

2017

City of Tallahassee

Industrial Pretreatment Program

Sewer Use Manual

Reference

Code of General Ordinances of the City of Tallahassee, Florida

Chapter 21 – Utilities

Article IX – Sewers and Sewage Disposal

Division 3 – Discharge Restrictions

Statement of Authority

Pursuant to City of Tallahassee Ordinance No. 17-O-36, as approved by the City Commission on January 31, 2018, this Sewer Use Manual is thereby incorporated by reference into the City of Tallahassee Code of General Ordinances for the administration of policies and procedures of the Industrial Pretreatment Program [reference Section 21-347(7) of Ordinance 17-O-36].

Pursuant to City of Tallahassee Code of General Ordinances, Section 21-349, the policies and procedures relating to the administration, implementation and enforcement are hereby set forth in this Sewer Use Manual promulgated by the General Manager [of Underground Utilities and Public Infrastructure].

Authorized by:



2-15-18

Medhat "Mike" Tadros

General Manager – Underground Utilities & Public Infrastructure

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Subdivision I - General Provisions

Section 21-346 Definitions and Abbreviations

The following words, terms and phrases, when used in this division, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Act means the Federal Water Pollution Control Act, also known as the Clean Water Act, as amended, 33 United States Code (U.S.C.) 1251, et. Seq.

Accidental discharge means the unintentional discharge of a regulated substance into the wastewater system.

Administrative action review (AAR) means a comprehensive review by the city of violations of this division by a user, the city's past responses to such violations, past assessments made by the city in regard to such violations, actions taken by the user in response to notices of such violations, and efforts by the user to maintain compliance with the requirements of this division.

Authorized representative of industrial user means:

- (1) If the industrial user is a corporation, authorized representative shall mean:
 - (a) The president, secretary, treasurer, or a vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision making functions for the corporation, or
 - (b) The manager of one or more manufacturing, production, or operating facilities provided, the manager;
 - (i) Is authorized to make management decisions which govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations;
 - (ii) Is authorized to initiate and direct other comprehensive measures to assure long-term environmental compliance with environmental laws and regulations;
 - (iii) Can ensure that the necessary systems are established or actions taken to gather complete and accurate information of control mechanism requirements; and
 - (iv) Has been assigned or delegated the authority to sign documents in accordance with corporate procedures.
- (2) If the industrial user is a partnership, association, or sole proprietorship, an authorized representative shall mean a general partner or the proprietor.

- (3) If the individual user is representing federal, state or local governments, or an agent thereof, an authorized representative shall mean a director or highest official appointed or designated to oversee the operation and performance of the activities of the government facility.
- (4) The individuals described above may designate another authorized representative if the authorization is in writing, the authorization specifies the individual or position responsible for the overall operation of the facility from which the discharge originates or having overall responsibility for environmental matters for the company and the authorization is submitted to the city.

Best Management Practices (BMP) means schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to implement the prohibitions listed in section 21-354. Best management practices also include treatment requirements, operating procedures, and practices to control plant site runoff, spillage or leaks, industrial sludge or waste disposal, or drainage from raw materials storage.

Biochemical oxygen demand (BOD) means the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedures for five (5) days at 20° centigrade, usually expressed as a concentration (e.g., mg/L).

Biosolids means the solid, semi-solid, or liquid residue generated during the treatment of wastewater.

Bypass means the intentional diversion of waste streams from any portion of the wastewater system.

Categorical pretreatment standards means any regulation containing pollutant discharge limits promulgated by the EPA in accordance with section 307(b) and (c) of the Act (33 USC 1317) which applies to a specific category of industrial users and which appears in 40 CFR Chapter I Subchapter N, Parts 405-471, incorporated in this section by reference. A list of activities currently regulated by categorical pretreatment standards is presented in appendix D on file. This list will be updated as necessary by the general manager in the form of a sewer use directive.

Categorical Industrial User (CIU) means all industrial users subject to categorical pretreatment standards under Rule 62-625.410, F.A.C., and 40 CFR Chapter I, Subchapter N, Parts 405-471, as of July 1, 2009, hereby adopted and incorporated by reference. [62-625.200(3), F.A.C.].

City of Tallahassee (City) means a duly incorporated municipal corporation of the State of Florida and the control authority responsible for wastewater facilities included in this manual.

CFR means the Code of Federal Regulations.

Control Authority means the City of Tallahassee.

Daily Maximum means the arithmetic average of all effluent samples for a pollutant collected during a calendar day.

Daily Maximum Limit (DML) means the maximum allowable discharge limit of a pollutant during a calendar day. Where daily maximum limits are expressed in units of mass, the daily discharge is the total mass discharged over the course of the day. Where daily maximum limits are expressed in terms of a concentration, the daily discharge is the arithmetic average measurement of the pollutant concentration derived from all measurements taken that day.

Department means the Department of Environmental Protection, also known as DEP, and is the State of Florida agency responsible for administering and enforcing environmental regulations established by the State and Federal government.

Discharge means the introduction of pollutants into the wastewater system from any non-domestic source regulated by 40 CFR 403.

EPA means the U.S. Environmental Protection Agency and any successor agency.

Existing Source means any source of discharge that is not a new source.

F.A.C. means the Florida Administrative Code.

General Manager means the General Manager of Underground Utilities & Public Infrastructure or his/her designee.

Grab sample means a sample which is taken from a waste stream without regard to the flow in the waste stream and over a period of time not to exceed fifteen (15) minutes.

Hazardous waste means any substance discharged into the wastewater system which, if otherwise disposed of, would be a hazardous waste under 40 CFR Part 261.

Industrial user (IU) means any user which is a source of a discharge into the wastewater system, except a user located at a premises used only for human residency and where no sort of commercial activities are conducted on the premises.

Instantaneous maximum allowable discharge limit means the maximum concentration of a pollutant allowed to be discharged at any time, determined from the analysis of any discrete or composite sample collected, independent of the industrial flow rate and the duration of the sampling event.

Interference means a discharge which causes or contributes to the inhibition or disruption of the wastewater system, the processes or operations of the wastewater facilities, or the use or disposal of biosolids in accordance with the city's operating permit or any of the following

regulations or permits issued thereunder (or more stringent state or local regulations): Section 405 of the Act (Clean Water Act); the Solid Waste Disposal Act (SWDA)(including Title II, commonly referred to as the Resource Conservation and Recovery Act (RCRA)); any state sludge management plan prepared pursuant to Subtitle D of the SWDA; the Clean Air Act; and the Toxic Substances Control Act; and which is a cause of a violation of any requirement of the wastewater facility's permit (including an increase in the magnitude or duration of a violation) or prevents use or disposal of domestic wastewater residuals in compliance with local regulations or rules of the Department and Chapter 403, F.S.

Local Limit means specific discharge limits developed and enforced by the City upon industrial or commercial facilities to implement the general and specific discharge prohibitions listed in Section 21-354.

Medical waste means isolation wastes, infectious agents, human blood and blood products, pathological wastes, sharps, body parts, contaminated bedding, surgical wastes, potentially contaminated laboratory wastes, and dialysis wastes.

Method Detection Limit (MDL) means an estimate of the minimum amount of a substance that an analyte process can reliably detect. An MDL is Analyte and matrix-specific and is laboratory dependent.

Milligrams per liter (mg/l) is a measurement of concentration, which refers to the amount of a substance (typically a pollutant) present in one liter of solution.

Monthly Average means the sum of all "daily discharges" measured during a calendar month divided by the number of "daily discharges" measured during that month.

Monthly Average Limit means the highest allowable average of "daily discharges" over a calendar month, calculated as the sum of all "daily discharges" measured during a calendar month divided by the number of "daily discharges" measured during that month.

