample:

A sample taken from a waste stream without regard to flow in the waste stream over a period of time not to exceed fifteen (15) minutes.

Grease Trap or Interceptor:

Means the device designed to use differences in specific gravities to separate and retain light density liquids, waterborne FOG, prior to discharging into the sanitary sewer system. These devices also serve to collect settleable solids, generated by and from food preparation activities, prior to the water exiting the trap and entering the sanitary sewer collection system. Grease traps and interceptors are also referred herein as “grease traps/interceptors”.

Grease Trap/Interceptor Waste:

Means material collected in and from a grease trap/interceptor in the sanitary service line of a commercial, institutional, or industrial food service or processing establishment, including the solids resulting from de-watering processes.

Interference:

A discharge which, alone or in conjunction with a discharge or discharges from other sources, both: inhibits or disrupts a POTW, its treatment processes or operations, or its sludge processes, use or disposal; and, therefore is a cause of a violation of any requirement of a POTW's NPDES permit (including an increase in the magnitude or duration of a violation) or of the prevention of wastewater sludge use or disposal in compliance with the following statutory provisions and regulations or permits issued thereunder (or more stringent State or local regulations): Section 405 of the Clean Water Act, the Solid Waste Disposal Act, the Clean Air Act, the Toxic Substances Control Act, and the Marine Protection, Research and Sanctuaries Act.

Manifest:

A pre-printed, sequentially numbered, multi-part document issued by the PSB. This document identifies the generator of grease trap/interceptor waste, the transporter, and the final disposal facility.

Mobile Processing Vehicle

A specially permitted vehicle designed to separate water from the liquid/solid grease trap/interceptor waste while in transit. These include truck mounted processes and separate units towed after trucks, known as separator trucks, as well as any other liquid waste processes that are not considered to be fixed to a specific location.

Mobile Processing Vehicle Wastewater

The separated or decanted liquid resulting from the separation process from a mobile processing vehicle.

Nuisances

Any offensive, or liable to become unwholesome or offensive; grease or decaying food or other unwholesome substances or flesh of any kind or description stored in private and/or public property for the purposes of temporary storage and/or future disposal.

Pass-Through:

A discharge that exits the POTW and enters the waters of the State in quantities or concentrations, which alone or in conjunction with a discharge or discharges from other sources, is a cause of a violation of any requirement of the POTW permit (including an increase in the magnitude or duration of a violation).

pH:

The measure of relative acidity or alkalinity of water defined as the negative logarithm (base 10) of the hydrogen ion concentration.

Person:

Any individual, partnership, co-partnership, firm, company, corporation, association, joint stock company, trust, joint venture, estate, governmental entity or any other legal entity or their legal representatives, agents and assigns. The masculine gender shall include the feminine and the singular shall include the plural where indicated by context.

Pollution:

The man-made or man-induced alteration of the chemical, physical, biological, and/or radiological integrity of water, air or soil.

Pollutant:

Any substance introduced directly or indirectly into water or onto soil so as to cause pollution including but not limited to dredged soil, solid waste, incinerator residue, filter backwash, sewage, garbage, sewage sludge, munitions, medical wastes, chemical wastes, biological materials, radioactive materials, heat, wrecked or discharged equipment, rock, sand, cellar dirt and industrial, municipal and agricultural waste.

POTW:

A publicly owned treatment works as defined by Section 212 of the Act, (33 U.S.C. 1292) operated by the PSB. This definition includes any devices or systems used in the collection, storage, treatment, recycling and reclamation of sewage or industrial wastes of a liquid nature and any conveyances which convey wastewater to a treatment plant.

Public Service Board:

The Public Service Board of the City of El Paso, Texas acting on its own behalf or through the authorized acts of the El Paso Water Utilities (EPWU), which is charged with the day-to-day operation of El Paso's wastewater system.

Sample Port or Sample Well:

An approved device or manhole installed in the sewer line from the facility specifically designed to facilitate sampling of wastewater discharges.

