FOG Program Updates

Fats, Oils and Grease

NC DEQ Mandatory Updates to Our Program

Must be an Enforceable Program

What does FOG do to our Sewer Collection System?

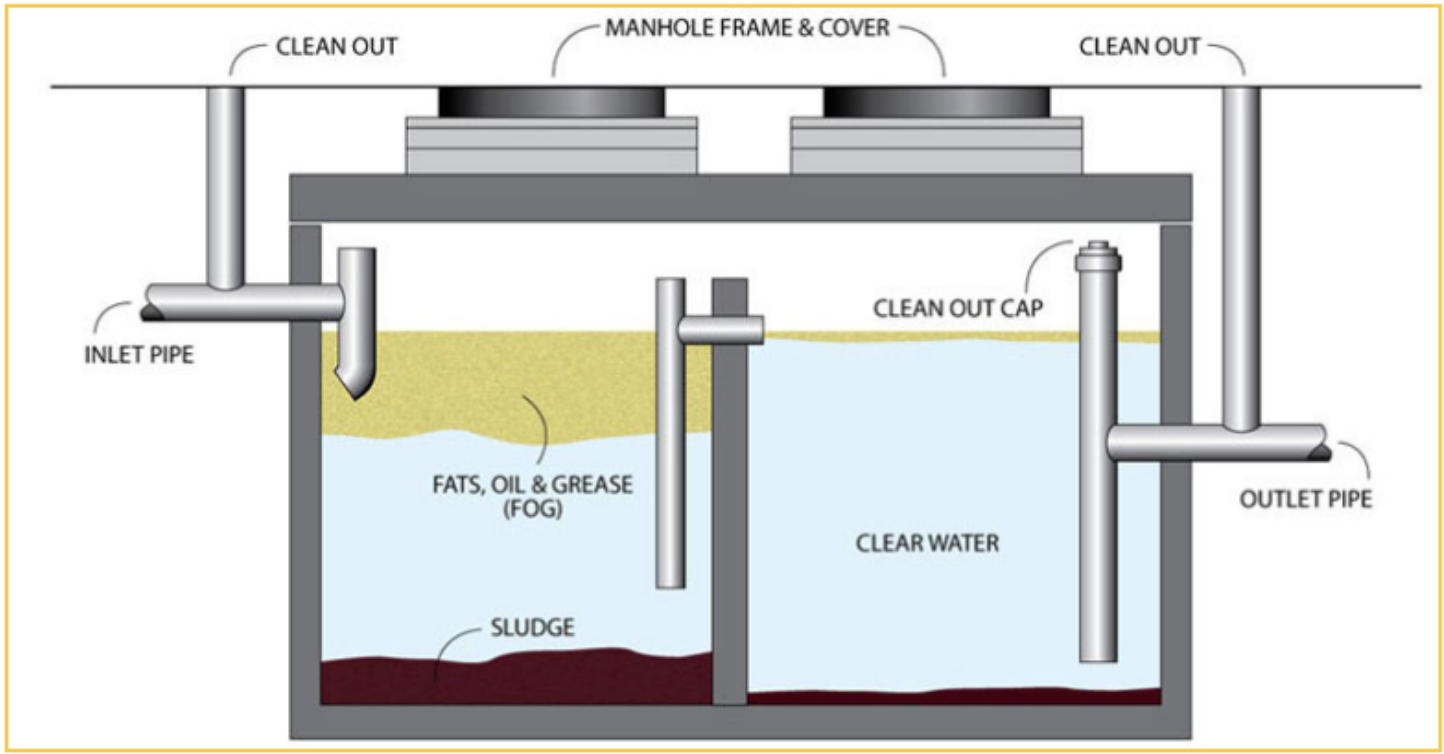






How do you prevent FOG?

- Don’t put fats, oils or grease down the drain!
- Install grease traps or interceptors to catch any residual, sundry or accidental spills of FOG, **commercial applications only does not apply to reside**



Why update our FOG Program now?