New Source means:

- (1) Any building, structure, facility, or installation from which there is or may be a discharge, the construction of which commenced after the publication of proposed pretreatment standards under section 307(c) of the Act which will be applicable to such source if such standards are thereafter promulgated in accordance with that section, provided that:
 - (a) The building, structure, facility, or installation is constructed at a site at which no other source is located;

- (b) The building, structure, facility, or installation totally replaces the process or production equipment that causes the discharge of pollutants at an existing source; or
 - (c) The production or wastewater generating processes of the building, structure, facility, or installation are substantially independent of an existing source at the same site. In determining whether these are substantially independent, factors such as the extent to which the new facility is integrated with the existing plant, and the extent to which the new facility is engaged in the same general type of activity as the existing source, should be considered;
- (2) Construction on a site at which an existing source is located results in a modification rather than a new source if the construction does not create a new building, structure, facility, or installation meeting the criteria of section (1)(b) or (1)(c) above but otherwise alters, replaces, or adds to existing process or production equipment; or
- (3) Construction of a new source, as defined in this ordinance, has commenced if the owner or operator has:
- (a) Begun, or caused to begin as part of a continuous onsite construction program
 - (i) Any placement, assembly, or installation of facilities or equipment, or
 - (ii) Significant site preparation work including clearing, excavation, or removal of existing buildings, structures, or facilities which is necessary for the placement, assembly, or installation of new source facilities or equipment, or
 - (b) Entered into a binding contractual obligation for the purchase of facilities or equipment which is intended to be used in its operation within a reasonable time. Options to purchase or contracts which can be terminated or modified without substantial loss, and contracts for feasibility, engineering, and design studies do not constitute a contractual obligation under this section.

Non-contact cooling water means water used for cooling which does not come into direct contact with any raw material, intermediate product, waste product, or finished product.

Non-significant categorical industrial user (NSCIU) means an industrial user that discharges 100 gallons per day (GPD) or less of total categorical wastewater (excluding sanitary, non-contact cooling and boiler blowdown wastewater, unless specifically included in the pretreatment standard) and:

- (1) has consistently complied with all applicable categorical pretreatment standards and requirements;

- (2) annually submits the certification statement required in subsection 62-625.600(17), F.A.C., together with any additional information necessary to support the certification statement; and
- (3) never discharges any untreated categorical process wastewater.

Notice of required action (NORA) means a written notice advising a user of a violation of, or inadvertent noncompliance with, the administrative requirements this division (e.g., record keeping or reporting).

Notice of violation, (NOV) means a written notice advising a user of a violation of categorical pretreatment standards or other requirements of this division. An NOV will require the user to provide an explanation of the cause for such violation and to take corrective action in order to achieve compliance. An NOV will also advise the user of any penalties or assessments imposed as a result of the violation.

Pass Through means a discharge which exits the wastewater facility (WWF) into waters of the State in quantities or concentrations which, alone or in conjunction with a discharge or discharges from other sources, is a cause of a violation of any requirement of WWF's permit (including an increase in the magnitude or duration of a violation).

Person means any individual, partnership, co-partnership, firm, company, corporation, association, joint stock company, trust, estate, governmental entity, or any other legal entity; or their legal representatives, agents, or assigns. This definition includes all Federal, State, and local governmental entities.

pH means a measure of the acidity or alkalinity of a substance, expressed in standard units. Neutral wastewaters are numerically equal to 7 while the number increases to show increasing alkalinity and decreases to show increasing acidity.

Pollutant means any of the following discharged into water or the wastewater system: dredged spoil; solid waste; incinerator residue; filter backwash; sewage; garbage; biosolids; munitions; medical wastes; chemical wastes; biological materials; radioactive materials; heat; wrecked or discarded equipment; rock; sand; cellar dirt; and municipal, agricultural and industrial wastes.

Pretreatment means the reduction of the amount of pollutants, the elimination of pollutants, or the alteration of the nature of pollutant properties in wastewater to a less harmful state prior to or in lieu of discharging or otherwise introducing such pollutants into the wastewater system. The reduction or alteration can be obtained by physical, chemical, or biological processes, or by process changes, or by other means, except by diluting the concentration of the pollutants, unless allowed by an applicable pretreatment standard.

Pretreatment requirements means any substantive or procedural requirements related to pretreatment other than pretreatment standards.

Pretreatment standards means any regulation containing pollutant discharge limits promulgated by the Department under Chapter 403, F.S., which applies to industrial users. This term includes prohibitive discharge limits established in Rule 62-625.400, F.A.C., and this manual.

Process wastewater means any water used in a manufacturing or processing, operation that comes into contact with, or results from the production or use of, any raw material, intermediate product, finished product, byproduct, or waste product.

Prohibited discharge or prohibited discharge standards mean absolute prohibitions against the discharge of certain substances.

Severe Property Damage means substantial physical damage to property, damage to an industrial user's treatment facilities which causes them to become inoperable, or substantial and permanent loss of natural resources which can reasonably be expected to occur in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production.

Sewage means human excrement and gray water from household showers and sinks, dishwashing operations, and other similar sources.

Sewer use manual (SUM) shall mean the manual promulgated by the general manager in accordance with Section 21-349, City of Tallahassee General Code.

Sewer use directive shall mean decisions by the general manager described in Section 21-349, City of Tallahassee General Code.

Significant Industrial User (SIU) means, except as provided in paragraphs (3) and (4) below, the following:

- (1) Categorical Industrial Users; and
- (2) Any other industrial user that discharges an average of 25,000 gallons per day or more of process wastewater to the WWF (excluding domestic wastewater, noncontact cooling and boiler blowdown wastewater); contributes a process waste stream which makes up 5 percent or more of the average dry weather hydraulic or organic capacity of the treatment plant; or is designated as such by the control authority on the basis that the industrial user has a reasonable potential for adversely affecting the WWF's operation or for violating any pretreatment standard or requirement in accordance with paragraph 62-625.500(2)(e), F.A.C.
- (3) The control authority (except where the Department is acting as the control authority) may determine that an industrial user subject to categorical pretreatment standards

under Rule 62-625.410, F.A.C., including 40 CFR Chapter I, Subchapter N, Parts 405 through 471, is a non-significant categorical industrial user.

- (4) Upon a finding that an industrial user meeting the criteria in paragraph (2) above has no reasonable potential for adversely affecting the WWF's operation or for violating any pretreatment standard or requirement, the control authority may at any time, on its own initiative or in response to a petition received from an industrial user, and in accordance with paragraph 62-625.500(2) (e), F.A.C., determine that such industrial user is not a significant industrial user.

Slug or slug load means any discharge at a flow rate or concentration which could cause a violation of the prohibited discharge standards.

Slug control plan means an emergency plan to notify the general manager of an accidental or purposeful discharge of a pollutant at any flow rate or concentration that will interfere with or pass through the wastewater system.

Slug Discharge is any discharge of a non-routine, episodic nature, including but not limited to an accidental spill or a non-customary batch discharge, which has a reasonable potential to cause interference or pass through, or in any other way violate the city ordinance, local limits or permit conditions. IUs must have policies and procedures in place to prevent or mitigate the effects of Slug Discharges

Spill prevention plan means a plan that is developed by a user outlining the response to an accidental discharge of a controlled substance. The plan may include, among other things, secondary containment, cleanup processes, and hazardous response. Detailed plans showing the facility and operating procedures to provide this protection may be required by the general manager.

SIC means Standard Industrial Classification Code.

State means the State of Florida.

Storm water (or stormwater) means the flow of water resulting from rain or other natural precipitation event (such as snow melt) that flows over land or impervious surfaces and does not percolate into the ground.

Total Oils and Grease (TOG) means oil and grease generated from petroleum based hydrocarbons, vegetable oil and other natural oils.

Total Petroleum Hydrocarbons (TPH) means oil and grease generated only from petroleum based hydrocarbons, and specifically excludes vegetable oil and other natural oils.

Total suspended solids(TSS) or suspended solids mean the total suspended matter that floats on the surface of, or is suspended in, water, wastewater, or other liquids and which is removable by laboratory filtering.

Treatment Plant means that portion of a WWF which is designed to provide treatment (including recycling and reclamation) of domestic and industrial wastewater.

Upset means an exceptional incident in which there is unintentional and temporary noncompliance with categorical pretreatment standards because of factors beyond the reasonable control of the IU.

