

# City of Greensboro Water Resources Department

## Fats, Oils, and Grease Control Policy

### Section 1 - PURPOSE

It is the duty and responsibility of the City of Greensboro Water Resources Department to prevent the excessive introduction of oil and grease into the sanitary sewer system and the wastewater treatment plants. This policy is designed to outline, implement and enforce oil and grease discharge rules and to have an educational program for both residential and commercial users. . The intent of this policy is to ensure compliance with the City of Greensboro Sewer Use and Pretreatment Ordinance; ensure compliance with the rules and regulations of the United States Environmental Protection Agency and the State of North Carolina Department of Environment and Natural Resources (as relates to Fats, Oil and Grease [FOG]), ensure compliance with City of Greensboro Permit Number WQCS00006 (Wastewater Collection System Permit); and to protect the City's infrastructure as it relates to the sanitary sewer collection and treatment system.

Wastewater Collection System Permit Number WQCS00006 issued to the City of Greensboro by the North Carolina Department of Environment and Natural Resources includes the following Performance Measure:

*(4) The Permittee shall maintain an educational and enforcement program that requires the proper operation and maintenance of all grease traps and septic tanks connected to the wastewater collection system. The educational program should target both residential and commercial users.*

The accumulation of grease within sanitary sewer lines increases the potential to create sewer blockages. Sanitary sewer blockages can result in sanitary sewer overflows (SSOs), which may reach the surface waters of North Carolina. Blockages may also cause wastewater to back up into business establishments, or homes and can result extensive damage. Grease can be discharged to the sanitary sewer system from several sources, including Food Service Establishments.

In order to reduce sewer blockages, Food Service Establishments discharging wastewater that contains grease to the City of Greensboro sanitary sewer system must install and maintain a grease trap or grease interceptor. All grease trap and grease interceptors shall be maintained for continuous, satisfactory and effective operation by the owner, leaseholder or operator at this expense. "Enforceable Best Management Practices" for the control of Fats, Oil and Grease [as published by the City of Greensboro] shall also be implemented by all Food Service Establishments.

The Director reserves the right to make determination of grease retention unit adequacy and need, based on review of all relevant information regarding grease retention performance, maintenance, and facility site and building plan review to require repairs to, modification, or replacement of such retention units.

## **Section 2 - AUTHORITY**

The City of Greensboro Sewer Use and Pretreatment Ordinance [Section K of the Rules and Regulations for the Operation of the Water and Wastewater System of the City of Greensboro, North Carolina] contains the following:

### *Article II – General Sewer Use Regulations Discharge Requirements, Standards and Prohibitions*

#### *Section 1 – Prohibited Discharge Standards*

A. General Prohibitions. No user shall discharge or cause to be discharged into the POTW any pollutant or wastewater which causes pass through or interference.

B. Specific Federal Prohibitions. No user shall discharge or cause to be discharged into the POTW the following pollutants, substances, or wastewater:

(3) Solid or viscous pollutants in amounts which will cause obstruction to the flow in the POTW resulting in interference

## **Section 3 - FOG POLICY DEFINITIONS**

*City.* City of Greensboro, North Carolina

*Cost Recovery* - Those costs association with the clean up and/or decontamination of a site after discharge of substances into the sanitary sewer, storm sewer and/or to the environment that caused interference, pass-through or a sanitary sewer blockage. This includes clean up and decontamination of all structures/areas including residential, commercial, surface waters and the environment.

*Director.* The Director of the City of Greensboro Water Resources Department or his designee.

*Enforceable Best Management Practices (E-BMPs).* Methods, tools, and techniques that have been determined to be the most effective and practical means of preventing or reducing pollution, including documentation of employee training, documentation of grease interceptor/grease trap cleaning, removal and disposal of grease.

*Fats, Oils, and Greases (FOG).* Organic polar compounds derived from animal and/or plant sources that contain multiple carbon chain triglyceride molecules. These substances may solidify or become viscous at temperatures between thirty-two (32) degrees Fahrenheit and one hundred fifty (150) degrees Fahrenheit (0 degrees-65 degrees Celsius). May be referred to as FOG. Commonly these substances are byproducts generated by the practice of cooking or preparing food. They are also found in such food substances as salad dressings, sauces and marinades, and baking oils and butter products.

*F.O.G. Coordinator.* The Water Resources Enforcement Official designated by the Director of the Water Resources Department to implement the Grease Control Policy.