Our permit says we are required to have a FOG program and DEQ had a compliance finding in April of 2025

What our Permit Says:

The Permittee shall develop and implement an educational fats, oils and grease program that shall include at least semiannual distribution of educational material targeted at both residential and non-residential users. The Permittee shall also develop and implement an enforceable fats, oils and grease program for non-residential users under which the Permittee can take enforcement against users who have not properly installed, operated and maintained grease traps or grease interceptors as directed or otherwise violated the terms of the enforcement program pertaining to fats, oils and grease. [15A NCAC 02T.0108(b)]

DEQ Compliance Finding of April 2025:

Enforceable grease control program: Per section I.4 of the permit, the permittee shall develop and implement a Fat's, Oils and Greases (FOGs) enforcement program for non-residential users. Brevard's Sewer Use Ordinance (SUO) does allow the City to take enforcement action against violators who introduce prohibited substances to the collection system per Section 70-141 A. While the permit does not explicity require routine inspection of grease traps, the City should establish a method for documenting and checking non-residential users' compliance per Section III.1 of the permit. If any of these responsibilities are delegated to another entity, this should be outlined within the City's policy and kept on file for future inspections.

What does our UDO and Code of Ordinances currently say?

Unified Development Ordinance

The current UDO is silent on FOG.

PART II: CODE OF ORDINANCES

CHAPTER 70. UTILITIES

Cross reference(s)—Buildings and building regulations, CHAPTER 18; poles, wires and conduits, § 62-91 et seq.

State law reference(s)—Municipal authority to operate public utilities, G.S. 160A-312.

ARTICLE III. SEWER SYSTEM

State law reference(s)—Wastewater systems, G.S. 130A-333 et seq.

70-92. Restricted discharges.

No person shall discharge or cause to be discharged the following described prohibited substances, materials, waters or wastes if it appears likely in the opinion of the manager that such wastes can harm either the sewers, wastewater treatment process or equipment, can have an adverse effect on the receiving stream, or can otherwise endanger life, limb, public property or constitute a nuisance. In forming his opinion as to the acceptability of these wastes, the manager will give consideration to such factors as quantities of subject wastes in relation to flows and velocities in the sewers, materials of construction of the sewers, nature of the wastewater treatment process, capacity of the wastewater treatment plant, degree of treatability of wastes in the wastewater treatment plant, and other pertinent factors. The substances prohibited are:

A. Any liquid or vapor having a temperature higher than 140 degrees Fahrenheit (60 degrees Celsius) or that causes wastewater entering the wastewater treatment plant to exceed 104 degrees Fahrenheit (40 degrees Celsius).

B. Any waste or water containing fats, wax, grease or oil in excess of 100 mg/L, as determined by results of the Freon extractable test, and the reasonable interpretation of test results, and/or auxiliary tests, to exclude from the measurement values which do not represent fats, wax, grease and oil.

Our Current FOG Program

- Our current FOG Program primarily consist of outreach/education.

- In the past we have mailed FOG pamphlets with Water bills, but this has not been done in the last several years. Per our permit and current compliance finding this should be done twice per year.

- Our primary outreach/education component at present is on the City's website City of Brevard Fats Oils and Grease Program

Revised UDO Language

This language has been approved by the Planning Board and is pending City Council Approval on 8/3/2026

Code of Ordinances and UDO

CHAPTER 17. DEVELOPMENT PLAN REQUIREMENTS

17.6. Construction document requirements.

The construction documents for site plans, conditional rezoning plans, special use plans, major subdivisions, vested rights, and master plans shall be submitted in accordance with the specifications of this section except where specifically noted. Construction documents shall constitute the complete submittal requirements for site plans and preliminary plats required prior to construction.

The size and number of completed application submittal copies required shall be set by the administrator. No certifications other than the certificate of survey and accuracy as in Section 17.7.J and the seal of the professional designer must be provided in connection with the submission.