User means any person who contributes, causes or allows any discharge into the wastewater system, including tenants under any rental or lease agreement and persons who contributes, causes, or allows such discharge from mobile sources.

Wastewater means liquid and water-carried industrial wastes and sewage from residential dwellings, commercial buildings, industrial and manufacturing facilities, and other institutions, whether treated or untreated, which are discharged into the wastewater system.

Wastewater Facility (WWF) means any facility which discharges wastes into waters of the State or which can reasonably be expected to be a source of water pollution and includes any or all of the following: the collection and transmission system, the wastewater treatment works, the reuse or disposal system, and the residuals management facility.

Wastewater system means the network of pipelines or conduits, pumping stations, force mains and all other structures, devices, appurtenances, and facilities owned by the city and used for collecting or conducting wastewater waters to an ultimate point for treatment or disposal.

Section 21-347 Purpose

The purpose of this subdivision is to provide for the maximum possible beneficial public use of the wastewater system, through regulation of sewer use and wastewater discharge; while providing efficient wastewater treatment that meets the demand of the community for maintaining public health and environmental standards; and providing penalties for violations thereof. It is the further purpose of this subdivision to do the following:

- (1) To enable industrial pretreatment within the city to comply with all applicable federal and state laws, statutes, regulations, and rules, including, without limitation, the Act and Chapter 62-625, Florida Administrative Code; and,
- (2) To provide for fees for the equitable distribution of the cost of operation, maintenance, and improvements of the wastewater system; and,
- (3) To promote the reuse and recycling of industrial wastewater and biosolids from the wastewater system.

- (4) To protect both city personnel who may be affected by wastewater and sludge in the course of their employment and the general public.
- (5) To prevent the introduction of pollutants into the wastewater system that will pass through the wastewater system, inadequately treated, into receiving waters, or otherwise be incompatible with the wastewater system.
- (6) To prevent the introduction of pollutants into the wastewater system that will interfere with its operation.

Section 21-348. Applicability

Unless specifically stated otherwise, this division shall apply to all users of the wastewater system. This division shall apply to users within and outside of the city who, by discharging wastewater into the wastewater system, agree to comply with the terms and conditions established in this division as well as any permits or orders issued hereunder. This division provides for the regulation of direct and indirect discharge to the wastewater system, the issuance of permits to certain industrial users, the enforcement of general requirements for other users, monitoring and enforcement activities, administration review procedures and user reporting.

Section 21-349 Administration

Except as otherwise provided in this division, the general manager shall administer, implement and enforce the provisions of this division. Policies and procedures relating to such administration, implementation, and enforcement shall be set forth in a sewer use manual promulgated by the general manager. Decisions of the general manager that relate to interpretation or application of that manual or this division and that can be applied to all users shall be issued as sewer use directives and shall be available from the general manager.

Section 21-350. City's Right of Revision

The City reserves the right to establish, ordinance, by policy or in wastewater permits, more stringent limitations or requirements on discharges to the wastewater system if deemed necessary to comply with this subdivision.

Section 21-351. Special Agreement

The City reserves the right to enter into special agreements with users setting out special terms under which the industrial user may discharge to the system. In no case will a special agreement permanently waive compliance with a pretreatment standard. The industrial user may request a net gross adjustment to a categorical standard in accordance with 40 CFR 403.15. Industrial users may also request a variance from the pretreatment standard. Such a request will be approved only if the user can prove that factors relating to its discharge are fundamentally different from the factors considered by U.S. EPA when establishing that pretreatment standard. An industrial user requesting a fundamentally different factor variance must comply with the procedural and substantive provisions in 40 CFR 403.13. The remediation of petroleum or petroleum product contaminated sites as defined in Chapter 62-780, F.A.C.

is of vital importance for the protection of the water supply. The City may accept the temporary discharge from remedial action projects accomplished in accordance with Florida Statute Chapter 62-780, F.A.C. A copy of the Risk Assessment and the proposed Remedial Action Plan must be submitted to the City for consideration. A combustible gas detection meter as required by Section 21-376(1)(a)(iii) shall be required. The total Benzene + Toluene + Ethyl benzene + Xylene (BTEX) concentration of the discharge may not exceed 10.0 mg/L. The City shall have the right to immediately order the temporary or permanent interruption or reduction of discharge in the event that the discharge would cause or contribute to interference, pass through or hydraulic overload of the wastewater system. Any industrial user discharging under a special agreement may be required to maintain a wastewater permit.

Section 21-352 Administrative Actions

Unless otherwise stated in this division, the general manager shall have full authority to take all actions deemed necessary with respect to enforcement of this division, including, without limitation, issue all notices of required action and notices of violation, order and conduct administrative action reviews, levy fines or penalties and other assessments, order remedial action, and suspend or terminate service to a user.

(1) Notification of Violation

Whenever the manager or the designated authorized agent finds that a user has violated or is violating this policy, a wastewater permit or order issued hereunder, or any other pretreatment requirement, the manager or the designated authorized agent may serve upon said user a written Notice of Violation. Within a time period specified by the NOV, an explanation of the violation and a plan for the satisfactory correction and prevention thereof, to include specific required actions, may be required by the manager or the designated authorized agent. Submission of this plan in no way relieves the user of liability for any violations occurring before or after receipt of the Notice of Violation. Nothing in this section shall limit the authority of the City to take emergency action without first issuing a Notice of Violation.

(2) Consent Orders

The manager or the designated authorized agent is hereby empowered to enter into Consent Orders, assurances of voluntary compliance, or other similar documents establishing an agreement with the user responsible for the noncompliance. Such orders will include specific action to be taken by the user to correct the noncompliance within a time period also specified by the order. Mitigation projects may be accepted in lieu of payment of administrative penalties as provided in Section 21-353(1) d. Consent Orders shall have the same force and effect as administrative orders issued pursuant to Section 21-352.4 and 21-352.5 below and shall be judicially enforceable.

(3) Show Cause Hearing

The manager or the designated authorized agent may order any user which causes or contributes to violation(s) of this policy, wastewater permits or orders issued

hereunder, or any other pretreatment requirement to appear before the Manager and show cause why a proposed enforcement action should not be taken. Notice shall be served on the user specifying the time and place for the meeting, the proposed enforcement action, the reasons for such action, and a request that the user show cause why this proposed enforcement action should not be taken. The notice of the meeting shall be served personally or by registered or certified mail (return receipt requested) at least fourteen (14) days prior to the hearing. Such notice may be served on any authorized representative of the industrial user. Whether or not the user appears as noticed, immediate enforcement action may be pursued following the hearing date.

(4) **Compliance Orders**

When the manager or the designated authorized agent finds that a user has violated or continues to violate the policy, permits or orders issued hereunder, or any other pretreatment requirement, he may issue an order to the user responsible for the discharge directing that, following a specified time period, sewer service shall be discontinued unless adequate treatment facilities, devices, or other related appurtenances are installed and properly operated. Compliance orders may also contain such other requirements as might be reasonably necessary and appropriate to address the noncompliance, including additional self-monitoring, and management practices designed to minimize the amount of pollutants discharged to the sewer. Furthermore, the manager or the designated authorized agent may continue to require such additional self-monitoring for at least ninety (90) days after consistent compliance has been achieved, after which time the self-monitoring conditions in the discharge permit shall control.

(5) **Cease and Desist Orders**

When the manager or the designated authorized agent finds that a user has violated or continues to violate this policy, permits or orders issued hereunder, or any other pretreatment requirement, the manager or the designated authorized agent may issue an order to the user directing it to cease and desist all such violations and directing the user to:

- (a) Immediately comply with all requirements
- (b) Take such appropriate remedial or preventive action as may be needed to properly address a continuing or threatened violation, including halting operations and/or terminating the discharge.

(6) **Emergency Suspensions**

The manager or the designated authorized agent may suspend the discharge of a user whenever such suspension is necessary in order to stop an actual or threatened discharge which reasonably appears to present or cause an imminent or substantial

endangerment to the health or welfare of persons, interferes with the operation of the wastewater system, or which presents or may present an endangerment to the environment.