*FOG Enforcement Response Plan.* The policy that contains detailed procedures indicating how the City will investigate and respond to instances of noncompliance with the FOG Control Policy.

*Food Service Establishments.* Those establishments primarily engaged in activities of preparing, serving, or otherwise making available for consumption foodstuffs, and that use one or more of the following preparation activities: cooking by frying (all methods), baking (all methods), grilling, sautéing, rotisserie cooking, broiling (all methods), boiling, blanching, roasting, toasting, or poaching. Also included are infrared heating, searing, barbecuing, and any other food preparation activity that produces a hot, non-drinkable food product in or on a receptacle that requires washing. Those establishments that engage in the preparation of precooked and frozen food materials and meat cutting preparation and applicable to all “Food Service Establishments” that discharge wastewater containing grease to the City of Greensboro Sanitary Sewer System including but not limited to the following: restaurants, grocery stores, meat markets, hotels, factory and office building cafeterias, public and private schools, hospitals, nursing homes, commercial day care centers, churches, and catering services.

*Grease Retention Unit.* A device utilized to affect the separation of grease and oils in wastewater effluent from a Food Preparation Establishment prior to the wastewater entering the sanitary sewer collection and treatment system.

*Grease Interceptor.* Interceptors are grease retention units of the outdoor or underground type and normally consist of a 1,000-gallon capacity or more.

*Grease Trap.* Traps shall be in-floor recessed grease retention units, which are normally less than 100 gallons capacity. Some older existing traps may be an under the sink or above-floor design.

*Interference.* A discharge, which alone or in conjunction with a discharge or discharges from other sources, both: inhibits or disrupts the POTW, its treatment processes or operations, or its sludge processes, use or disposal, and therefore is a cause or contributes to, a violation of any requirement of the POTW’s NPDES permit and/or the City Wastewater Collection System Permit (including an increase in the magnitude or duration of a violation) or any criteria, guidelines or regulations developed pursuant to the Solid Waste Disposal Act (SWDA), the Clean Air Act, 40 CFR Part 503 [Standards for the Use of Disposal of Sewage Sludge], the Toxic Substances Control Act, or more stringent state criteria (including those contained in any State sludge management plan prepared pursuant to Title IV of SWDA) applicable to the method of sludge disposal employed by the POTW. [City of Greensboro Sewer Use and Pretreatment Ordinance Definition]

*Owner.* Owner shall mean individual, firm, company, corporation, or group upon whose property the building or structure is located or will be constructed.

*Pass Through.* A discharge which exits the POTW into waters of the United States in quantities or concentrations which, alone or in conjunction with discharges from other sources, is a cause of a violation of any requirement of the City of Greensboro NPDES permit, including an increase in the magnitude or duration of a violation. [City of Greensboro Sewer Use and Pretreatment Ordinance Definition]

*Policy.* The City of Greensboro Fats, Oils and Grease Control Policy

*POTW.* Publicly Owned Treatment Works as defined by Section 212 of the Act. (33 U.S.C. 1292) which is owned by the City of Greensboro. This definition includes any devices or system used in the collection, storage, treatment, recycling and reclamation of municipal sewage (wastewater) or industrial wastes of a liquid or solid nature. It also includes sewers, pipes and other conveyances only if they convey wastewater to a POTW treatment plant. For the purpose of this policy, POTW shall also include any sewers that convey wastewater to the POTW from persons/users outside the City who are by contract, or agreement with the City or in any other way users of the POTW.

*Sanitary Sewer.* A Public Sewer controlled by a governmental agency or entity including The City of Greensboro that carries liquid and waterborne Waste from residences, commercial buildings, industrial plants or institutions; together with minor quantities of ground or surface waters that are not intentionally admitted.

*Sewer.* A pipe or conduit for carrying Wastewater.

*Storm Sewer or Storm Drain.* A sewer or drain designed, constructed and intended to carry storm and surface waters and drainage, but NOT wastewater.

*Surface Waters.* Creeks, streams, lakes or other bodies of water.

*User.* Any person, business, or organization, including those located outside of the jurisdictional limits of the City, who contributes, causes, or permits the contribution or discharge of wastewater into the POTW.

*Variance for Cause Request.* Submittal provided by a Food Service Establishment to provide site-specific technical information to demonstrate why a grease interceptor is not feasible, practicable, and/or necessary for a particular use, activity and/or structure.

