Section X, Wastewater Disposal.

Tenant shall not improperly discharge, in Landlord’s sole and absolute opinion, any substances, waste, or wastewater (collectively, “Prohibited Substances”) into or onto the Premises or elsewhere on Landlord’s property, including without limitation storm drains located on the Premises or the property. In the event that Tenant becomes aware of a discharge of Prohibited Substances into or onto Landlord’s storm drains or other property, Tenant shall notify Landlord immediately. Tenant’s failure to comply with the provisions of this Section shall constitute a default of its obligations under this Agreement and may be grounds for the termination of the Agreement by Landlord, as provided by Section ___. In the event that the provisions of this Section X conflict with the provisions of Section ___, “Emissions; Storage, Use and Disposal of Matter”, the provisions of Section __ shall prevail.

[Food services leases]

Section X, Wastewater Disposal.

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1. Operating Procedures for Equipment Washing:

- Do not clean floor mats, equipment or exhaust filters in an outside area where wash water may flow to a street, gutter, catch basin, storm drain, or waterway.

- Wash water from the cleaning of exhaust filters must be discharged through a grease trap or an interceptor connected to the sanitary sewer.

- Floor mats may be washed in an outdoor area only if the area has a drain plumbed to the sanitary sewer and the area is enclosed, sloped or bermed to prevent discharge to the storm drain and to prevent excess storm water from running into the sanitary sewer drain. The area’s sanitary sewer drain must have a grate or screen to retain particles larger than one-half inch.

2. Operating Procedures for Loading Dock Cleaning (If Applicable):

- Wastewater from the cleaning of loading docks and delivery areas may not be discharged to the street or storm drain system, or left as standing water. Wash water from these areas must be discharged to the sanitary sewer.

- Loading dock and delivery areas must be kept clean and free of food waste and debris at all times.

- Storm drains must be kept free of leaves, dirt, and debris.

- Cleaning solvents may not be used outside to clean loading docks, delivery areas, or dumpster areas.

3. Operating Procedures for Cleaning Outdoor Dining Areas:

- Sidewalks, gutters, plazas, alleyways, outdoor eating areas, steps, building exteriors, walls, and driveways will be cleaned using approved methods. These areas may be cleaned with water provided that one of the following methods is used:
  - Clean up spills using dry absorbent materials; next, sweep up debris, trash, cigarette butts, dirt, leaves, and other particles; then, mop with minimal amounts of water only—no soap or cleansers. Or,
  - Pressure washing, steam cleaning, and hand scrubbing may be conducted if the wastewater is collected and disposed of into the sanitary sewer. This wastewater may not run-off into the street or be discharged into the storm drain system.
• Cleaning solvents may not be used outside to clean ground surfaces, such as sidewalks, walkways, plazas, patios, driveways, loading docks, delivery areas, or dumpster areas.

4. Operating Procedures for Handling and Disposal of Fats, Oil and Grease (FOG):

• FOG shall be stored and transferred in watertight covered containers.

• Secondary containment shall be provided for FOG storage containers which are fifty-five (55) gallons or larger, as follows:
  o The containment must be protected from collecting rainwater: located indoors, located under cover, or have intrinsic containment (double-walled container)
  o Containment material must be compatible with oil and grease (not degraded by a spill)
  o The volume of the secondary containment shall be: one hundred ten percent (110%) the volume of a single container or, if multiple containers, the larger of one hundred fifty percent (150%) of the largest container volume or ten percent (10%) of the total volume of all the containers.
  o If not intrinsic, containment must be accessible for cleaning. Any spills or leaks into the containment must be cleaned up and the containment maintained in a clean and dry condition.

• Spills or leaks from FOG containers are cleaned up immediately using the following procedure: Use dry cleanup methods to absorb leaks and spills, sweep up litter and debris, and if necessary, spot clean or mop with minimal amounts of water and dispose of the water via the sanitary sewer. If the sanitary sewer is not available on a building’s exterior, waste waters resulting from FOG clean-up will be disposed of inside the building.

5. Operating Procedures for Handling of Solid Wastes and Recyclable Materials:

• Do not place leaking containers or garbage bags into a dumpster. Any leakage from dumpsters or trash containers may not be discharged to or allowed to reach the storm drain system.

• Dumpster and garbage cans must be maintained securely closed.

• Trash may not spill out or overflow the dumpster or garbage can.

• Wastewater from the cleaning of garbage dumpster areas and areas where trash is stored or contained must be discharged to the sanitary sewer.
6. Training:

- On an annual basis, employees receive training on best management practices to reduce storm water constituents of concern. All training documents will discuss permissible and impermissible activities as well as how to report concerns.
- Storm water training must be included in all new employee orientation.
- All training must be documented and provided upon request.