- (a) Any user notified of a suspension of discharge shall immediately stop or eliminate its contribution. In the event of an industrial user's failure to immediately comply voluntarily with the suspension order, the manager or the designated authorized agent shall take such steps as deemed necessary, including immediate severance of the sewer service or of water service to prevent or minimize damage to the system, or endangerment to any individuals. The manager or the designated authorized agent shall allow the user to recommence its discharge when the user has demonstrated to the satisfaction of the City that the period of endangerment has passed, unless the termination proceedings set forth in Section 21-352.7 are initiated against the user.
- (b) A user responsible, in whole or in part, for any discharge presenting imminent endangerment shall submit a detailed written statement describing the causes of the harmful contribution and the measures taken to prevent any future occurrence to the manager or the designated authorized agent prior to the date of any show cause or termination hearing under Sections 21-352.3 and 21-352.7

(7) Termination of Permit

In addition to those provisions in Section 21-377.10 of this policy, any industrial user required to maintain a wastewater permit, which violates the following conditions of this policy, wastewater permits, or orders issued hereunder is subject to permit termination:

- (a) Violation of permit conditions
- (b) Failure to accurately report the wastewater constituents and characteristics of its discharge
- (c). Failure to report significant changes in operations or wastewater volume, constituents and characteristics prior to discharge.
- (d) Refusal of reasonable access to the user's premises for the purpose of inspection, monitoring or sampling.

Noncomplying industrial users will be notified of the proposed termination of their wastewater permit and be offered an opportunity to show cause under Section 21-352.3 of this policy why the proposed action should not be taken.

(8) **Performance Bonds**

The manager or the designated authorized agent may decline to reissue a permit to any industrial user which has failed to comply with the provisions of this policy, any orders, or a previous permit issued hereunder unless such user first files a satisfactory bond or proof of other financial assurances payable to the City, in a sum not to exceed a value determined by the manager or the designated authorized agent to be necessary to achieve consistent compliance, or to restore or repair damage to the wastewater system caused by its discharges.

(9) **Civil Penalties**

- (a) An IU who has violated, or continues to violate, any provision of this Division, an individual wastewater discharge permit, order issued hereunder, any other pretreatment standard, or requirement shall be liable to the City for a civil penalty of at least \$1,000 a day for each violation. In the case of a monthly or other long-term average discharge limit, penalties shall accrue for each day during the period of the violation.
- (b) The general manager may recover reasonable attorneys' fees, court costs, and other expenses associated with enforcement activities, including sampling and monitoring expenses, and the cost of any actual damages incurred by the City.
- (c) In determining the amount of civil liability, the Court shall take into account all relevant circumstances, including, but not limited to, the extent of harm caused by the violation, the magnitude and duration of the violation, any economic benefit gained through the IU's violation, corrective actions by the IU, the compliance history of the IU, and any other factor as justice requires.
- (d) Filing a suit for civil penalties shall not be a bar against, or a prerequisite for, taking any other action against an IU.

(10) **Criminal Prosecution**

- (a) An IU who willfully or negligently violates any provision of this ordinance, an individual wastewater discharge permit, or order issued hereunder, or any other pretreatment standard or requirement shall, upon conviction, be guilty of a misdemeanor, punishable by a fine of not more than \$1,000 per violation, per day, or imprisonment for not more than 99 years, or both.
- (b) An IU who willfully or negligently introduces any substance into the WWF which causes personal injury or property damage shall, upon conviction, be guilty of a misdemeanor and be subject to a penalty of at least \$1,000, or be subject to imprisonment for not more than 99 years, or both. This penalty shall be in addition to any other cause of action for personal injury or property damage available under State law.

- (c) An IU who knowingly makes any false statements, representations, or certifications in any application, record, report, plan, or other documentation filed, or required to be maintained, pursuant to this ordinance, individual wastewater discharge permit, or order issued hereunder, or who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required under this ordinance shall, upon conviction, be punished by a fine of not more than \$1,000 per violation, per day, or imprisonment for not more than 99 years, or both.

Section 21-353 Enforcement Remedies

This division shall be enforced solely pursuant to the procedures outlined in this section. Enforcement of this division is specifically excluded from the jurisdiction of the municipal code enforcement board as provided in Chapter 2, Article V, Division 3.

(1) Administrative Enforcement

Any user which has violated or continues to violate this division, any order or permit hereunder, or any other pretreatment requirement shall be subject to imposition, by the general manager, of fines and penalties in accordance with this division, not to exceed \$1,000 per day. The user shall also be responsible for any other costs incurred by the city as a result of the violation.

- (a) Penalties, fines, and other amounts owed to the city shall be added to the user's utility account. Users will be notified by the general manager of any penalties, fines, or other amounts assessed against the user. The person responsible for the utility account shall be responsible for any penalty regardless of any rental or lease agreement and regardless of whether or not such person occupies or uses the premises in question. Permitted waste haulers shall be invoiced using digester fee billing procedures.
- (b) Any user desiring to dispute the imposition of such penalties, fines, or other amounts must file a written request with the general manager to reconsider such imposition within 14 days of being notified of the imposition. That written request may include a request to meet personally with the general manager. The general manager, if a personal meeting is requested, shall schedule such meeting with the user within 21 days of receiving the request. Payment and daily accrual of any fine, penalty, or other amount imposed on the user shall be tolled during the pendency of a timely filed request for reconsideration. If the user does not receive the requested relief, the obligation to pay, and the accrual of, the subject impositions will resume.
- (c) Any user who timely files a written request for reconsideration with the general manager and does not receive the requested relief may file a written request for

review with the city manager within ten (10) days following the date of the general manager's written determination. The city manager, or his or her designee, shall consider and render a decision on the request for review, which decision shall be final.

- (d) As a part of a consent order, the general manager may accept mitigation projects in lieu of the payment of administrative penalties where the project provides a valuable service to the city and the industrial user's expense in undertaking the project is at least 150 percent of the amount of the administrative penalty.

(2) Judicial Enforcement

In addition to the various penalties, fines, and other enforcement actions set forth in this division, the city may seek enforcement by any other means available, including actions brought under applicable law.

(3) Injunctive Relief

Whenever an industrial user has violated or continues to violate the provisions of this division, or the provisions of any permits or orders issued hereunder, or any other pretreatment requirement, the general manager, through the city's attorney, may also petition for the issuance of a temporary or permanent injunction, as may be appropriate, which restrains noncompliance or compels compliance with the provisions of the applicable permit, order, or other requirement imposed by this division on activities of the user.

(4) Enforcement Guide

The guidelines provided in section 21-357 shall be used to determine the response that the city takes, and the assessments it imposes, when a violation of this division is identified. The general manager shall determine the appropriate response and assessment for any violation not specifically addressed.

(5) Termination of Discharge

In addition to the other remedies available under this section and otherwise, the general manager may require termination of, or terminate, the discharge of any user who violates any of the following conditions:

- (a) violation of the terms or conditions of a wastewater discharge permit;
- (b) failure to accurately report the wastewater constituents and characteristics of its discharge;
- (c) failure to report significant changes in operations or wastewater volume, constituents, or characteristics prior to discharge;

- (d) refusal of reasonable access to the user's premises for the purpose of inspection, monitoring, or sampling; or
- (e) violation of any categorical pretreatment standards set forth in this division.

Such user will be notified of the proposed termination of its discharge and be offered an opportunity to show cause why the discharge should not be terminated as proposed.

(6) Remedies Not Exclusive

The general manager may take any, all, or any combination of these actions against a noncompliant user. Enforcement of pretreatment violations will generally be in accordance with the city enforcement response plan; however, the general manager may take other action against any user when the circumstances warrant. Further, the general manager is empowered to take more than one enforcement action against any noncompliant user.