*Waste.* Shall mean the liquid and water-carried domestic or industrial wastes from dwellings, commercial establishments, industrial facilities and institutions, whether treated or untreated. The term's "sewage" and "wastewater" shall be deemed as waste by definition.

## **Section 4 - ACRONYMS**

The following acronyms are used in this Policy:

**ASPE**--American Society of Plumbing Engineers

**DENR**--Department of Environment and Natural Resources.

**E-BMP** --Enforceable Best Management Practices

**EPA**--United States Environmental Protection Agency.

**FOG**--Fats, Oils, and Grease.

**FSE**—Food Service Establishments

**NCGS**--North Carolina General Statutes.

**NC IPC**--International Plumbing Code, North Carolina Revisions.

**NOD** –Notice of Deficiency

**NOV** --Notice of Violation

**NTC**--Notice to Correct

**POTW**--Publicly Owned Treatment Works

**TOS** – Termination of (Sewer and/or Water) Service

## **Section 5 - APPLICABILITY**

This policy is applicable to all “Food Service Establishments” that discharge wastewater containing grease to the City of Greensboro Sanitary Sewer System including but not limited to the following: restaurants, grocery stores, meat markets, hotels, factory and office building cafeterias, public and private schools, hospitals, nursing homes, commercial day care centers, churches, and catering services.

## **Section 6 - GREASE RETENTION UNIT CONSTRUCTION STANDARDS**

All new grease interceptors shall be designed and constructed in accordance with the requirements of the City of Greensboro but in no case may be less stringent than the North Carolina State Plumbing Code.

### A. General Design Requirements for all Food Service Establishments

1. The City of Greensboro Engineering and Inspections Department, Plumbing Inspections Division must approve grease retention unit design prior to installation by the Food Service Establishment.
2. All grease retention units, whether singular or two tanks in series, must have each chamber directly accessible from the surface to provide means for servicing and maintaining the retention unit in efficient working and operating condition.
3. All grease retention units shall be designed and installed to allow for complete access for inspection and maintenance of the inner chamber(s) and viewing and sampling of the effluent wastewater discharged to the sanitary sewer

4. A basket, screen, or other intercepting device shall prevent passage into the drainage system of solids ½ inch or larger in size. The basket or device shall be placed in all food preparation sinks and must be removable for cleaning purposes.
5. Drainage systems conveying sanitary waste (toilets, lavatories, etc.) shall not be connected to the influent side of the grease retention unit.
6. Where food waste grinders are installed, the waste from those units shall discharge directly into the building drainage system without passing through a grease interceptor. All other fixtures and drains receiving kitchen or food preparation wastewater shall pass through a grease retention unit.
7. Dishwashers equipped with booster heaters and/or using water in excess of 140° F shall not pass through any grease retention unit with lesser than a 1000-gallon capacity.

#### B. New Food Service Establishments in New Buildings

1. All new Food Service Establishments shall be required to install at least a 1000-gallon outdoor grease interceptor, unless granted a Variance for Cause by the City of Greensboro. Any Food Service Establishment wishing to seek a Variance for Cause must submit a Variance for Cause Request to the FOG Coordinator.
2. Grease Retention Units shall be sized in accordance with the City of Greensboro Plumbing Inspections Department criteria.
3. No new Food Service Establishments will be allowed to initiate operations until a grease retention unit is installed and approved by the Plumbing Inspections Division.
4. Site plans must be submitted for all new Food Service Establishments. Site plans must be signed and sealed by a North Carolina licensed professional engineer to certify the plan meets all requirements of this Policy.

#### C. New Buildings (Strip Centers) with the Potential for Food Service Establishments

1. All new buildings or strip centers containing sections designated for commercial enterprise of the strip center are encouraged to provide a stub-out for a separate waste line for future grease interceptor installation.
2. The owner of a new strip center shall consider suitable physical property space and sewer gradient that will be conducive for the installation of an exterior, in-ground grease interceptor(s) for any flex space contained within the strip center.
3. Physical Property Restrictions and sewer gradient shall not be a defense for failure to install an exterior, in-ground grease interceptor.

