

City of Malden Massachusetts



Section 20. Rules and Regulations for the Maintenance of Grease Traps and Removal of Grease from Food Establishments

1. Authority

The Malden Board of Health acting under the authority of Chapter 111, Section 31, of the Massachusetts General Laws and any amendments and additions thereto, and by any other power thereto enabling, has enacted the following rules and regulations during the meeting held on May 21, 2002.

2. Purpose

The purpose of this regulation is to protect residents, businesses, city infrastructure and the environment within the City of Malden from grease stored, generated or discharged from food establishments in the City of Malden.

3. Definitions

Agent - Means any duly authorized agent of the Malden Board of Health as specified under MGL c. 111, sec. 30.

Offal - waste or rendering material from food establishment operations.

Permitted Offal Hauler - means any Offal Hauler, which is issued a Permit to Haul Offal by the Malden Board of Health.

Food Establishment - is defined as any establishment issued a Permit to Operate a Food Establishment by the Malden Board of Health under authority of FC 1-201.10 (B) (31).

Grease trap - also referred to as a grease interceptor by the State Plumbing Code, is a device designed to remove dissolved and or suspended grease and waste oil from wastewater.

Sewer pipe - means any building or city sanitary sewer piping, including but not limited to, interior and exterior building sanitary sewer piping, any main, or lateral sanitary sewer piping regardless whether it is located on private or municipal land.

Waste grease or oil - means waste oil or grease stored, generated or discharged by a Food Service Establishment.

Substantial renovations - renovations equal to 30 % of the assessed value of the subject property.

4. General Provisions

A. Grease trap installation

The Malden Board of Health may at any time require the installation and / or relocation of an internal grease trap, as it may deem necessary to maintain any particular building sewer pipe free from obstructions, restrictions of flow or breakage caused by grease or oil emanating from a food service establishment. All internal grease traps must have a minimum capacity of 40 pounds and be installed in accordance with the State Plumbing Code.

B. Food establishment or related business

In every case where a food service establishment is preparing or selling food, or other business which grease is a by product or production a suitable internal or external grease trap conforming to applicable building and plumbing codes must be installed.

C. New or remodeled food establishment.

New or substantially renovated food establishments that prepare food with a seating capacity in excess of 150 seats must install an external grease trap with a 1500-gallon capacity. Plans detailing the components and their installation must be provided to, and approved by, the Building Dept., Plumbing Dept. and the Board of Health.

D. Grease trap maintenance.

Internal grease traps must be cleaned monthly. Internal grease traps must be cleaned by the owner, operator or permitted Offal Hauler. Tools necessary to open the grease trap must on premises to facilitate the inspection of the grease trap by the Board of Health or its agents. A permitted Offal Hauler must pump external grease traps of its contents every six months. Service records must be maintained on a bi-annual basis in a binder readily accessible to the Board of Health inspectors and agents.

E. Waste grease / oil storage and removal

Waste grease and oil must be stored in a metal container with a capacity no larger than 55 gallons with a lid capable of being sealed to prevent entry of precipitation and pests. The container bottom must be elevated 4 inches from the ground to ease cleaning of the area and removal of the container. Grease storage containers must be emptied by a permitted Offal Hauler as often as necessary to prevent overfilling.

This container must be stored outside the establishment in the Dumpster area on an impervious surface such as concrete or asphalt or in another area approved by the Board of Health. While being stored all grease containers and surrounding areas must be kept in a sanitary condition at all times.

All records pertaining to the storage and removal of grease related products shall be retained on the premises for no less than one year.

Any container found without a lid, leaking, staining the ground, over flowing, or draining to a storm or other drain will be cited and fined in accordance with Section IX of this regulation.

5. Variance

Any requests for variance from the provisions of this Regulation must be presented in writing to the Board of Health. The request for variance must detail and reference the regulation to be varied and the reason therefore.

6. Permitting of Offal Haulers

All persons collecting grease and oil in the City of Malden shall obtain a non-transferable Offal Hauling Permit from the Board of Health. Application for a \$50.00 application fee and a list of customers shall accompany an Offal Hauling Permit served in the City of Malden. Offal Hauling Permits shall be renewable annually on April 30th. Failure to provide all information required by the application shall be grounds for denial of a permit.

7. Enforcement and Inspection

The Board of Health shall enforce the provisions of this regulation. Any agent of the Board of Health may, according to law, enter upon any premises at any reasonable time to inspect for compliance.

Written notice of any violation of this Regulation shall be given to the establishment by an agent of the Board of Health, specifying the nature, time, and date of the violation, any preventive or corrective measures required to be undertaken and a time limit to complete same.

The Board of Health may, after providing an opportunity for a hearing, order the modification, suspension or revocation of a Permit to Operate a Food Service Establishment for repeated or serious violations of this Regulation.

8. Hearing

The establishment or person /s to whom any order or notice is issued pursuant to this regulation, may request a hearing before the Board of Health within 7 days of receipt of the order or notice. Such request shall be in writing and shall be filed in the office of the Board of Health within 10 days of receipt of the order or notice.

9. Penalty

Violation of this Regulation may also be enforced in the manner provided under Massachusetts General Laws Chapter 40, Section 21D and shall be punishable as follows:

- (a) First offense warning
- (b) Second offense \$ 50.00
- (c) Third offense \$100.00 fine
- (d) Subsequent offenses not less than \$100.00 nor more than \$300.00.

Each twenty-four hour period during which a violation shall exist shall constitute a separate offense, and a separate and additional fine shall be imposed for each twenty-four hour period during which a violation exists.

10. Severability

Each provision of this Regulation shall be construed as separate to the end that if any part of it shall be held invalid for any reason, the remainder shall continue in full force and effect.

Effective Date:

1. This regulation shall take effect on May 21, 2002.