Sanitary Sewer System:

The system of pipes, conduit, and treatment facilities owned or operated by the City that collect, transport, and treat sanitary sewage and into which storm, surface, and ground waters are not intentionally or normally admitted.

Total Suspended Solids:

The total suspended matter that floats on the surface of or is suspended in water, wastewater, or other liquid and which is removable by laboratory filtering.

Transporter:

Means a person who is registered with and authorized by the TCEQ, or equivalent state agency, to transport sludge, water treatment sludge, domestic septage, chemical toilet waste, grit trap waste, or grease trap waste in accordance with 30 Texas Administrative Code §312.142.

Treatment Plant:

That portion of the POTW designed to provide treatment including recycling and reclamation of domestic and industrial wastewaters.

Wastewater:

The liquid and water-carried industrial or domestic wastes from dwellings, commercial buildings, industrial facilities and institutions, together with any solids and other pollutants that may be present, whether treated or untreated which is contributed into or permitted to enter the POTW.

Waters of the State

All streams, lakes, ponds, marshes, watercourses, waterways, wells, springs, reservoirs, rivers, aquifers, irrigations systems, drainage systems, and all other bodies or accumulations of water, surface or underground, natural or artificial, public or private, which are contained within or flow through or border upon the State or any portion thereof. This includes the beds and banks of all watercourses and bodies of surface water.

SECTION III PROHIBITED DISCHARGES

No person may discharge or cause to be discharged into the wastewater system any pollutant or wastewater which will cause Pass-through or Interference. In addition, a person may not introduce the following substances into the wastewater system:

- A. The intentional or unintentional, direct or indirect discharge of any petroleum oil, non-biodegradable cutting oil, mineral oil, or any fats, oil, or greases of animal or vegetable origin into the PSB collection system in such amounts as to cause interference with the collection and treatment system, or as to cause pollutants to pass through the treatment works into the environment.
- B. The intentional or unintentional, direct or indirect discharge of liquid, semi-solids, or solid grease trap waste into the PSB collection system.
- C. Separated wastewater from mobile processing vehicles.
- D. Any wastewater having a pH less than 5.5 or greater than 10.5, or wastewater having any other corrosive property capable of causing significant damage or hazard to structures, equipment, and/or personnel of the system.
- E. Trucked, drummed, containerized or hauled wastes or pollutants except as specified in Rules and Regulations No. 13.

SECTION IV FOG GENERATOR RESPONSIBILITIES

Food establishments shall provide and maintain grease trap/interceptors necessary to comply with this Rule and Regulation No. 15 and the City of El Paso building code requirements.

A. INSTALLATIONS

- 1. Food establishments which are newly proposed or constructed, or existing establishments which will be expanded or renovated to include a food service facility, where such establishment did not previously exist, shall be required to install, operate and maintain a grease trap or interceptor in accordance with the El Paso's plumbing code. Grease trap or interceptors shall be installed and inspected prior to issuance of a certificate of occupancy.
- 2. Unless specified by the PSB, existing food establishments must operate and maintain existing grease traps/interceptors in accordance with the

manufacturer's recommendations and in accordance with this Rules and Regulations No. 15.

3. The PSB may require existing food establishments to install and/or modify grease trap/interceptors as deemed necessary to comply with this Rules and Regulations No. 15.

B. CONSTRUCTION

Grease interceptors/traps shall be constructed to prevent fats, oils or greases from entering the sanitary sewer in concentrations greater than the allowable limit as set forth by Rule 9 of this Rules and Regulations and shall be located so that they are easily accessible for cleaning, maintenance, and inspection. The installation of grease traps or interceptors shall comply with the requirements established by the City of El Paso plumbing code.