Section 21-354 Prohibited Discharge Standards

- (1) No user shall contribute or cause to be contributed, directly or indirectly, any pollutant or wastewater which can reasonably be expected to cause interference or pass through. These general prohibitions apply to all users of the wastewater system whether or not the user is subject to categorical pretreatment standards or any other national, state or local pretreatment standards or requirement. Furthermore, no user may contribute the following substances to the wastewater system:
 - (a) Any liquids, solids or gases which by reason of their nature or quantity are, or may be, sufficient, either alone or by interaction with other substances, to cause fire or explosion or to be injurious in any other way to the wastewater system. Included in this prohibition are waste streams with a closed cup flashpoint of less than 140°F Fahrenheit (60 Celsius), determined in accordance with test methods specified in 40 CFR 261.21.
 - (b) Solid or viscous substances larger than 1/2- inch in any dimension or which are in quantities which may reasonably be expected to cause obstruction to the flow in a sewer or other interference with the operation of the wastewater system.
 - (c) Petroleum emulsions, petroleum oil, non-biodegradable cutting oil, or products of mineral oil origin, in excess of 100 mg/L oil and grease, which will cause interference or pass through.
 - (d) Any wastewater having a pH less than 5.0 or more than 11.0, or which otherwise causes corrosive structural damage to the wastewater system, city personnel or equipment.

- (e) Pollutants released in a discharge at a flow rate or pollutant concentration which, either singly or by interaction with other pollutants, will cause interference with the wastewater system.
- (f) Any noxious or malodorous liquids, gases, or solids or other wastewater which, either singly or by interaction with other wastes, are sufficient to create a nuisance or hazard to life or to prevent entry of persons into the sewers for maintenance and repair.
- (g) Any biosolids screenings, or other residues from the pretreatment of industrial wastes, unless specifically authorized by the general manager.
- (h) Any wastewater having a temperature greater than 150°F (65°C) at the point of discharge to the wastewater system, or which will inhibit biological activity in the WWF resulting in interference, or which causes the temperature at the introduction into the WWF to exceed 104°F (40°C).
- (i) Wastewater containing radioactive wastes or isotopes except as specifically approved by the general manager in compliance with applicable state or federal regulations.
- (j) Discharge which results in the presence of toxic gases, vapors or fumes within the wastewater system in a quantity that may cause worker health or safety problems. The user's discharge may at no time exceed limits established in 29 CFR 1910.1000 (Subpart Z-Toxic and Hazardous Substances of Chapter XVII--Occupation Safety and Health Administration).
- (k) Any trucked or hauled pollutants, except at discharge points designated by the general manager in the sewer use manual.
- (l) Stormwater, surface water, groundwater, artesian well water, roof runoff, subsurface drainage, condensate, cooling water, or unpolluted industrial wastewater, unless specifically authorized by the general manager.
- (m) Wastewater that imparts color that cannot be removed by the city's wastewater treatment process, such as, but not limited to, dye waste and vegetable tanning solutions.
- (n) Any material containing ammonia, ammonia salts, or other chelating agents which will produce metallic complexes in sufficient quantities to cause interference with the wastewater system.
- (o) Any hazardous waste, except as may be specifically authorized by the general manager.

- (p) Recognizable portions of human anatomy, animal anatomy, or medical waste in a wastewater discharge, except as specifically authorized by the general manager.
 - (q) Any wastes containing detergents, surface-active agents, or other substances in quantities which may cause excessive foaming in, or interference with, the wastewater system.
 - (r) Any chemicals or pesticides listed in set forth in the sewer use manual. This list includes substances that are banned for sale or use in the United States, the state, the county or the city.
- (2) The general manager shall have the authority to specifically approve the discharge of any substance which would otherwise be prohibited, provided, however, that such approved discharge shall be limited to no more than five years. Requests must be submitted on a form specified by the general manager and signed and certified in accordance with Section 21-376. Whenever possible, guidelines for the granting of specific approval shall be established by the general manager and set forth in the sewer use manual.
- (3) No person shall maliciously, willfully or negligently break, damage, destroy, uncover, deface, tamper with or prevent access to any structure, appurtenance or equipment, or other part of the wastewater system.
- (4) Substances whose discharge is prohibited by this section shall not be processed or stored in such a manner that such substances could be discharged to the wastewater system. All floor drains located in process or materials storage areas must discharge to the industrial user's pretreatment facility before connecting with the wastewater system.
- (5) Bypass is prohibited, and the general manager may take an enforcement action against any user for a bypass, unless: (i) the bypass was unavoidable to prevent loss of life, personal injury, or severe property damage; (ii) there were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods when equipment is not in use (provided that, in the exercise of reasonable engineering judgment, no back-up equipment should have been installed to prevent a bypass from occurring during normal periods of equipment nonuse or preventive maintenance); and, (iii) the user submitted notices as required. Notwithstanding such prohibition, the general manager may approve a bypass, after considering its adverse effects, if he determines that:

- (a) the bypass does not cause pretreatments standards or requirements to be violated, but only if it also is for essential maintenance to assure efficient operation;
- (b) the user knows in advance of the need for a bypass and submits prior notice to the general manager at least ten (10) days before the date of the bypass, if possible. If the IU does not know of the need for a bypass ten days prior to the bypass, then the IU shall notify the general manager immediately upon knowledge of the need for the bypass;
- (c) the user submits oral notice to the general manager of an unanticipated bypass that exceeds applicable pretreatment standards within twenty-four (24) hours from the time it becomes aware of the bypass and provides a written submission within five (5) days of the time the user becomes aware of the bypass. The written submission shall contain the following: a description of the bypass and its cause; the duration of the bypass, including exact dates and times; and, if the bypass has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent reoccurrence of the bypass. The general manager may waive the requirement for the written report on a case-by-case basis if the oral report has been received within the required time and the bypass will not cause or result in damage to the wastewater system.

Section 21-355. Categorical Pretreatment Standards

- (1) Where a categorical pretreatment standard is expressed only in terms of either the mass or the concentration of a pollutant in wastewater, the general manager may impose equivalent mass or concentration limits in accordance with Rule 62-625.410(4), F.A.C.
- (2) When wastewater subject to a categorical pretreatment standard is mixed with wastewater not regulated by the same standard, the general manager shall impose an alternate limit using the combined wastestream formula set forth in Rule 62-625.410(6), F.A.C.
- (3) A user may obtain a variance from a categorical pretreatment standard if the user can prove, pursuant to the procedural and substantive provisions set forth in Rule 62-625.700, F.A.C. that factors relating to its discharge are fundamentally different from the factors considered by EPA when developing the categorical pretreatment standard.
- (4) A user may obtain a net gross adjustment to a categorical pretreatment standard in accordance with Rule 62-625.820, F.A.C.

Section 21-356. Specific Pollutant Limitations

(1) General Discharge Requirements

No person shall discharge wastewater containing pollutants in excess of concentration limitations established by the general manager using procedures, calculations and methods acceptable to the Florida Department of Environmental Protection (FDEP) to protect against pass through, interference, protection of city employees, and adverse effects on wastewater residuals disposal. No industrial user shall discharge process waste streams, unregulated waste streams, or dilute waste streams in excess of the concentrations set forth by the general manager. Local limits shall be as established in the Sewer Use Manual and included as conditions in permits issued by the City.

(2) 2016 Local Limits for T.P. Smith Water Wastewater Facility

The following local limits have been established by FDEP for the City of Tallahassee T.P. Smith Wastewater Facility.

Chemical Symbol	Common Name	Local Limit Value	Unit of Measure
Ag	Silver	4.3	mg/L
As	Arsenic	0.19	mg/L
Cd	Cadmium	0.14	mg/L
Cr	Chromium	6	mg/L
Cu	Copper	1.2	mg/L
Mo	Molybdenum	0.83	mg/L
Ni	Nickle	2.6	mg/L
Pb	Lead	0.39	mg/L
Se	Selenium	1.4	mg/L
Zn	Zinc	5.6	mg/L
Hg	Mercury	0.07	mg/L
TKN (NH3)	Total Kjeldahl Nitrogen	200	mg/L
TSS	Total Suspended Solids	900	mg/L
BOD	Biochemical Oxygen Demand	1000	mg/L
CN		4.3	mg/L
pH	pH	5-11	pH
TOG	Total Oil & Grease	150	mg/L

(3) Changes to Specific Pollutant Limitations

The established concentration limitations shall be subject to change and shall be modified as needed based on the following: applicable regulatory requirements and standards; wastewater system operation, performance and processes; the industrial user base; potable water quality; and domestic wastewater characteristics.

