

CLASS A

COMMON GREASE INTERCEPTOR PERMIT

PERMIT NO. \_\_\_\_\_

PART I. PERMIT RECITALS

A. \_\_\_\_\_ (hereinafter referred to, whether one or more, as “Owner”), filed an application with the Johnson County Environmental Department (hereinafter “JCED”).

B. The application requested the approval and issuance of a Class A, Common Grease Interceptor Permit (hereinafter “Permit”), to allow the Owner to install a common grease interceptor (hereinafter “Interceptor”), to be shared by multiple food service facilities leasing portions of the Owner’s commercial property.

C. For purposes of this Permit, the word “Interceptor” shall mean a common grease interceptor that can be used by more than one food service facility (user) in a single building, the size of the Interceptor to be based on the limits of the potable water line serving the building, or such other alternate sizing criteria approved by the JCED Director of Pollution Control (hereinafter “Pollution Control Director”), such that the Interceptor shall provide a thirty (30) minute peak hydraulic detention time of the wastewater flow.

D. For purposes of this Permit, the word “grease” shall mean fats, oils and grease.

E. For purposes of this Permit, the words “interior piping or plumbing” shall mean those interior piping or plumbing lines extending from the shared common grease

line to the exterior wall(s) of a building on the Property containing more than one food service facility.

F. For purposes of this Permit, the words “exterior piping or plumbing” shall mean those exterior piping or plumbing lines extending from the exterior wall(s) of a building on the Property containing more than one food service facility, to the Interceptor.

G. For purposes of this Permit, the term “food service facility” shall mean any user that prepares and/or packages food for sale or consumption, on or off-site, with the exception of private residences. Food service facility shall include, but is not limited to, food courts, food manufacturers, food processors, food packages, restaurants, grocery stores, delicatessens, bakeries, lounges, hospitals, hotels, nursing homes, churches and schools. Food service facility shall not include a facility that only prepares beverages; a facility that only sells prepackaged foods; a facility that is currently permitted through the JCED Industrial Pretreatment Program; or a facility classified by JCED as a Significant Industrial User.

H. The Owner’s commercial property that is the subject of this Permit, is located at or about \_\_\_\_\_, and is legally described on “Exhibit A,” attached hereto and incorporated herein, and which commercial property shall be referred to herein as the “Property.”

I. The Owner is the sole owner of the Property, there being no others.

J. The Property is located and included within the Consolidated Main Sewer District of Johnson County, Kansas, and will be provided public sanitary sewer service by the Johnson County Unified Wastewater Districts (hereinafter “JCW”).

K. The Owner's requested application, to install an Interceptor on the Property, is in lieu of the JCED requirement to install a separate grease interceptor for each food service facility leasing a portion of the commercial building located on the Property.

L. The design, type, sizing and capacity of grease interceptors are usually based upon the number and type of kitchen fixtures at each food service facility that may discharge to the grease interceptor at any given time. As the number of food service facilities and kitchen fixtures that may ultimately utilize the Interceptor is currently unknown, the design, type, sizing and capacity are based on the maximum water flow to the building on the Property, or such other alternate sizing criteria approved by the Pollution Control Director. Therefore, due to the inherent uncertainty involved in approving the design, type, sizing and capacity of the Interceptor, the approval of this Permit is conditional upon the proper operation and maintenance of the Interceptor and the associated exterior piping and plumbing.

M. The JCED has reviewed the Owner's application, and is now willing to approve and issue this Permit to the Owner, subject however, to the following terms and conditions set forth in Part II of this Permit.

#### PART II. PERMIT TERMS AND CONDITIONS

A. SEWER USE CODE. For purposes of this Permit, the Owner shall comply with the provisions of the Johnson County Code of Regulations for Sanitary Sewer Use, 2003 Edition (hereinafter "Sewer Use Code").

B. DESIGN AND CONSTRUCTION.

1. Pre-Construction. Prior to starting any construction on the Property related to an Interceptor, or the interior or exterior piping or plumbing associated therewith, the Owner shall:

a. First apply for and receive the written approval of the Pollution Control Director, regarding the Owner's Interceptor Plan (hereinafter "Plan"). Application forms for Plan approval may be obtained from the JCED. All submitted applications shall include, as attachments thereto, supporting information and drawings that:

i. show the proposed external below-ground location of the Interceptor, and all interior and exterior piping or plumbing associated therewith, for any building on the Property that shall contain a food service facility;

ii. confirm that for all food service facilities to be located in any building on the Property, that an Interceptor exclusively serving all such food service facilities, or a portion thereof, shall be installed at a size adequate to provide a thirty (30) minute peak hydraulic detention time of the wastewater flow, calculated upon:

(a). the size of the potable water line coming into the building on the Property, including water meter sizing for the building; or

(b). such other alternate sizing criteria approved by the Pollution Control Director.

iii. provide for an Interceptor design that complies, and is in accordance with, the requirements of the Sewer Use Code, and the guidance documents attached hereto as “Exhibit B.”