D. Existing Food Service Establishments *with* a Grease Retention Unit

1. All existing Food Service Establishments with a grease retention unit shall operate and maintain such units in compliance with this policy and shall comply with the Enforceable Best Management Practices.
2. In the event an existing Food Preparation Establishment's grease retention unit is either under-designed or substandard in accordance with this policy, the owner(s) will be notified in writing of the deficiencies and required improvements and given a compliance deadline not to exceed one year to conform to the requirements of this Policy. For cases in which "outdoor" type grease interceptors are infeasible to install, existing Food Service Establishments will be required to install adequate and approved internal in-floor recessed grease traps for use on individual fixtures including sinks and other potentially grease containing drains.
3. Site plans must be submitted for additions and renovations made to existing facilities. Site plans must be signed and sealed by a North Carolina professional engineer to certify the plan meets all requirements of this Policy. Improvements made to existing facilities will be evaluated to determine their impact on the grease retention unit. Establishments will be required to install a larger sized unit if the potential daily grease production is significantly increased.

E. Existing Food Service Establishments *without* a Grease Retention Unit

1. Food Service Establishments without a grease retention unit in place on the effective date of this policy shall comply with the Enforceable Best Management Practices.
2. If excessive grease buildup is noted in the collection system and/or excessive collection system maintenance is required in the collection system and/or sanitary sewer blockages occur in the sanitary sewer system below a Food Service Establishment without a Grease Retention Unit the City of Greensboro reserves the right to require the Food Service Establishment to install a Grease Retention Unit.

F. New Food Service Establishments in Existing Buildings

1. Where practical, Food Service Establishments locating in existing buildings will be required to comply with the requirements applicable to new construction. Where it is physically impossible to install "outdoor" interceptors, internal in-floor recessed grease traps may be allowed provided prior approval of unit type, size, location, etc. is obtained from the City of Greensboro.

G. Construction Standards Exceptions

1. Under certain circumstances, the grease retention unit size and location may necessitate special exceptions to this Policy. If the City determines that an exception to this Policy is necessary, the User must first demonstrate that the proposed size and location will not result in noncompliance with the intent and discharge requirements of the Fats, Oils, and Grease Control Policy. The facility shall then submit appropriate site plans for any additions or renovations.

## **Section 7 - GENERAL REQUIREMENTS**

### **A. Right of Entry**

1. The FOG Coordinator or his designee, upon presentation of proper credentials shall have right-of-entry on or upon the property of any user/owner or commercial or institutional enterprise subject to this Policy for the purpose of inspection, determination of compliance, or other enforcement action. The FOG Coordinator or their designee shall be provided ready access to all parts of the premises for the purposes of inspection, monitoring, sampling, ability to establish limits, inventory, records examination and copying, and the performance of any other duties which the FOG Coordinator reasonably deems necessary to determine compliance with this Policy.
2. Where security measures are in place which require proper identification and clearance before entry into the premises, the property owner or commercial enterprise shall make necessary arrangements with its security guards so that, upon presentation of proper credentials, the FOG Coordinator or their designee will be permitted to enter without delay for the purposes of inspecting the site and investigating any complaints or alleged violations of this Policy.
3. The FOG Coordinator or their designee shall have the right to set up on the property such devices as are necessary to conduct sampling and/or metering and shall have the power to require written statements, certificates, certifications, or the filing of reports relating to complaints or alleged violations of this Ordinance.
4. All grease retention units shall be easily accessible and shall not be obstructed by landscaping, parked cars, or other obstructions. Any temporary or permanent obstruction to safe and easy access to the areas to be inspected and/or monitored shall be removed promptly by the responsible party at the written or verbal request of the FOG Coordinator or their designee. The costs of clearing such access shall be borne by the responsible party.
5. The FOG Coordinator or their designee may inspect the facilities of any user in order to ensure compliance with this Ordinance. Such inspection shall be made with the consent of the owner, manager, or signatory official.
6. The FOG Coordinator also may monitor and inspect any business using or selling cooking oil, any person removing and transporting commercial cooking oil waste or commercial FOG waste and any recycling facility converting commercial cooking oil waste or commercial FOG waste into a marketable product.

### **B. Enforceable Best Management Practices**

1. Fats, oils and grease can be managed effectively in the food service industry to minimize the discharge to the sewer system and decrease the required maintenance of grease retention units. Best Management Practices are kitchen cleaning and grease-handling techniques used throughout the industry, and have proven effective when implemented properly and consistently.
2. All Food Service Establishments shall maintain a copy of the "City of Greensboro Enforceable Best Management Practices" and shall implement the E-BMPs through the proper training of all employees.