Modifications to the local concentration limitations established from time to time must

be reviewed and approved by FDEP prior to implementation and shall become effective 30 days from notice of acceptance of the modified limitations by FDEP.

(4) **Application of Specific Pollutant Limitations**

Concentration limitations apply at the point where the industrial waste is discharged to the wastewater system or at the end of the process, as determined by the general manager. All concentrations for metallic substances are for "total" metal. At the discretion of the general manager, mass limitations may be imposed in addition to or in place of the concentration limitations.

(5) **Best Management Practices**

The general manager may develop Best Management Practices (BMPs) for an individual wastewater permit to implement for complying with local limits and the requirements of this section.

Section 21-357 Enforcement Guidelines

The following guidelines and procedures shall be used for determining the response and possible assessments should any user violate any part of this Division.

(1) **Discharge Violations**

The following guidelines shall be used with regard to discharge violations. Determination of "harm" is based on impact or damage to the City's Wastewater treatment facilities, employees, the general public or the environment.

Imminent Harm

City may issue an NOV, order an AAR, order an emergency suspension of the related discharge, and impose a \$1,000/violation assessment with respect to any situation which reasonably appears to present an imminent threat of a discharge that will cause, or likely to cause, harm.

Table 1.1 – Discharge Violation with No Harm

Violation Level	Description of Violation	Response by City	Assessments	Personnel
1	Only violation in past two years	NORA Review for compliance in 30 days	None	I
2	Violation repeated in past two years but not in past six months.	NOV Review for compliance in 30 days	Sampling & analysis fee; plus penalty of \$75 or 1/2 sewer bill, not to exceed \$500/violation	I / PC
3	Violation repeated in past six months or failure to	NOV (second notice) Review for compliance in 30 days	Sampling & analysis fee; plus penalty of \$150 or 1/2 sewer bill	I / PC

	comply within 30-day NOV deadline		or double previous penalty	
4	Failure to comply with second 30-day NOV deadline or required remedial or other action	AAR Severance of service	\$750 per violation	PC / GM

Table 1.2 – Discharge Violation with Harm

Violation Level	Description of Violation	Response by City	Assessments	Personnel
1	First offense	NOV Review for compliance in 7 days	Sampling & analysis fee; plus compensation for damages; plus penalty of 1/2 sewer bill	PC
2	Repeat offense	NOV Review for compliance in 7 days	Sampling & analysis fee; plus compensation for damages; plus penalty of \$750 or 1/2 sewer bill or double previous penalty	PC
3	Failure to comply with required remedial or other actions	NOV / AAR Severance of service	\$1,000 per violation	GM

(2) **Industrial Discharge Violations**

The following guidelines shall be used with regard to violations relating to industrial discharge requirements:

Table 2.1 – Equipment or Procedures

Violation Level	Description of Violation	Response by City	Assessments	Personnel
1	Failure to provide required equipment or proper procedures	NOV Review for compliance in 30 days	None	PC
2	Failure to provide required facilities, equipment, or procedures within 30-day NOV deadline	NOV (second notice) Review for compliance in 30 days	Penalty of \$75 or 1/2 sewer bill	PC
3	Failure to provide required facilities, equipment, or procedures within second 30-day NOV deadline or continued violation	AAR Severance of service	\$1000/violation	GM

Table 2.2 - Maintenance

Violation Level	Description of Violation	Response by City	Assessments	Personnel
1	Failure to properly operate or maintain facilities or equipment. Only violation in past two years.	NORA Review for compliance in 30 days	None	I / PC
2	Failure to properly operate or maintain facilities or equipment. Repeat violation in past two years.	NOV Review for compliance in 30 days	Penalty of \$75 or 1/2 sewer bill	I / PC
3	Failure to properly operate or maintain facilities or equipment. Failure to comply with 30-day NOV deadline or repeat violation in past six months.	NOV (second notice) Review for compliance in 30 days	Penalty of \$150 or 1/2 sewer bill or double previous penalty	I / PC
4	Continued violation	AAR Severance of service	\$1000/violation	GM

Table 2.3 - Unauthorized Discharge

Violation Level	Description of Violation	Response by City	Assessments	Personnel
1 No Harm	Unauthorized discharge of hauled waste w/ no harm	NOV Review for compliance in 30 days	Penalty of \$500 or double previous penalty	I / PC
1 With Harm	Unauthorized discharge of hauled waste w/ harm	NOV Review for compliance in 30 days	Penalty of \$750 or double previous penalty; plus compensation for damages	I / PC
2	Continued violation	AAR Severance of Service	\$1000/violation plus compensation for damages	GM
3	If, in the opinion of the General Manager, administrative action is inadequate.	Investigation / litigation by attorney	Pursue appropriate civil, criminal, or non-criminal relief	GM

Other violations by waste hauler

If a potential violation is discovered prior to discharge, the plant operator will not allow the truck to dump. Other violations by “Permitted Waste Haulers” will be handled as a violation of permit conditions.

Table 2.4 - Dilution of Waste Streams In Lieu of Treatment

Violation Level	Description of Violation	Response by City	Assessments	Personnel
1	Initial violation	NOV Review for compliance in 7 days	None	I / PC
2	Subsequent or recurring violation	NOV/AAR/Injunction Severance of service	\$1,000/violation	GM

(3) **Permit Violations**

The following guidelines shall be used in regard to violations of subdivision II of this division relating to violations of wastewater permits:

Table 3.1 - Failure to Comply

Violation Level	Description of Violation	Response by City	Assessments	Personnel
1	Failure to properly complete and sign survey, application or renewal	Telephone notice; Review for compliance in 7 days	None	I / PC
2	Failure to properly complete and sign survey, application or renewal, after 7-day telephone deadline	NOV Review for compliance in 30 days	Penalty of \$150	I / PC
2	Failure to properly complete and sign survey, application or renewal, after 30-day NOV deadline	NOV (second notice) Review for compliance in 30 days	Penalty of \$300 or double previous penalty	I / PC
4	Continued violation or failure to respond	AAR Severance of service	\$1000/violation	GM

Table 3.2 - Discharge Without Permit

Violation Level	Description of Violation	Response by City	Assessments	Personnel
1	Discharge without required permit	Cease and desist	.Complete the required permit application	I / PC
2	Discharge without required permit, after notification, expiration, or revocation	NOV Review for compliance in 30 days	Penalty of \$150 or double previous penalty	I / PC
2	Continued discharge after receipt of NOV	AAR, if discharge after 90 days	\$1000/violation.	GM

Table 3.3 - Violation of Permit Conditions

Violation Level	Description of Violation	Response by City	Assessments	Personnel
1	Violation of permit conditions. Only offense in past 24 months	NORA Review for compliance in 30 days	None	I / PC
2	Violation of permit conditions w/ one violation in past 24 months	NOV Review for compliance in 30 days	Penalty of \$150 or double the previous penalty	I / PC
2	Violation of permit conditions w/ one violation in past six months or after 30-day NOV deadline	NOV (second notice) Review for compliance in 30 days	Penalty of \$300 or double previous penalty	I / PC
4	Violation of permit conditions w/ multiple violations in past six months or after second NOV deadline	AAR	\$1000/violation	GM

(4) Reporting

Table 4.1 - Incomplete Report

Violation Level	Description of Violation	Response by City	Assessments	Personnel
1	Report not properly completed and/or signed	Telephone notice; Review for compliance in 30 days	None	I / PC
2	Report not properly completed and/or signed within 7 day telephone deadline	NOV Review for compliance in 30 days	Penalty of \$150	I / PC
2	Report not properly completed and/or signed within NOV 30 day deadline	NOV (second notice) Review for compliance in 30 days	Penalty of \$300 or double previous penalty	I / PC
4	Multiple violations	AAR.	\$1000/violation	GM