C. CLEANING AND MAINTENANCE

1. Grease traps and grease interceptors shall be maintained in efficient operating conditions at all times.
2. Generators shall be responsible for meeting all pumping requirements established in this Rule and Regulations No. 15.
3. Grease traps/interceptors shall be serviced by a transporter registered with the TCEQ or governing state agency for the state in which the transporter operates.
4. Grease interceptors/traps shall be inspected for seepage into the surrounding media each time the grease trap/interceptor is pumped. The generator shall repair, replace, or install such apparatus and equipment as is necessary to insure the proper operation and function of the grease trap or interceptor.
5. A manifest shall be generated each time a grease trap/ interceptor is pumped or cleaned.
6. Generators shall keep all originals of the completed manifests on site and available for inspection by the PSB for three (3) years.

D. CLEANING SCHEDULES

1. Grease trap/interceptors shall be cleaned as often as necessary to ensure that sediment and floating material do not accumulate and impair the efficiency of the grease trap/interceptor; to ensure the discharge is in compliance with local limits established in Rule 9 of these Rules and Regulations; and to ensure no visible grease is observed in the discharge.
2. Grease traps/interceptors subject to these rules shall be completely evacuated at a minimum of once every ninety (90) days, or more frequent when:
 - a. The grease layer reaches a thickness equal to twenty-five (25%) of the wetted height of the grease trap or interceptor, as measured from the bottom of the device to the invert of the outlet pipe, containing floating materials, sediment, oils or greases; or
 - b. There is a history of non-compliance

E. SELF-CLEANING

1. Grease trap self-cleaning operators must receive approval from the PSB on an annual basis. Approval must be received prior to removing grease from their grease trap provided that:
 - a. The grease trap is located inside the building.
 - b. The grease trap is no more than fifty (50) gallons in liquid operating capacity;
 - c. Proper on-site material disposal methods are implemented (e.g. adsorb liquids onto solid form and dispose into trash) as approved by the El Paso Solid Waste Management; and provided that such practices do not constitute a public nuisance
 - d. Grease trap waste is placed in a leak proof, sealable container(s) located on the premises and in an area accessible for the operator to pump-out; and
 - e. Detailed records of the activities are maintained
2. Grease trap self-cleaning operators must submit a completed self-cleaning request to the PSB for approval. The written request shall include the following information:
 - a. Business name and street address;
 - b. Grease trap operator name, title, and phone number;
 - c. Description of maintenance frequency, method of disposal, method of cleaning, and size (in gallons) of the grease trap; and
 - d. Signed statement that the operator will maintain records of waste disposal and produce them for compliance inspections.
3. Self-cleaners must adhere to all requirements; procedures and detail record keeping outlined in their approved application, to ensure compliance with this Rules and Regulations No. 15. A maintenance log shall be kept by the self-cleaning operator that indicates, at a minimum, the following information:
 - a. Date grease trap was serviced;
 - b. Name of the person or company servicing the grease trap;
 - c. Disposal method;
 - d. Gallons of grease removed and disposed of;
 - e. Waste oil added to the waste container; and
 - f. The following certification statement shall be signed by the self-cleaning operator and included in the cleaning log:
"I certify that all grease was removed and properly disposed. The grease trap was thoroughly cleaned, and its parts were replaced and/or in proper operating condition."
4. Violations incurred by grease trap self-cleaners will be subject to enforcement action including fines and/or the removal from the self-cleaning program.

F. COMPLIANCE WITH FOG DISCHARGE REQUIREMENTS

The cost of complying with section IV of this Rules and Regulations No. 15 shall be the responsibility of the owner of the property on which the grease is generated and their lessees. These costs include but are not limited to any maintenance, analysis, grease trap or interceptor cleaning, repair, replacement or modification.

SECTION V FOG TRANSPORTER RESPONSIBILITIES

All grease trap/interceptor waste transporters shall conform to the following terms and conditions in collecting, transporting, and disposing of food generated FOG.

A. REGISTRATION

Any person wishing to purchase PSB issue manifests for the purpose of collecting, transporting, and disposing grease trap/interceptor waste shall be duly licensed and/or registered by the TCEQ, or corresponding state agency, and the City of El Paso, Solid Waste Management.