3. Documentation of E-BMP employee training shall be maintained on-site and readily available upon request.

#### C. Use of Enzymes, Emulsifiers or Other Biological Additives

1. The use of enzymes, grease solvents, thermal sources, emulsifiers, etc. are not considered acceptable grease trap/interceptor maintenance practices and shall not be used as an alternative to the pumping of a grease retention unit, nor as the sole source of grease retention unit maintenance.

#### D. Grease Trap Cleaning and Maintenance Requirements

1. Grease traps (in floor or under sink) shall be cleaned at least once per month. This required maintenance cleaning frequency can be changed by the FOG Coordinator upon written notification to the owner.
2. Cleaning of grease traps by owners and/or operators is permissible under the following guidelines:
  - a. All owners/users must obtain a septage permit yearly from the State of North Carolina in order to maintain their own inside traps. [As per North Carolina General Statute 130A-290(32)].
  - b. All owners/users shall maintain a copy of the “City of Greensboro/ Guilford County Health Department Procedures to Clean an Inside Grease Trap”. Cleaning of grease traps must comply with this document.
  - c. All owner/users shall maintain grease trap cleaning records that include: date and time grease trap was cleaned, initials of person who performed the cleaning and a certification statement that the cleaning procedures followed the requirements of the “City of Greensboro/ Guilford County Health Department Procedures to Clean an Inside Grease Trap”.
  - d. Cleaning records shall be maintained on-site for a period of three years and copies of grease trap cleaning records shall be submitted quarterly to the City of Greensboro FOG Coordinator. Reports shall be due by the 15<sup>th</sup> day of January, April, July and October for the previous 3 calendar month period. The submittal can be by fax or US mail.

#### E. Grease Interceptor Cleaning and Maintenance Requirements

1. All outdoor grease interceptor units shall be cleaned/pumped at least quarterly by a North Carolina licensed grease hauler or recycler [as per NCGS 130A-291]. This required maintenance cleaning frequency can be changed by the FOG Coordinator upon written notification to the owner.
2. Cleaning/pumping shall include the complete removal of all contents, including floatable materials, wastewater, sludge and solids. Separation, decanting or back flushing of the grease interceptor or its wastes is prohibited.
3. The owner shall be responsible for ensuring that no waste or wastewater pumped from the grease retention unit is reintroduced back into the collection system, into the environment, or is otherwise improperly disposed of.
4. All outdoor grease interceptors shall be maintained in efficient operation at all times by the owner at the owner’s expense.

5. All owners/users shall maintain cleaning/pumping receipt records that include: date and time grease interceptor was cleaned, quantity of grease/materials removal, company or qualified agent providing services.
  - a. Cleaning records shall be maintained on-site for a period of three years and copies of cleaning records shall be submitted quarterly to the City of Greensboro FOG Coordinator.
  - b. Reports shall be due by the 15<sup>th</sup> day of January, April, July and October for the previous 3 calendar month period. The submittal can be by fax or US mail.

#### F. Prohibitions and Violations

1. No user shall contribute or cause to be contributed into the sanitary sewer system the following:
  - a. Hot water running continuously through a grease retention unit
  - b. Discharge of concentrated alkaline or acidic solutions into a grease retention unit
  - c. Discharge of concentrated detergents into a grease retention unit
  - d. Discharge of oils and grease into the sanitary sewer system
2. It shall be a violation of this Policy and the City of Greensboro Sewer Use and Pretreatment Ordinance for any person or User to:
  - a. Modify a grease retention unit structure without consent from the City
  - b. Provide falsified data and/or information to the City of Greensboro, including but not limited to grease retention unit maintenance and/or cleaning records
  - c. Violate or fail to comply with any applicable section or provision of this Fats, Oils and Grease Control Policy.

#### G. Notification of Change in Ownership or Closure of a Food Service Establishment

1. A change in ownership of a Food Service Establishment shall be reported to the FOG Coordinator in writing within thirty (30) days of the ownership change.
2. Any Food Service Establishment that goes out of business shall report such closure to the FOG Coordinator in writing within thirty (30) days of closure and shall ensure that any grease trap and/or interceptor shall be cleaned/pumped before the building is vacated.

### **Section 8 – COMPLIANCE**

1. All Food Service Establishments who are implementing and documenting the E-BMPs [including employee training and kitchen procedures] and performing and documenting grease retention unit cleaning at the required frequency will be considered to be in full compliance with this policy.
2. When an obstruction and/or Sanitary Sewer Overflow occurs, the records of all Food Service Establishments that discharge to the affected sanitary sewer line may be reviewed in order to determine the responsible party. Any Food Service Establishment found to be in noncompliance with the required grease retention

unit cleaning frequency shall be deemed a “responsible party” for cost recovery. Payment of cost recovery does not preclude further enforcement actions for noncompliance as per the FOG Control Policy Enforcement Response Plan.

