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70 Attachment 3

**City of Biddeford**

**Table 1**  
**Fats, Oils, and Grease Enforcement Response Plan Noncompliance Fees**  
**[Added 4-7-2015 by Ord. No. 2015.12]**

Violations of Article V shall be assessed a noncompliance fee in accordance with Tables 1a through 1f.

**Table 1a**  
**Administrative Noncompliance Fees**

Type	Description	Frequency	Enforcement
Admin	Failure of facility to have and maintain a written FOG control plan	1st offense	AW + \$50
		2nd offense	NOV + \$100
		3rd offense	CO + \$200
	Failure to maintain a written FOG training program	1st offense	AW + \$50
		2nd offense	NOV + \$100
		3rd offense	CO + \$200
	Failure to obtain a waiver for grease interceptor maintenance frequency >90 days	1st offense	AW + \$50
		2nd offense	NOV + \$100
		3rd offense	CO + \$200
	Failure to perform FOG training	1st offense	AW + \$50
		2nd offense	NOV + \$100
		3rd offense	CO + \$200
	Failure to post kitchen signage	1st offense	AW + \$50
		2nd offense	NOV + \$100
		3rd offense	CO + \$200
Failure to provide notification of planned changes at least 90 days prior to change	Any	AW + \$100	
Failure to register or renew a registration	1st offense	NOV + \$100	
	>=2 offense	NOV + \$200	
	>=2 consecutive	NOV + \$500	
FOG control plan incomplete (lacks one or more of 4 minimum elements)	Any	AW + \$50	

**Table 1b**  
**Recordkeeping Noncompliance Fees**

Type	Description	Frequency	Enforcement
Recordkeeping	Failure to maintain grease trap maintenance log	1st offense	AW + \$50
		2nd offense	NOV + \$100
		>=3 offenses	CO + \$250
	Failure to maintain records for 3 years	Any	NOV + \$200
Failure to submit grease interceptor cleaning/pumping record within 7 days of service	Any	AW + \$25	

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**Table 1c  
Facility Noncompliance Fees**

Type	Description	Frequency	Enforcement
Facility	Failure to comply with notice to construct constituent monitoring/sampling facilities	Any	CO + \$500, legal expenses, correct condition
	Failure to construct constituent monitoring/sampling facilities at the location specified	Any	AW + \$50, relocation
	Failure to implement minimum best management practices	1st offense	AW + \$150
		2nd offense	NOV + \$250
		>=3 offenses	CO + \$500, legal expenses, termination of service
	Failure to install a grease control device prior to initial startup	Any	NOV + \$150, install GCD
	Failure to install the correct size grease control device	Any	NOV + \$150, install correct GCD
Failure to install the grease control device in a location suitable for easy inspection, maintenance, and cleaning	Any	NOV + \$150, correct condition	

**Table 1d  
Maintenance Noncompliance Fees**

Type	Description	Frequency	Enforcement
Maintenance	Failure to clean air handling grease filter(s)	1st offense	AW + \$50
		2nd offense	NOV + \$100
		>=3 offenses	CO + \$200, legal expenses
	Failure to comply with the 25% Rule	1st offense	AW + \$0
		2nd offense	NOV + \$50
		>=3 offenses	CO + \$100
	Failure to increase grease interceptor maintenance frequency after exceeding 25% Rule	Any	NOV + \$100
	Failure to maintain a grease control device at required frequency	1st offense	AW + \$50
		2nd offense	NOV + \$100
		>=3 offenses	CO + \$250, legal fees
	Failure to maintain monitoring/sampling facilities	Any	NOV + \$200
Failure to operate and maintain a grease control device	Any	NOV + \$250	
Failure to service grease control device after becoming aware that FOG and accumulated solids exceed 25% Rule	Any	NOV + \$250	
Failure to service grease control device immediately after overflow or blockage	Any	NOV + \$250	

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**Table 1e**  
**Material Management Noncompliance Fees**

Type	Description	Frequency	Enforcement
Material Mgt	Bulk cooking oil disposed of by pouring down a drain or pipe connected to the POTW, with or without a grease control device installed	1st offense	CO + \$500
		>=2 offenses	CO + \$1,000, legal expenses, termination of service
	Disposal of recovered oil, sludge, or solids from cleaning or maintenance of a grease control through the POTW	1st offense	CO + \$500
		>=2 offenses	CO + \$1,000, legal expenses, termination of service
	Failure to segregate waste cooking oil	1st offense	AW + \$50
		2nd offense	NOV + \$100
		>=3 offenses	CO + \$200
	Food grinder waste directed to grease control device	1st offense	AW + \$50, correct condition
		>=2 offenses	CO + \$500, termination of service
	Oil and grease in discharge in excess of the concentration specified in Sec. 70-86, or a lower concentration that accumulates and/or causes or contributes to blockages	1st offense	NOV + \$250, correct condition
		>=2 offenses	CO + \$500, legal fees, correct condition
	Sanitary waste directed to grease control device	1st offense	AW + \$50, correct condition
		>= 2 offenses	CO + \$500, correct condition
	Use of additives to treat FOG without written authorization	1st offense	NOV + \$100
>=2 offenses		CO + \$500	

**Table 1f**  
**General Compliance Noncompliance Fees**

Type	Description	Frequency	Enforcement
Compliance	Failure to grant access	1st offense	NOV + \$250
		2nd offense	CO + \$500, legal expenses
		3rd offense	CO + \$1,000, termination of service
	Falsifying data/records or tampering with equipment	Any	CO + \$1,000, legal expenses, termination of service
	Failure to comply with the terms and conditions of an AO	Any	NOV + \$100 or 2x the AO fee, whichever is greater
	Failure to comply with the terms and conditions of a NOV	Any	CO + \$200 or 2x the NOV fee, whichever is greater
Failure to comply with the terms and conditions of a CO	Any	CO + \$500 or 2x the CO fee, whichever is greater, termination of service, legal fees	