B. LOAD DETERMINATION

Prior to accepting grease trap/interceptor waste for transportation, the transporter shall determine and identify through the use of a manifest, the volume and nature of the material to be transported. The transporter shall also ensure that his/her permit, vehicle, and equipment are sufficient to legally and properly accept, transport, and dispose of the load without discharge, spillage, leakage of the material, or release of malodorous fumes. Upon delivery of the waste to the disposal site, the transporter shall inform the disposal site operator of the content of the waste and ensure that the disposal site representative acknowledges receipt of the waste as per manifesting requirements in Section VI herein.

C. GREASE TRAP/INTERCEPTOR EVACUATION

The transporter shall fully evacuate each grease trap/interceptor. Where the trap volume is greater than the tank capacity on the vacuum truck, the transporter shall arrange for additional transportation capacity so that the trap is fully evacuated within a 24-hour period, in accordance with 30 Texas Administrative Code §312.143. Further, the discharge of liquid, semi-solids, or solids back into a grease trap/interceptor after servicing is strictly prohibited. **Mobile processing vehicles are prohibited from discharging separated water back into the interceptor or into the wastewater collection system.**

D. UTILIZE APPROPRIATE DISPOSAL SITES

The transporters shall discharge the grease trap/interceptor wastes at a facility where the owner or operator of the disposal facility agrees to receive the wastes and the facility has written authorization by permit or registration issued by the TCEQ, or equivalent state agency, to receive the waste.

E. UTILIZATION OF MANIFESTS BY TRANSPORTERS

Transporters shall utilize PSB issued manifests to track the collection, transportation, and disposal of food generated FOG. It is the responsibility of the transporter to assure that all sections of the manifests referring to the transporter and the disposal facility are completely and accurately filled out in a timely manner.

SECTION VI

MANIFESTING REQUIREMENTS

- A. Each transporter shall purchase manifest forms from the PSB; transporters shall be responsible for keeping a sufficient quantity of manifest forms.
- B. No generator shall cause, suffer, allow, or permit the removal or shipment of grease trap or interceptor waste unless accompanied by a PSB issued manifest. This manifest shall consist of an original and four copies. The copies will be designated as the generator copy, the transporter copy, the receiving facility copy, and the PSB copy. The generator shall receive the original completed manifest after the waste has been disposed at a state authorized receiving facility. The original shall include the signature of the disposal facility operator.
- C. The manifest shall contain the following information:
 - 1. The name, telephone number and physical address of the site of generation, the name of the generator's authorized agent, mailing address, and a telephone number where the agent can be reached.
 - 2. The generator's PSB registration number.
 - 3. The total grease trap/interceptor capacity in gallons and the date and time the tank/trap was serviced.
 - 4. The transporter's company name and mailing address.
 - 5. The transporter's five-digit TCEQ Registration Number or equivalent state registration number from the governing agency.
 - 6. The name, telephone number and Driver's License number of the driver for each shipment of liquid waste and the vehicle registration number of the vehicle used to transport the waste.
 - 7. The total quantity of liquid waste, in gallons, removed from the site of generation by the transporter.
 - 8. The company or facility name, mailing address, and permit number for the facility receiving the grease trap/interceptor waste.
 - 9. The name of the receiving facility's authorized agent and a telephone number where the agent can be reached.
 - 10. The total quantity of grease trap/interceptor waste, in gallons, delivered to the facility identified as receiving the waste.
- D. At the time of waste transfer, the generator or his or her designated representative shall:
 - 1. Sign and affix the date of transfer to the manifest by hand;
 - 2. Obtain the handwritten signature of the driver for the transporter and the time and date of service;
 - 3. Completed transporter section
 - 4. Retain the "Generator Copy" of the manifest;
 - 5. Give the transporter the remaining copies of the manifest.
- E. Upon disposal of the waste, the generator shall receive the original and one copy of the completed manifest from the transporter.
- F. The generator shall assure the copy of the completed manifest is submitted to the PSB within thirty (30) days of the date of service.
- G. The generator shall keep in its records all originals of manifests for waste transported from his/her premises for a period of three (3) years from the date of waste transfer and shall make them readily available to the PSB and/or City Health for inspection at all reasonable times.
- H. The manifest shall contain the following Certification Statement by the generator:
"I certify that the waste material removed from the above-named premises contains no hazardous material and that the waste and volumes described above are accurate."