Table 4.2 - Report Not Received

Violation Level	Description of Violation	Response by City	Assessments	Personnel
1	Required report not received within 30 days of due date, not habitual	Telephone notice; Review for compliance in 7 days	None	I / PC
2	Required report not received within 7-day telephone notice deadline, not habitual	NOV Review for compliance in 30 days	Penalty of \$150	I / PC
2	Required report not properly completed within 30-day NOV deadline or habitually late (at least 3 of 5 most recent reports)	NOV (second notice) Review for compliance in 30 days	Penalty of \$300 or double the previous penalty	I / PC
4	Multiple violations	AAR.	\$1000/violation	GM

Table 4.3 - Failure to Report with No Harm

Violation Level	Description of Violation	Response by City	Assessments	Personnel
1	Failure to report spill or changed condition, first offense	NORA	None	I / PC
2	Failure to report spill or changed condition; multiple violations in past 24 months	NOV	Penalty of \$150 or double the previous penalty	I / PC

Table 4.4 - Failure to Report with Harm

Violation Level	Description of Violation	Response by City	Assessments	Personnel
1	Failure to report spill or changed condition	NOV	Penalty of \$150 or double the previous penalty	I / PC
2	Failure to report spill or changed condition; multiple violations in past 24 months	AAR	\$1000/violation	GM

Table 4.5 - Failure to Report Additional Monitoring Required by City

Violation Level	Description of Violation	Response by City	Assessments	Personnel
1	Initial violation	Telephone call Review for compliance in 7 days	None	I / PC
2	Failure to comply within 7-day telephone deadline	NOV Review for compliance in 30 days	Penalty of \$150	I / PC
2	Failure to comply within 30-day NOV deadline	NOV (second notice) Review for compliance in 30 days	Penalty of \$300 or double the previous penalty	I / PC
4	Failure to comply within second 30-day NOV deadline	AAR.	\$1000/violation	GM

Table 4.6 - Other Reporting Violations

Violation Level	Description of Violation	Response by City	Assessments	Personnel
1	Intentional falsification of report or tampering with a monitoring device	Investigation and litigation by attorney	Up to \$500/day judicial fine and/such other relief as may be available at law	GM

(5) Compliance Monitoring (as it refers to SECTION 21-379)

Table 5.1 - Denial of Access

Violation Level	Description of Violation	Response by City	Assessments	Personnel
1	Denial or delay of access to premises or records; first violation	NOV	Penalty of \$500	I / PC
2	Denial or delay of access to premises or records; multiple violations	NOV (second notice) Apply for search warrant when appropriate	\$1000/violation	PC / GM

Table 5.2 - Sampling and Record Keeping

Violation Level	Description of Violation	Response by City	Assessments	Personnel
1	Improper sampling or record keeping; no prior violation in past 24 months	NORA	None	I / PC
2	Improper sampling or record keeping; at least one prior violation in past 24 months	NOV	Penalty of \$150 or 1/2 sewer bill or double previous penalty	PC / GM
3	Continued violation	AAR	\$1000/violation	

(6) Following issuance of a notice of violation, the general manager, at his discretion and depending on the severity of the violation and the workload of the inspectors, will schedule one or more follow-up inspections. If the same, or a different, violation is noted during a follow-up inspection, another notice of violation will be issued. No more than one notice of violation may be issued per day with respect to a particular violation; however, each notice will be considered a separate violation.

(7) The general manager shall conduct Administrative Action Reviews. Each (AAR shall begin with a thorough review of the status of the violation(s) and the need for additional

action. The user may be required to appear in a Show Cause Hearing in which the City shall attempt to negotiate a Consent Order. Failing this, a Compliance Order may be issued. Either administrative order shall require specific action at specified times. It may modify reviews and penalties that would otherwise be assessed during the time allowed for the user to achieve compliance. Should the user fail to meet any compliance requirement as stated in this Enforcement Guide, the normal reviews and penalties shall resume. Should the user fail to achieve compliance by more than 90 days, the status will again be reviewed. The user may be required to appear at a second Show Cause Hearing. A modification of the existing administrative order or a Cease And Desist Order may result. It may also result in the termination of the discharge permit of a permitted significant user. If a Cease and Desist Order is not complied with the City may take the action necessary to affect it, including severance of sewer or water service.

- (8) The general manager shall issue notices of violation and notices of required action, and shall make all telephone call reminders. The general manager will notify users of any requirement to provide required facilities, equipment, or procedures or any requirement to obtain a discharge permit. The general manager is also authorized to impose penalties and to provide notice of such imposition to users.
- (9) The administrative penalty shall be the greater of the amounts provided for in the preceding guidelines. The calculation of 1/2 of the sewer bill shall be based on the average sewer charges for the previous twelve months. The noted penalties are imposed in addition to requiring reimbursement for costs of sampling and analysis performed by or for the city and reimbursement for any direct damages to the wastewater system.

Sec. 21-358. Affirmative Defense to Discharge Violations.

- (1) For the purposes of this division, the term “upset” means an exceptional incident in which there is unintentional and temporary noncompliance with pretreatment standards because of factors beyond the reasonable control of the user. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventative maintenance, or careless or improper operation.
 - (a) An upset shall constitute an affirmative defense to imposition of assessments or any enforcement action against the user for noncompliance with pretreatment standards, provided that the user, through properly signed, contemporaneous operating logs or other relevant evidence, can show that the following requirements are met:
 - (i) An upset occurred and the user can identify the cause(s) of the upset;
and,

- (ii) The facility, at the time of the upset, was being operated in a prudent and workman-like manner and in compliance with applicable operation and maintenance procedures; and,
- (iii) The user has submitted the following information to the general manager within twenty-four (24) hours of becoming aware of the upset:
 - a. A description of the indirect discharge and the cause of the noncompliance;
 - b. The period of noncompliance, including exact duration, dates, and times or, if not corrected, the anticipated time the noncompliance is expected to continue; and,
 - c. Steps being taken and/or planned to reduce, eliminate, and prevent recurrence of the noncompliance.

If this information is provided orally, a written submission must be provided to the general manager within five (5) days

- (2) In any enforcement proceeding, the user seeking to establish the occurrence of an upset shall have the burden of proof.
- (3) Users will have the opportunity for a judicial determination on any claim of upset only in an enforcement action brought for noncompliance with pretreatment standards.
- (4) Users shall control production of all discharges to the extent necessary to maintain compliance with pretreatment standards upon reduction, loss, or failure of its treatment facility until the facility is restored or an alternative method of treatment is provided. The requirement applies in the situation where, among other things, the primary source of power of the treatment facility is reduced, lost, or fails.
 - (a) A user shall have an affirmative defense to an enforcement action brought against it for noncompliance with Section 21-354 if it can prove that it did not know, or have reason to know, that its discharge alone or in conjunction with discharges from other sources, would cause pass through or interference and that either:
 - (i) A local concentration limitation exists for each pollutant discharged and the user was in compliance with each such limitation directly prior to, and during, the pass through or interference; or,
 - (ii) No local concentration limitation exists, but the discharge did not change substantially in nature of constituents from the user's prior

discharge when the city was regularly in compliance with its Wastewater Discharge Permit, and in the case of interference, was in compliance with applicable sludge use or disposal requirements.

Sec. 21-359 through Sec. 21-375 Reserved.

Subdivision II Industrial Discharge

Section 21-376 - Industrial Discharge Requirements

(1) Pretreatment Facilities.

Industrial users shall provide necessary wastewater pretreatment as required to comply with this division and shall achieve compliance with all categorical pretreatment standards, local limits and the prohibitions set out in subdivision I of this division, within the time limitations specified by the General Manager, or his designee. Any facilities required to pretreat wastewater to a level acceptable to the city shall be provided, operated, and maintained at the industrial user's expense. Detailed plans describing such facilities and operating procedures shall be submitted to the general manager for review, as part of the IU's permit application. Such plans shall be acceptable to the general manager before such facilities are constructed. The review of such plans and operating procedures shall in no way relieve the IU from the responsibility of modifying such facilities as necessary to produce a discharge acceptable to the City under the provisions of this division.

