



## *Town of Orleans Water/Sewer Department*

19 SCHOOL ROAD  
ORLEANS, MA 02653

TELEPHONE: 508-255-1200 ~ FAX: 508-240-3702

Todd O. Bunzick, SUPERINTENDENT  
Dan Sullivan-Xenos, PROJECT MANAGER

BOARD OF WATER/SEWER COMMISSIONERS

**THE BOARD OF WATER/SEWER COMMISSIONERS WILL HOLD A HYBRID  
MEETING IN THE NAUSET MEETING ROOM AT TOWN HALL ON WEDNESDAY  
OCTOBER 2, 2024 AT 1:00 PM**

Link to join for remote participation: <https://us02web.zoom.us/j/82864206038>

By phone (646) 558-8656

ID: 828 6420 6038

**FOR THE FOLLOWING PURPOSES:**

**I. PUBLIC HEARING**

- Section 8 Fats, Oils, Grease of the Sewer Use Rules and Regulations

**II. BETTERMENT ABATEMENT HEARINGS**

- 23 Brewster Cross Road
- 5 Canal Road
- 46 and 48 Route 6A

**III. OLD BUSINESS**

- St Joan of Arc Church – Request waiver for external grease trap

**IV. ADJOURNMENT**

*“The listing of matters are those reasonably anticipated by the Chair which may be discussed at the meeting. Not all items listed may in fact be discussed and other items not listed may also be brought up for discussion to the extent permitted by law.”*

**Ad Preview**

**WATER & SEWER  
COMMISSIONER HEARING  
LEGAL NOTICE  
TOWN OF ORLEANS  
BOARD OF WATER AND  
SEWER COMMISSIONERS  
NOTICE OF PUBLIC  
HEARING**

The Orleans Board of Water and Sewer Commissioners will hold a public hearing, on Wednesday October 2, 2024, at 1:00 p.m., in the Nauset meeting room at the Orleans Town Hall. The purpose of the hearing is for the Board to receive public input and opinion regarding proposed changes to Section 8 Fats, Oils, Grease of the Sewer Use Rules and Regulations. A copy of the proposed changes is available from the Town Clerk and the Orleans Water/Sewer Department, Orleans Town Hall.

If you are unable to attend the public hearing, written comments will be accepted until Friday September 27, 2024.

#10560680  
Cape Codder 9/13/24



# TOWN OF ORLEANS

19 SCHOOL ROAD ORLEANS MASSACHUSETTS 02653-3699

Telephone (508) 240-3700 – Fax (508) 240-3703

<http://www.town.orleans.ma.us>

BOARD OF  
SELECTMEN

TOWN  
ADMINISTRATOR

## TOWN OF ORLEANS BOARD OF WATER AND SEWER COMMISSIONERS NOTICE OF PUBLIC HEARING

The Orleans Board of Water and Sewer Commissioners will hold a public hearing, on Wednesday October 2, 2024, at 1:00 p.m., in the Nauset meeting room at the Orleans Town Hall. The purpose of the hearing is for the Board to receive public input and opinion regarding proposed changes to Section 8 Fats, Oils, Grease of the Sewer Use Rules and Regulations. A copy of the proposed changes is available from the Town Clerk and the Orleans Water/Sewer Department, Orleans Town Hall.

If you are unable to attend the public hearing, written comments will be accepted until Friday September 27, 2024.

---

Thank you.