iv. confirm that the maximum size of the proposed Interceptor is 2,000 gallons. If necessary to achieve the above-referenced 30 minute detention time, more Interceptor capacity is needed, then the placement of multiple Interceptors in a series may be allowed, however, each Interceptor shall not exceed 2,000 gallons in size. The Owner may apply to the JCED for a variance in order to obtain written authorization to install an Interceptor larger than 2,000 gallons in size.

v. show the Interceptor to be easily accessible for pumping and inspection.

vi. include a Plan review fee, including any applicable variance request processing fee.

b. Ensure that any existing food service facility located within any building on the Property that has not installed a designated JCED approved grease interceptor, has applied for and received a Class B Commercial Grease Interceptor Permit and a Class B Common Grease Interceptor User Certificate issued by JCED.

c. Provide any additional information, as requested in the applicable JCED application forms and application instruction sheets.

d. Provide, as deemed necessary by the Pollution Control Director, any additional information to demonstrate to the Pollution Control Director that the Interceptor and any associated interior and exterior piping or plumbing are designed and will operate in accordance with the terms and conditions of this Permit.

e. Due to the inherent uncertainty involved in approving the design, type, sizing and capacity of the Interceptor, enter into a Common Grease Interceptor Agreement with the JCED regarding the Owner's contractual obligations and duties concerning the Owner's use of the Interceptor in conjunction with the public sanitary sewers, and JCED's rights concerning said use, which Agreement shall be incorporated herein as Exhibit C.

2. Second Interceptor. The Owner, prior to the proposed use of a second Interceptor, or series thereof, to exclusively serve a distinct group of food service facilities located in a building on the Property, which second Interceptor shall be detached and independent of any other Interceptor serving a different group of food service facilities located in the same building, must first make application and receive a separate and distinct Class A, Common Grease Interceptor Permit from the JCED, prior to the installation and use of a second Interceptor.

3. Post-Plan Approval and Construction. After the initial pre-construction review and approval of the Plan by the JCED, the Owner shall:

a. Install the Interceptor and associated interior and exterior piping and plumbing in accordance with the Plan approved by the Pollution Control Director.

b. Request JCW to inspect the Interceptor and the associated exterior piping and plumbing prior to backfilling same, and also request JCED to inspect the associated interior piping and plumbing prior to backfilling same.

c. Request the written approval of the Pollution Control Director prior to making any changes or modifications to the:

i. approved Plan, including but not limited to the Interceptor and any associated piping or plumbing; and

ii. potable water line(s) serving any building located on the Property, (including but not limited to the water meter sizing for the building), that shall now, or in the future, contain a food service facility.

d. Be responsible, at Owner's sole cost and expense, for the uncovering and re-inspection of the public sanitary sewer line or the Interceptor and any associated piping or plumbing, that may result from the Owner or Owner's agent's unapproved deviation from the approved Plan and the requirements of this Permit.

C. OPERATION AND MAINTENANCE.

1. Prior to Operation. After all construction of the Interceptor and associated piping and plumbing has been completed, no wastewater shall be discharged into the Interceptor until:

a. The Pollution Control Director has determined that the Interceptor and associated piping and plumbing comply with this Permit and the Sewer Use Code, and the Pollution Control Director has issued to the Owner a Class A, Common Grease Interceptor Operating Certificate; and

b. The Owner has provided to the Pollution Control Director and all known food service establishments that propose to utilize the Interceptor, emergency contact information and protocol, including 24/7 telephone contact capabilities for the Owner and each food service facility proposed to utilize the Interceptor, which shall address, among other things, procedures for the reporting and immediate remediation by the Owner of an Interceptor release or overflow, or public sanitary sewer obstruction. The information and protocol shall be regularly updated by the Owner to keep it current and accurate, and such updates shall be timely provided to the Pollution Control Director and all food service facilities utilizing the Interceptor. The information and protocol, including all updates, must be submitted to and approved by the Pollution Control Director prior to distribution to any food service facilities connected to the Interceptor and prior to implementation. After approval, the Owner shall post the most recent information and protocol by the Interceptor in such a

location as to be easily visible to emergency response personnel, and it shall be weatherproofed so that it can withstand exposure without being damaged.

2. Owner's Operation and Maintenance Responsibilities. The Interceptor and associated interior and exterior piping and plumbing shall be properly operated and maintained in order to avoid excessive grease discharges into the public sanitary sewer system that obstruct the wastewater lines, thereby causing significant repair costs and adverse impacts to the environment. Therefore, the Owner shall:

a. Be responsible, at the Owner's sole cost and expense, to remedy any design and/or operational problems that may arise following the completion of construction of the Interceptor and associated interior and exterior piping and plumbing, and the commencement or continuing operations of a food service facility (or facilities).

b. Provide copies of the maintenance records regarding the pumping and cleaning out of the Interceptor, to each food service facility utilizing the Interceptor, for placement in each food service facility's JCED mandated on-site grease management notebook, which book shall be made available for review upon request of the JCED staff. The Owner shall also keep possession of the original of all pumping and clean out records, which shall also be made available to the JCED staff upon request.