Construction drawings must be drawn to the following specifications and must contain or be accompanied by the applicable information listed below. All plans shall be submitted at a scale not less than one inch = 50 feet unless otherwise authorized by the administrator. No processing or review of construction documents will proceed without all of the following information:

V. Supplemental plans as applicable:

1. Landscape plan in accordance with Section 17.9.
2. Tree preservation plan in accordance with Section 17.9.
3. Lighting plan in accordance with Section 17.10.
4. Architectural plans in accordance with Section 17.11.
5. Traffic impact analysis (if required) in accordance with Section 17.12.
6. Floodplain development information (if required) in accordance with Section 17.13.
7. Stormwater management concept plan in accordance with Section 17.13.
8. Fats, oils, and grease (FOG) control plan in accordance with CHAPTER 70 of Brevard City Code of Ordinances.

Revised Code of Ordinances Language

Approved by the PWUIC on 8/5/2026

- Current Code of Ordinance https://online.encodeplus.com/regs/brevard-nc/doc-viewer.aspx#secid--1

- Proposed Revised Code of Ordinance with FOG Program Updates

Newly Adopted Fee Schedule as part of the FY 26-27 Budget

Tier	Administrative Penalty
Tier 1	No Civil Penalty; Notice of Violation (NOV)
Tier 2	Up to $500 Civil Penalty; NOV
Tier 3	$750 to $1,500.00 Civil Penalty; NOV; Consent Agreement;
Tier 4	$1,500.00 to $3,000.00 Civil Penalty; NOV; Consent Order or Administrative Order
Tier 5	$3,000.00 to $10,000.00 Civil Penalty; NOV; Administrative Order; Public Notice
Tier 6	$10,000.00 to $25,000.00 Civil Penalty; NOV; Show Cause Order; Public Notice; Possible Termination of Services
Tier 7	$10,000.00 to $25,000.00 Civil Penalty; NOV; Show Cause Order; Public Notice; Termination of Services
SSO	In addition, to the civil penalties stated above the District may recover any operational cost associated with the removal and cleanup of an SSO. If any penalties or fines are assessed against the District by the State of North Carolina or EPA as a result of a SSO, the penalties or fines may be passed along to the perpetrator.

Roll Out and Communication Plan

- New FOG Coordinator position was created and filled in April of 2026. This position was created by taking and existing position and redefining the job duties.
- In the process of purchasing needed tools and test equipment as well as repurposing a vehicle dedicated to the FOG Coordinator.
- Work with Wastewater Collection System ORC to identify low hanging fruit by concentrating on specific basins of concern first.
- Developed a “customer” questionnaire to help us understand current level of FOG compliance with individual businesses and prioritize these concerns. The questionnaire will serve as a heads up that inspections are coming.

What does the updated FOG Program implementation and enforcement look like in action??

Update UDO

Update Code of Ordinances

Updated Fee Schedule, already in place

More robust communication plan consisting of mailing FOG brochures twice a year

Distribution of FOG Questionnaires to current “customers”

Based on priority finding develop and inspection schedule and begin inspections within 6 months but postponing full utilization of the Fee Schedule for 1 year.

Work with ”customers” to reduce or eliminate their FOG contribution to the collection system by ensuring systems are both installed and maintained.

Nurture relationship with Transylvania County Department of Health as they are responsible for restaurant inspections and may find issues we can help address.

Develop a list resources related to grease trap installation, maintenance and repair and coordinate distribution with the County Building Inspection and Health Department

Possible Outcomes

- Reduction of Sanitary Sewer Overflows (SSOs aka DEQ Findings) due to blockage, backups and overflows of the wastewater collection system.
- Reduction of BOD and TSS at the WWTP
- Reduction of odor from reduction of FOG which produces hydrogen sulfide aka….smells bad…
- Labor cost savings to the City due to fewer blockages in the collection system and problems at the lift stations
- Fewer Health Department inspection violations….possibly resulting in cleaner restaurants
- Possible costs to business owners for revitalizing, cleaning, maintaining or installing FOG collection systems

Next Steps

- PWUI Committee recommends City Council adopt the proposed UDO and Code of Ordinance Changes
- City Council to adopt UDO and Code of Ordinance revisions of suggest revisions to the plan
- Begin implementation of the new “Enforceable FOG Program