## Section 8 – Fats, Oils and Grease Traps/Tanks

- A. All Food Service Establishments where food is prepared and/or where wastes contain FOG in excessive amounts or any waste, sand or other harmful ingredients which can be discharged and are connected to the Town's wastewater system, shall be provided with an external grease tank with a minimum size of 1,000 gallons-suitable Grease trap/tank. Such devices shall not be required for private living quarters or dwelling units.
1. All Grease traps and separators shall be of a type and capacity approved by the plumbing code and shall be located so as to be readily accessible for cleaning and inspection.
  2. All Grease tanks installed after the adoption of this regulation shall be in accordance with the provisions of Title 5 (310 CMR 15).
  3. The maximum amount of FOG discharged shall not exceed the value specified in these **Sewer Use Rules and Regulations**.
  4. Biological and/or chemical treatments are not permitted for use in Grease traps/tanks in the Town unless approved by the Board. It will be the responsibility of the establishment owner to provide adequate supporting documentation for review by the Department.
- B. Permits
1. All Food Service Establishments in the Town that use, generate and/or store FOG will be required to hold a FOG Permit issued by the Department.
    - a. All Food Service Establishments must apply for a FOG Permit by the date cited on their approved sewer connection plans.
  2. All temporary Food Service Establishments and events that use, generate, or store FOG will be required to have a written FOG management plan before a temporary food service permit will be issued by the Board.
- C. Maintenance and Inspections
1. Grease tanks shall be inspected monthly and shall be cleaned when the level of grease is twenty-five (25) percent of the effective depth of the tank or at least every three (3) months, whichever is sooner. This enforcement action will be equivalent to the requirements under 310 CMR 15.351(2) (Title 5).
  2. The Food Service Establishment shall maintain an inspection and cleaning log at the property that includes, at a minimum, the date and time of the inspection, name of inspector, date and time of cleaning, name of Hauler, and notes/remarks. The Food Service Establishment shall provide written evidence to the Board that all Grease tanks are being cleaned and inspected at least every three (3) months.
  3. All Grease traps located within the Food Service Establishment must be inspected and cleaned at least once every 30 days by a service provider licensed by the Orleans Board of Health. A log must be maintained on site including at a minimum: (a) Service Provider; (b) Company Name; (c) Date of Cleaning; and (d) Volume of Material Removed in Gallons.

AECOM Technical Services, Inc. Sewer Use Rules and Regulations – April 17, 2024 Pocasset, Massachusetts  
Town of Orleans, MA

Article IV – Conditions of Use of the Wastewater System Page 36

4. Food Service Establishments that are closed for periods of time which exceed thirty (30) consecutive days are exempt from pumping and inspecting Grease tanks during those

be provided to the Department.

5. Food Service Establishments which are intermittent in nature shall coordinate with the Department with regard to inspections and cleaning of Grease tanks.
  6. Food Service Establishments can petition the Commission to adjust the maintenance schedule for Grease tanks. The petition must be in writing and include six (6) months of maintenance reports and supporting documentation from a licensed septic Hauler or plumber with a detailed explanation for the adjustment to the cleaning frequency. Variances to the above stated maintenance schedule will be approved at the discretion of the Board and reviewed on a yearly basis. The Board may specify additional FOG Management requirements as a condition of the approval.
- D. Food Service Establishment Owners and/or their representative staff, and Licensed Service Providers must attend the Introductory "FOG Control Meeting" to be conducted jointly by the Board of Health, Board of Water and Sewer Commissioners and the Wastewater Infrastructure Contract Operator.
- E. All Food Service Establishments that have Grease traps must have proper FOG signage in accordance with State of Massachusetts Plumbing Code 248 CMR 10.09 (2m)(3).
- F. Spill and Cleanup Stations
1. All Food Service Establishments that handle FOG must have spill cleanup stations and/or kits with grease absorbent pads and/or cat litter or a similar product to clean up FOG spills and prevent (slip, trip and fall) injuries in the workplace.
  2. All Haulers shall be equipped to handle any spill and provide residual clean-up service at all times.
- G. All Food Service Establishments are required to have a contract with a licensed Hauler company that is permitted with the Town.
1. All Haulers that service Grease tanks within the Town must complete a Grease Interceptor Service Report form. If the form is different from that supplied by the Department, it must contain the same information and must include the percent of FOG and solids in the tank and the condition of the tank. If pumping is not required at the time of inspection, a detailed inspection report must be provided along with the calculation information. This report must be filled out and submitted to the customer at the time of service. All manifests must be submitted to the Department within fourteen (14) days of a pumping service.
  2. All Hauler trucks that service Grease tanks will be required to have a Hauler Permit. Permitted Haulers will be issued a truck/trailer sticker for each truck permitted. This yearly sticker must be displayed on the truck/trailer at all times. FOG Haulers must provide a list of all FOG customers in the Town as part of the permit application and each permit renewal.
  3. All Haulers must have strict conformance to the FOG regulations for pumping and maintenance under the Commission's Sewer Use Rules and Regulations for systems on the Town's wastewater system and 310 CMR 15.351(2) (Title 5) for private SSDS. Failure to comply with these **Sewer Use Rules and Regulations** may result in the loss of Permit for the year and repeat offenses can result in a permanent loss of Food Service Establishment permit at the discretion of the Board.
  4. If a Hauler is found to be illegally discharging FOG under any Federal, State, or Local laws, this will result in the loss of all Hauler Permits indefinitely and the Hauler could also face criminal charges.