c. Pump and clean out, at least once every ninety (90) days, or more frequently if deemed necessary by the Pollution Control Director, all contents from the Interceptor, including grease, floating materials, gray water, bottom sludge and solids (unless a variance has been applied for by the Owner and granted by the Pollution Control Director, approving a less frequent pump and clean out schedule). Clean out shall include the removal of solids from the walls, floors, baffles and pipe work in the Interceptor. Any variance granted to Owner regarding a less frequent pump and clean out schedule shall expire and become null and void upon any changes or modifications to a food service facility that utilizes the Interceptor, including but not limited to, changes in ownership, the use of the Interceptor by an additional or new food service facility, or significant changes to the menu or kitchen equipment, as determined by the Pollution Control Director.

d. Comply with a pump and clean out schedule more frequently than once every ninety (90) days, if so required by the Pollution Control Director, based on factors the Pollution Control Director determines may adversely impact the sanitary sewer system, the public health, or the environment. Such factors may include, but not be limited to, odors, methane gas build-up or pH readings that violate the list of prohibited discharges in the Sewer Use Code.

e. Utilize a sanitary disposal contractor, licensed by the JCED, to pump, clean out, and dispose of the contents of the Interceptor.

f. Immediately notify the JCED of any actual or suspected release or overflow of the Interceptor to the surface grade, or public sanitary sewer obstruction. The Owner shall also, at Owner's sole cost and expense:

i. take immediate and necessary action to prevent further releases and overflows of the Interceptor, or obstructions to the public sanitary sewers;

ii. identify and mitigate any potential dangers due to fire, explosion, vapor hazards, contamination, pollution, migration of spill, nuisance or unhealthy conditions, that may arise from the release or overflow, or public sanitary sewer obstruction; and

iii. provide the JCED with a progress report within one (1) business day after a release, overflow or obstruction has been confirmed, and updated progress reports thereafter on a schedule prescribed by the JCED until all adverse impacts have been adequately mitigated.

g. Make any changes, modifications and repairs (hereinafter collectively "Repairs"), at Owner's sole cost and expense, to the Interceptor and associated interior and exterior piping and plumbing, which are deemed necessary by the JCED to adequately protect the public sanitary sewer system from excessive grease discharges and accumulation, including but not limited to, the replacement of an existing Interceptor with a new Interceptor or multiple new Interceptors. Repairs required by

the JCED shall be completed by the date specified in the written notice provided to the Owner by the JCED.

h. Adequately maintain and repair the Interceptor and associated interior and exterior piping and plumbing, as needed, at Owner's sole cost and expense, to ensure same operates in good working condition.

i. Make application (including payment of a renewal fee pursuant to the then applicable fee schedule), and receive from JCED, on an annual basis, a non-transferable Class A, Grease Interceptor Operating Certificate, which shall be posted in a conspicuous place within the commercial building on the Property.

j. Ensure that any new food service facility to be located within any building on the Property has applied for and received a Class B Commercial Grease Interceptor Permit and a Class B Common Grease Interceptor User Certificate issued by JCED, prior to allowing such food service facility to discharge to the Interceptor.

D. PERMIT TERMINATION. This Permit may be revoked and terminated by the JCED due to:

1. The Owner's failure to comply with the terms and provisions of this Permit, and the provisions of the Sewer Use Code.

2. The Owner's failure to comply with the terms and conditions set forth in any written notice provided to the Owner by JCED, requesting or requiring remedial action by the Owner concerning the design, construction,

operation, permitting, maintenance or repairs, or alleged violations regarding the Interceptor and associated interior and exterior piping and plumbing.

3. The failure of a food service facility on the Property to comply with the terms and conditions of a Class B, Common Grease Interceptor Permit or User Certificate.

E. INSPECTIONS. The JCED shall make periodic unannounced inspections of the Interceptor and associated interior and exterior piping and plumbing, and the JCED mandated on-site grease management operating and maintenance records. Therefore, the Owner shall make the Property and any buildings thereon available upon request for such periodic inspections.

F. PERMIT TRANSFERABILITY. This permit is not transferable to another person or premise.

G. ADMINISTRATIVE ENFORCEMENT REMEDIES. For purposes of this Permit, the Owner shall be held subject to all the provisions set forth within Article 5 of the Sewer Use Code, and the word “user” as it appears in said Article, shall be interpreted and used in equivalent meaning as being applicable toward and applying to the Owner.

H. VIOLATION OF PERMIT. In addition to other rights and remedies, if the Owner or Owner’s agents violate any of the terms and provisions of this Permit, then JCED, at its option, may exercise its rights, among others, of terminating and revoking this Permit and the Class A, Grease Interceptor Operating Certificate, or impose new and additional conditions to said Permit and Certificate.



PART IV. JOHNSON COUNTY ENVIRONMENTAL DEPARTMENT APPROVAL

The Class A, Common Grease Interceptor Permit No. \_\_\_\_\_ shall be and hereby is approved for a period of one (1) year, commencing this \_\_\_\_\_ day of \_\_\_\_\_, 2\_\_\_\_\_, and ending on \_\_\_\_\_, 2\_\_\_\_\_.

JOHNSON COUNTY ENVIRONMENTAL DEPARTMENT

---

Cindy Kemper, Director