## **Section 9 - ENFORCEMENT**

### A. Enforcement Response Plan

Enforcement of the Fats, Oils and Grease Control Policy shall be in accordance with the provisions of the Water Resources FOG Enforcement Response Plan. Failure to comply with any provision of the Policy may be grounds for civil penalty imposition and/or discontinuance of service.

1. The FOG Coordinator shall develop and implement an Enforcement Response Plan for the City of Greensboro Fats, Oils and Grease Control Policy. The plan shall contain detailed procedures indicating how the FOG Coordinator will investigate and respond to instances of non-compliance with this Policy.
2. The Enforcement Response Plan is a statement of policy by the City of Greensboro. It is not a regulation, code or statute and the Director or his designee has the authority to amend the policy at any time in order to more effectively implement the FOG Control Policy.
3. No enforcement procedure is contingent upon the completion of any “lesser” activity.
4. Nothing in the Enforcement Response Plan shall limit the authority of the FOG Coordinator to take any action, including severance of sewer service without first issuing a Notice of Violation or other less severe action.

### B. Administrative Enforcement Activities

The City of Greensboro is authorized to take the following actions in response to noncompliance with the Fats, Oils and Grease Policy and/or the Sewer Use and Pretreatment Ordinance:

1. Written Notice to Correct [NTC]
2. Written Notice of Deficiency [NOD]
3. Enforcement Meeting
4. Initiation of Self-Monitoring
5. Employee Training Requirement
6. Notice of Violation [NOV]
7. Civil Penalty [from \$1-\$10,000]
8. Consent Order (may contain Schedule of Compliance [SOC])
9. Administrative Order [AO]
10. Payment of Remediation/Clean-Up Costs and/or Cost Recovery
11. Termination of (Sewer and/or Water) Service [TOS]

## **Section 10 - EMERGENCY ACTIONS and PROCEDURES**

1. The FOG Coordinator is authorized to take all necessary actions to immediately and effectively halt or prevent any grease discharge to the sanitary sewer system, storm sewer or surface waters.
2. Any owner/user with grease retention unit maintenance problems or other situations resulting in the discharge of fats, oils, and grease to *surface waters* must halt discharge immediately. Immediately is defined as within 15 minutes of becoming aware of the problem. Any repairs to the system must be completed within 24 hours, at the expense of the Food Service Establishment owner, leaseholder or user.

## **Section 11 - APPEALS**

### A. Reconsideration Petition

1. Any user/owner may petition the FOG Coordinator to reconsider the terms of any enforcement action within thirty (30) calendar days of issuance.
2. Failure to submit a timely petition for review shall be deemed to be a waiver of the administrative appeal process
3. The petition shall indicate the terms objected to, the reasons for the objection and any additional information that should be considered.
4. If the FOG coordinator fails to act within fifteen (15) days of receipt, the request for reconsideration shall be deemed to be denied.

### B. Initial Appeal to Operations Manager

1. Any user/owner whose Reconsideration Petition to the FOG Coordinator has been denied shall have the right to a hearing before the Operations Manager upon making written demand to the Operations Manager within thirty (30) days of receipt of the denial. The written demand shall identify the specific enforcement action issues to be contested and any additional information that should be considered.
2. Unless such written demand is made within the time specified herein, the action shall be final and binding.
3. The Operations Manager shall conduct the hearing and make a final decision on the enforcement action within fifteen (15) days of the hearing. The owner/user shall be notified of the decision by certified mail.

### C. Final Appeal Hearing with Water Resources Director

1. Any user/owner whose Initial Appeal to the Operations Manager has been denied shall have the right to a final hearing before the Water Resources Director upon making written demand to the Water Resource Director within thirty (30) days of

- receipt of the Initial Appeal denial. The written demand shall identify the specific enforcement action issues to be contested and any additional information that should be considered.
2. Unless such written demand is made within the time specified herein, the action of the Water Resources Director shall be final and binding.
  3. The Water Resources Director shall conduct the hearing and make a final decision on the enforcement action within fifteen (15) days of the hearing. The owner/user shall be notified of the decision by certified mail.
  4. The decision of the Water Resources Director shall be considered the final administrative action for purposes of judicial review.