LOXAHATCHEE RIVER DISTRICT
2500 JUPITER PARK DRIVE, JUPITER, FLORIDA 33458 TEL: (561) 747-5700 FAX: (561) 747-9929

D. Albrey Arrington, Ph.D. EXECUTIVE DIRECTOR loxahatcheeriver.org

MEMORANDUM

To: Governing Board

FROM: D. Albrey Arrington, Ph.D., Executive Director

DATE: September 11, 2026

SUBJECT: Rule Chapter 31-13, Regulation of Sewer Use

The District's Chapter 31-13 "Regulation of Sewer Use" Rule is commonly referred to as our "Sewer Use Ordinance" and/or "Industrial Pretreatment Ordinance" by regulatory agencies such as EPA and FDEP. Last month, the Governing Board directed Staff to initiate rulemaking for District Rule Chapter 31-13 Regulation of Sewer Use to improve our grease interceptor exemption criteria. This directive was based on Staff 's receipt of a request to initiate rulemaking, pursuant to Chapter 31-5, by Daniel E. Moretz, I Need Capital Holdings, LLC, 711 W. Indiantown Road, Jupiter, FL 33458.

This month, Staff worked diligently to review the existing grease interceptor exemption criteria and to identify meaningful revisions which will improve clarity and eliminate ambiguity in the specific requirements to obtain and maintain an Exemption. Attached for your review and consideration are the current grease interceptor exemption criteria (Section 3.2C.3(c)) as well as the proposed revisions to the criteria.

This month, no Board action is requested. Nonetheless, we will conduct a public hearing this month to solicit public input. Then, pending input by the public and the Governing Board, we will be back next month for review and approval of the proposed revisions to Rule Chapter 31-13. At that time, we will also revise our Manual of Minimum Construction Standards and Technical Specifications, since the grease interceptor exemption criteria are included therein, as well.

Kevin L. Baker CHAIRMAN
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Water Reclamation – Environmental Education – River Restoration

Rule Chapter 31-13 – Regulation of Sewer Use

Section 3.2 - Additional Pretreatment Measures

Existing Version

(c) There are instances where food service establishments may not be required to provide a grease interceptor. In these instances, an Exemption from a grease interceptor may be issued by the District. In order to qualify for an Exemption, the following minimum criteria must be met:

- No food preparation on-site;
- The following equipment is prohibited from being on-site: oven, dishwasher, stove top, cooking surfaces/griddle, fryers, ranges, or any equipment used to cook food, including pre-cooked frozen food;
- Only pre-made food may be allowed to be heated on-site using the following equipment: toasters, microwaves or sandwich presses;
- Traditional and/or convection ovens which have a microwave feature, or which utilize microwaves to accelerate preparation times are not permitted;
- No reusable buffet serving basins used on-site;
- If serving food on-site, all food is served on disposable pre-packaging, paper or plastic plates with disposable utensils.

If the above criteria cannot be met or if it is determined that after an Exemption has been issued by the District, the above criteria can no longer be met, then a District- approved grease interceptor must be installed. Failure to do so will result in a violation of this Rule, and may result in fines as well as outlined in Section 10.6 (Administrative Fines) of the Rule.

Rule Chapter 31-13 – Regulation of Sewer Use

Section 3.2 - Additional Pretreatment Measures

DRAFT Revisions

(c) Grease Interceptor Exemption. An Exemption from the installation and/or use of a grease interceptor will only be given to those facilities that are reasonably expected not to discharge to the District's POTW fats, oils, grease, or food waste in quantities that may cause or contribute to a blockage, obstruction, interference, pass-through, or other adverse impacts to the District's POTW. Upon receipt and review of a complete application, the District may approve a site-specific Exemption from the requirement to install and maintain a grease interceptor for food service establishments that meet the minimum eligibility requirements stipulated herein.

i. Minimum Eligibility Criteria. To qualify for an Exemption, a food service establishment must meet **all** of the following conditions:

1. No on-site food preparation of raw food ingredients is permitted. Food preparation includes cooking, mixing, combining, marinating, breading, battering, or otherwise processing raw and/or uncooked food ingredients. This prohibition includes, but is not limited to raw meat, poultry, seafood, eggs, dough, batter, dairy products, oil-based foods, sauces, gravies, dressings, and similar ingredients.

2. Permitted activities are limited to unpackaging, reheating, portioning, and serving food prepared and/or cooked off-site.

3. The following equipment, or equivalent devices, are prohibited from being on-site under any circumstance: food waste disposer, dishwasher, oil-based fryer, soft serve dispenser, appliances which utilize liquified petroleum (LP) or natural gas (NG), and reusable food service-ware and utensils.

4. Food-service appliances must be limited to the equipment documented in the written Exemption approval. Exempt food service establishments are permitted to have up to three (3), 120-volt food-service appliances, each with a maximum rated capacity of 2,000 watts. The total cumulative wattage rating of all appliances on-site must be less than 6,000-watts. Refrigeration equipment is excluded from the cumulative wattage calculation.

5. All food and beverages must be served using single-use, disposable service-ware, including disposable utensils when utensils are provided or required for consumption.

6. Bulk preparation, mixing, or on-site production of condiments, dressings, sauces, dairy-based and oil-based products is prohibited. All condiments must be stored in disposable containers and pre-packaged in individual, disposable serving containers.

ii. Best Management Practices. An Exempt food service establishment must implement and adhere to the following Best Management Practices:

1. Fats, oils, grease and all food waste must be captured and disposed of as solid waste.

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2. All sink drains, except bathroom sinks, must be equipped with a removable screen with a maximum screen opening size of 3/16-inch. All captured solids must be disposed of as solid waste.

3. Cookware, kitchen utensils, warming pans, trays, serving utensils, and appliance surfaces must be scraped and dry-wiped before washing. Used wipes, scrapings, and captured solids must be disposed of as solid waste.

4. The use of additives including hot water, detergents, enzymes, bacteria, surfactants, solvents and emulsifiers which are intended to dissolve, neutralize or emulsify fats, oils and grease prior to discharge to the District's POTW is prohibited.

5. All buffet serving basins, warming basins, chafing dishes, or similar reusable containers must be lined with single use, disposable liners.

6. Signage shall be posted and maintained at all sink locations which clearly prohibit the discharge of fats, oils, and grease to the plumbing system. Signage language shall be in English, Spanish, and Creole.

7. All Staff must be provided appropriate training on these Best Management Practices for preventing fats, oils and grease from entering the plumbing system. A training log must be maintained onsite and must always be available for inspection. Training must be performed at the time of hire and at least annually, thereafter.

iii. Approval, Inspection, and Revocation. Exemptions will be issued only upon written approval by the District and will be site-specific and non-transferable. Exempt food service establishments must notify the District in writing before any change in menu, food service practices, equipment/appliances, plumbing, ownership, tenancy, and/or operations are implemented. The District will periodically, at its discretion, inspect all Exempt establishments to verify continued compliance with the Exemption criteria. In accordance with Section 10, Administrative Enforcement Remedies, the District will modify, suspend, or revoke an Exemption if the establishment no longer meets the Exemption criteria or if the establishment is not adhering to Best Management Practices. Upon revocation of an Exemption, the installation of a grease interceptor will be required within six (6) months.

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