August 15, 2024

Board of Water and Sewer Commissioners  
Town of Orleans  
19 School Road  
Orleans, MA 02653

**Re: Request for Waiver of Requirement to Install an External Grease Trap  
St. Joan of Arc Church  
68 Canal Road, Orleans, MA**

Dear Commissioners:

On behalf of the Roman Catholic Bishop of Fall River, Cape Civil, PLLC requests the Orleans Board of Water and Sewer Commissioners (BWSC) to:

1. determine whether or not the Orleans Sewer Use Rules and Regulations (SURR) require an Outdoor/Underground Grease Tank for connection of the St. Joan of Arc Church to the Orleans sewer system and,
2. grant an exemption/waiver from the SURR to allow the church to continue using just its Indoor Passive Grease Trap and not be required to install an Outdoor/Underground Grease Tank, if the BWSC determines that the SURR do require an external grease trap.

#### Background

The present St. Joan of Arc Church building was constructed at 68 Canal Road in 1984. The lower level of the church has a kitchen with a 3-bay, stainless steel sink and an undercounter dishwasher. The sink drains have an in-line grease trap, which is cleaned every 90 days. Typically, less than 1 quart of accumulated fats, oil, and grease (FOG) is removed from the grease trap and disposed of in the dumpster. The church's existing onsite sewage disposal system consists of a 5,000 gallon septic tank, distribution box, and five (5) - 16' diameter x 3'-6" effective-depth leaching pits with a total design leaching capacity of 3,190 gpd. There is no existing external grease trap. The approved Title 5 sewage disposal system plan shows that the system was designed for a 650 seat church and 225 person vestry with a design flow of 3,075 gallons per day [(650 seats x 3 gpd/seat) + (225 persons x 5 gpd/person) = 3,075 gpd]. The existing sewage disposal system has operated without issue since it was installed 40 years ago and is in very good operating condition today. An inspection of the distribution box found no evidence of accumulated FOG on the pipes or distribution box. An inspection of two of the leaching pits found the stone at the bottom of the leach pits to be in pristine condition with no standing water and no evidence there has ever been standing water in the leach pits. Water usage records provided by the Orleans Water Department show that the 3-year average daily water usage is 123 gpd (see enclosed table).

According to the church's facilities manager, the vestry and vestry kitchen receive light use. The vestry is used occasionally for post-funeral gathering of attendees, at which catered food is served. Ten times a year (monthly excluding September and January) the Knights of Columbus hold a pancake breakfast for approximately 70 parishioners after mass. All bacon is prepared in an electric countertop skillet and grease is disposed of in the trash. The breakfast is served on disposable plates with disposable cutlery. Lastly, the vestry kitchen is used by Lower Cape Outreach Council to prepare meals for approximately 80 persons per week. The meals are distributed in to-go disposable containers. No plates, bowls, or cutlery other than those used in preparing the meals are used or cleaned.

## Relevant Definitions and Sections of the SURR

*Article I – Definitions and References* of the SURR defines a Food Service Establishment as “any facility preparing and/or serving food for commercial use or sale” and states further that, “This includes restaurants, cafes, lunch counters, cafeterias, hotels, hospitals, convalescent homes, factory or school kitchens, catering kitchens, bakeries, grocery stores with food preparation and packaging, meat cutting and preparation (excluding grocery stores with only food warming operations), meat packing facilities, and other food handling facilities not listed above where fats, oil and grease may be introduced into wastewater infrastructure, either directly or indirectly via haulers and cause line blockages and sewer overflows.

In the definition of Fats, Oils, and Grease (FOG) found in *Article I – Definitions and References*, the following are also defined:

- “Indoor Passive Grease Trap: A passive grease trap installed inside a building designed to remove FOG from flowing wastewater while allowing wastewater to flow through it. Wastewater flows from the drain of the sink into the inlet side of the trap which must have a vented flow restrictor. As the wastewater slows and cools, the FOG hardens and floats to the top and the food solids (sludge) settle and sink to the bottom displacing the wastewater from the middle of the grease trap and into the sanitary sewer.”
- “Outdoor/Underground Grease Tank: A passive grease tank installed outside a building (having a minimum capacity of 1,000 gallons) designed to remove FOG from flowing wastewater while allowing wastewater to flow through it.”
- “**For our purposes, Traps and interceptors are interchangeable and devices which will be referred to as Grease Tanks** (*emphasis added*). Grease trap requirements and sizing should follow 248 CMR – Board of State Examiners of Plumbers and Gas Fitters.”