SECTION VII REGISTRATION

- A. Food establishments shall register with the PSB. An application form shall be obtained from the PSB, each application shall contain the following information:
 - 1. Name, address, telephone number and location, (if different from the address) of applicant, owner of the premises (if different from the tenant when property is leased) from which fats oils and grease are discharged
 - 2. Name of a representative duly authorized to act on behalf of the food establishment.
 - 3. A drawing in sufficient detail to show the location of all kitchen equipment that produces wastewater, and all sewers, floor drains, sewer connections, grease traps/interceptors and appurtenances in the user's premises if known or it may be readily ascertained.
 - 4. A signed statement that the information provided is accurate, and that the applicant agrees to abide by the regulations contained in this Rules and Regulations No. 15, as well as any other applicable Federal, State or local regulations governing the food service facility.
 - 5. Any other information as deemed necessary by the PSB
- B. The PSB will review the application and may inspect the food establishment prior to the issuance of a "Certificate of Registration" to verify all provided information and assess the condition of the grease trap/interceptor.
 - 1. Each Certificate of Registration shall be renewed annually.
 - 2. The Certificate of Registration must be displayed in a conspicuous place where it can be seen by the staff of the food service facility.
 - 3. Certificates of Registration shall be issued to a specific user for a specific operation. Certificates of Registration shall not be transferred or sold to a new owner under any circumstances. A new owner is required to apply for a new Certificate.
 - 4. It shall be a violation of this Rules and Regulations No. 15 for any food service facility identified by the PSB to discharge wastewater containing fats, oils and grease to the El Paso's wastewater collection system without authorization from the PSB.

SECTION VIII REPORTING REQUIREMENTS

- A. The generator shall submit copies of the completed manifest to the PSB within thirty (30) days of the date of service.
- B. Food establishments shall maintain records of the date and time of all cleaning and maintenance of each grease trap/interceptor in a sequentially numbered and permanently bound logbook and shall make this logbook available for inspection by the PSB and/or City Health official on demand. The food establishment may also maintain written protocols concerning grease trap/interceptor cleaning and maintenance procedures, this information shall also be made available to the PSB and/or City Health on demand.
- C. Self-cleaning operator shall keep all cleaning records in accordance with section IV of this Rule.
- D. Grease trap/interceptor waste transporters shall submit to the PSB a monthly summary of manifests used. The summary shall include the manifest number, the customer's name, the amount of grease transported, and the date of service. The summary shall be received by the PSB on or before the fifteenth (15th) day after the end of the reporting month.
- E. Unless otherwise provided, all notices, applications and reports required by this Rules and Regulations No. 15 shall be submitted to:

Industrial Pretreatment
El Paso Water Utilities
1154 Hawkins Blvd.
El Paso, Texas 79925

SECTION IX INSPECTION AND SAMPLING BY THE PSB

The PSB may inspect the facilities of any food processing or service facility and collect samples of its discharge, at the designated discharge points, without advance notice to the generator. While the representative of the PSB is at the facility, the generator may request and shall be provided a portion of any sample taken. Persons or occupants of premises where wastewater is created or discharged shall allow the PSB or its representative ready access at all reasonable times to all parts of the premises for the purposes of inspection, sampling, records examination, or in the performance of any of their duties. The PSB shall have the right to set up on the generator's property such devices as are necessary to conduct sampling inspection, compliance monitoring and/or metering operations.