*Article IV Section 8 – Fats, Oils and Grease Traps/Tanks, Subsection A.* states, “All Food Service Establishments where food is prepared and/or **where wastes contain FOG in excessive amounts** (*emphasis added*) or any waste, sand, or other harmful ingredients which can be discharged and are connected to the Town's wastewater system, shall be provided with a suitable **Grease trap/tank** (*emphasis added*).”

### Basis of Requests

While the church is a Food Service Establishment as defined in *Article I – Definitions and References* of the SURR by virtue of the fact that it is a facility that prepares and/or serves food for commercial use or sale, it is unlike any of the uses that are listed in the definition. Restaurants, cafes, lunch counters, schools and the other listed uses generate large volumes of kitchen flow and FOG on a daily basis; the St. Joan of Arc church does not. Orleans Water Department records show that the average daily water usage at the church is extremely low – only 123 gpd.

*Article IV Section 8* of the SURR requires the church to have a **grease trap/tank** because it is a Food Service Establishment “where food is prepared”, but it is not an establishment “where wastes contain FOG in excessive amounts”, as evidenced by the extremely low water usage. The church's kitchen does have an Indoor Passive Grease Trap to remove FOG from the wastewater.

The SURR definition of Fats, Oils, and Grease (FOG) states that (Grease) Traps and Interceptors “will be referred to as Grease Tanks”. Accordingly, the existing Indoor Passive Grease Trap is also considered a “grease tank” by definition.

### Requested Actions

We request the BWSC to make a determination as to whether or not the SURR require an Outdoor/Underground Grease Tank for the connection of the St. Joan of Arc Church to the Orleans sewer system. Based on the information above, it is our opinion that the existing Indoor Passive Grease Trap satisfies the requirement to provide a “suitable Grease trap/tank” as stipulated by *Article IV Section 8* of the SURR and that installation of an Outdoor/Underground Grease Tank is not required.

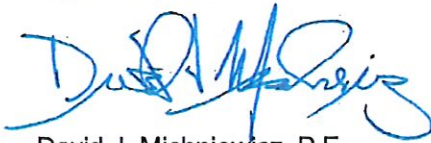
If the BWSC determines that the SURR do require an Outdoor/Underground Grease Tank, we request the BWSC to grant an exemption/waiver from the SURR to allow the church to continue using just its Indoor Passive Grease Trap for removal of FOG and not be required to install an Outdoor/Underground Grease Tank. It is our opinion that the exemption/waiver, if required, can be granted because:

- the average daily water usage at the church is only 123 gpd
- use of the kitchen for preparation of meals is limited
- disposable plates and cutlery are used for the pancake breakfasts
- established housekeeping practices minimize the amount of FOG introduced to the wastewater system
- the existing internal grease trap is monitored and cleaned regularly
- inspection of the existing 40-year old sewage disposal system distribution box and leaching pits found no accumulation of FOG on the pipes or structures

On behalf of the Roman Catholic Bishop of Fall River, thank you for consideration of these requests. We look forward to the meeting on August 21, 2024 when we can provide additional information you request or answer questions you may have.

Sincerely,

Cape Civil, PLLC



David J. Michniewicz, P.E.

cc: Alec Stansell, St. Joan of Arc

Enclosure

**AVERAGE DAILY WATER USAGE  
ST. JOAN OF ARC CHURCH  
68 CANAL ROAD**

READ DATE	CURRENT READ	USAGE	DAYS	AVERAGE DAILY WATER USAGE (GPD)
2021-06-30	159,330			
2021-09-30	173,159	13,829	92	150
2021-12-31	185,429	12,270	92	133
2022-03-31	194,646	9,217	90	102
2022-06-30	204,616	9,970	91	110
2022-09-30	217,458	12,842	92	140
2022-12-31	226,323	8,865	92	96
2023-03-31	235,708	9,385	90	104
2023-06-30	246,567	10,859	91	119
2023-09-30	259,689	13,122	92	143
2024-01-01	270,196	10,507	92	114
2024-03-31	281,462	11,266	91	124
2024-06-30	294,110	12,648	91	139
<b>3-YEAR AVERAGE DAILY WATER USAGE (GPD) =</b>				<b>123</b>