SECTION X EXEMPTIONS

- A. If the generator believes that the requirements of this Rules and Regulations No. 15 should not apply to his/her operation, the generator must request an exemption in writing. The request for exemption shall include the following:
1. Type of exemption requested (i.e., registration, pumping frequency, grease trap/interceptor installation requirement, etc.)
 2. The name, address, and telephone number of the business;
 3. The name of the manager or duly authorized representative;
 4. A detailed description of the business and its operations;
 5. The type, size, and maintenance schedules for any wastewater pretreatment devices;
 6. The names of those companies that have accepted for disposal any waste and recycled products from the generator during the previous calendar year;
 7. Statement of whether employees are trained in appropriate waste disposal practices and a list of those practices;
 8. A diagram showing the locations of all water and sewer connections, fixtures, sample ports, back flow prevention devices, and any other treatment devices;
 9. Demonstrate that the produced effluent, based on defensible analytical data, is compliant with limits established in Rule 9 of this Rules and Regulations
 10. Copies of all printed menus if applicable;
 11. A description of any changes planned to the structure;
 12. Any alteration of the nature, quality, or volume of its wastewater;
 13. A statement as to why the generator believes an exemption should be granted;
 14. Any additional information deemed necessary by the PSB.
- B. The PSB shall make a decision in regard to all requests. Should the generator disagree with the decision made by the PSB, the generator may appeal such decision in writing within fifteen (15) business days from the date of notice. The request shall be addressed to the Pretreatment Office and shall include any additional evidence necessary to dispute the decision. Failure to appeal within the designated timeframe shall constitute acceptance of the decision made by the PSB.

- C. The PSB reserves the right to obtain samples of wastewater necessary to determine compliance even after a request for exemption has been approved.
- D. In any event, a grease trap or interceptor shall be fully evacuated, cleaned and inspected at least once every 180 days.

SECTION XI ENFORCEMENT

A. NOTICE OF VIOLATION

- 1. Whenever the PSB or its designated representative believes that any generator has violated or is violating this Rules and Regulations No. 15, the PSB or its designated representative may serve (either personally or by registered or certified mail) upon such generator a written notice stating the nature of the alleged violation. The recipient of an alleged violation notice must respond in writing to the PSB or designated representative within fifteen (15) working days from the date of receipt of such notice.
- 2. Should the recipient of an alleged violation notice fail to respond in writing to the PSB or designated representative, within the initial fifteen (15) working day response period, the recipient person or permittee shall be deemed to have admitted to responsibility for the violation.
- 3. Should the generator deny his or her responsibility for the alleged violation, the generator must submit a letter report to the PSB or designated representative explaining why responsibility is being contested.

B. PENALTIES:

Administrative and civil penalties may be imposed to generators and/or transporters violating the requirements established in this Rules and Regulations No. 15; penalties may be assessed as follows

- 1. Administrative penalties of up to \$500 may be imposed for violations (e.g. failure to follow pumping frequency, failure to maintain grease trap/interceptor in proper working condition, etc.) to this Rule.
- 2. Administrative penalties of up to \$100 may be assessed for minor reporting violations such as the failure to include a telephone number in the completed manifest. Failure to accurately report the amount of waste collected, transported, and/or disposed will not be considered a minor violation and shall follow the penalty schedule established in B.1, above.
- 3. A civil penalty of up to \$1000 may be imposed to generators known to have caused a blockage in the PSB sewer collection line
- 4. Consistent and/or frequent violations of this Rules and regulations No. 15 by the generator or failure to pay stipulated penalties can result of denial of water and sewer services by the PSB

5. The PSB reserves the right to refuse the issuance of manifests to those transporters who violate the requirements established in this Rules and Regulations No. 15 or fail to pay stipulated penalties. Repeated violations by a transporter may result in the permanent denial of PSB issued manifests.

These Rules and Regulations No. 15 shall be and become effective from and after their adoption hereby and shall remain in effect until amended or changed by the Public Service Board.

PASSED, APPROVED AND ADOPTED at the regular meeting of the Public Service Board of the City of El Paso, Texas, this 13th day of April, 2005, at which meeting a quorum was present, held in accordance with the provisions of V.T.C.A. Government Code, Sections 551.001 et. seq.

PUBLIC SERVICE BOARD

ATTEST: _____ Chair

APPROVED AS TO FORM:

Secretary

Robert D. Andron, General Counsel