(a) Additional Pretreatment Measures

Whenever deemed necessary, the general manager may require industrial users to restrict their discharge during peak or low flow periods, or designate that certain wastewater be discharged only into specific sewers. Categorical Industrial Users shall be required to separate domestic wastestreams from industrial wastestreams. Industrial users may be required to install sampling manholes, monitors and such other devices as may be necessary to protect the wastewater system and determine the industrial user's compliance with the requirements of this policy.

- (i) Any new source discharging into the wastewater system greater than 100,000 gallons per day or greater than 2% of the average daily flow in the system, whichever is less, shall install and maintain, on his property and at his expense, a suitable storage and flow control facility to insure equalization of flow over a 24-hour period. The facility shall have a capacity for at least 50% of the daily discharge volume and shall be equipped with alarms and a rate of discharge controller, the regulation

of which shall be directed by the general manager. A wastewater permit may be issued solely for flow equalization.

- (ii) Grease, oil, sand, and lint interceptors shall be provided, if required in Chapter 10 of the Florida Building Code (Plumbing) or if in the opinion of the general manager they are necessary for the proper pretreatment of wastewater, except that such interceptors shall not be required for residential users. All interception units shall be of type and capacity approved by the general manager and shall be so located to be easily accessible for cleaning and inspection. Such interceptors shall be inspected, cleaned, and repaired regularly, as needed, by the user, at his expense. A log of such activities should be maintained and kept on file for at least 3 years in accordance with Section 21-379(e).
- (iii) The general manager may require Industrial users with a reasonable potential to discharge flammable substances to install and maintain an approved combustible gas detection meter, with alarm and/or mechanism for interrupting discharge.

(b) Dilution

An industrial user shall not increase the use of process wastewater to avoid the need for pretreatment, or as a partial or complete substitute for adequate pretreatment to achieve compliance with a discharge limitation. The general manager may impose mass limitations on IUs which are using dilution to meet applicable pretreatment standards or requirements.

(c) Spill Prevention, Accidental Discharge, or Slug Control Plan

Industrial users shall provide protection from spills, accidental discharge (slug discharge) of materials which if discharged would violate subdivision I of this division. The general manager shall require industrial users to develop spill prevention, and slug control plans, that will include facilities such as secondary containment. Detailed plans showing facilities and operating procedures to provide this protection may be required by the City for new and existing customers. Review of such plans and operating procedures shall not relieve the industrial user from the responsibility to meet the requirements of this policy.

- (i) An accidental discharge/slug discharge control plan shall contain, at a minimum, the following elements.
 - a. Description of discharge practices, including non-routine batch discharges; description of stored

chemicals and containment areas; procedures for immediately notifying the general manager of slug discharges, including any discharge that would violate prohibitions in this division, with procedures for follow-up written notification within five days.

- b. If necessary, procedures to prevent adverse impact from any accidental spills, including inspection and maintenance of storage areas, handling and transfer of materials, loading and unloading operations, control of plant site run-off, worker training, building of containment structures or equipment, measures for containing toxic organic pollutants (including solvents), or measures and equipment for emergency response.
- (ii) Required spill prevention plans, including the facilities operating procedures and worker training, shall be fully implemented within 180 days of notification of their requirement by the City.
- (iii) Any spill or accidental discharge that enters the Wastewater system must be reported in accordance with Section 21-377.
- (iv) The general manager shall evaluate, at least once every two years, whether each SIU needs an accidental discharge/slug discharge control plan or other action to control slug discharges.
- (v) New SIUs must be evaluated within 1 year of being designated an SIU.
- (vi) The Industrial User shall be responsible for any expense caused by the accidental or intentional discharge of prohibited material. This shall include but not be limited to any expense incurred by the City for mitigation of damage, repair of facilities, damages to other customers, and fines that might be levied on the City by state or federal regulatory agencies.
- (d) Signatures and Certification
 - (i) All Wastewater Surveys, Wastewater Permit Applications, reports required in Section 21-378, and Waste Hauler authorization required in Section 21-376(1)(g) must contain the following certification statement and be signed by an authorized representative of the industrial user:

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a

system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine for knowing violations."

If the designation of an authorized representative of the user, as defined in section 21-346, is no longer accurate because a different individual or position has responsibility for the overall operation of the facility or overall responsibility for environmental matters for the company, a new written authorization satisfying the requirements of this section must be submitted to the general manager prior to or together with any application signed by an authorized representative of the user.

(ii) NSCIU Annual Certification

Industrial User determined to be a NSCIU by the as defined by the definition must annually submit a certification statement, signed by an authorized representative as follows:

"Based on my inquiry of the person or persons directly responsible for managing compliance with the categorical pretreatment standards under 40 CFR certify that, to the best of my knowledge and belief that during the period from [month, day, year] to [month, day, year]":

A. The facility met the definition of a NSCIU as described in paragraph 62-625.200(25) (c), F.A.C.;

B. The facility complied with all applicable pretreatment standards and requirements during this reporting period; and

C. The facility never discharged more than 100 gallons of total categorical wastewater on any given day during this reporting period. This compliance certification is based on the following information: [documentation of basis to continue exemption]."

(iii) Upon approval of the monitoring waiver and revision of the IU's individual wastewater discharge permit, the IU must certify each report with the following statement in accordance with section 21-378 (1) d of this ordinance:

“Based on my inquiry of the person or persons directly responsible for managing compliance with the pretreatment standard for 40 CFR [specify applicable national pretreatment standard part(s)], I certify that, to the best of my knowledge and belief, there has been no increase in the level of [list pollutant(s)] in the wastewaters due to the activities at the facility since filing of the last periodic report under paragraph 62-625.600(4) (a), F.A.C.”

e. Metering

The may require that a sewer meter be installed, if the total discharge exceeds the metered water by more than 5% by volume. Such meters shall be installed at the expense of the user, and shall conform to the provisions of Subdivision 4, Section 21-402, Maximum Separate Meter Charge.

f. Separation of Domestic and Industrial Wastestreams

Industrial users shall separate domestic wastestreams from industrial wastestreams prior to treatment.

g. Hauled Wastewater

No discharge that violates any requirements established by the city will be allowed by the general manager. Only hauled wastewater that has been specifically approved by the general manager will be accepted into the wastewater system. Approved wastewater shall be accepted for a fee at a designated receiving structure and at such times as are established by the general manager.

- (i) The discharge of industrial wastes as "industrial septage" requires prior approval from the city. In order to obtain this approval an authorized representative of the industrial user shall agree to comply with all provisions of the Sewer use manual. The general manager shall have authority to prohibit the disposal of such wastes, if such disposal would interfere with the treatment plant operation. Waste haulers are subject to all other sections of this policy.
- (ii) Fees for dumping septage will be established as part of the user fee system as authorized in Article V, Sewer Rates and Service, Section 21-402. h.
- (iii) The source and content of the hauled wastewater must be disclosed by the Waste Hauler prior to its discharge to the wastewater system (signed manifest).

- (iv) The vehicle must have discharge connections that are compatible with facilities provided by the City. All tanks, piping, valves and etc. shall be free of any leakage of waste. In addition, the vehicle and pumping equipment must be free of any leakage of lubricating or hydraulic fluids.
- (v) Any vehicle that has been used to haul any product not approved for discharge to the Wastewater Treatment Facility shall be purged and inspected by authorized personnel prior to use. A report must be signed containing the statement:

"Immediately prior to the current load, truck number _____ (tag number) was used to haul _____ I have personally inspected it and do attest that the tank, pump and all piping are free of any residual product"

(Signature of Official)

(Date)

This report must be given to the City before the truck is again used to haul products approved for discharge. A list must be provided to the City of persons authorized to make this inspection and sign the report. This list must be signed by an authorized representative.

- (vi) The general manager may require haulers of industrial waste and generators of hauled industrial waste to obtain individual wastewater permits to obtain individual wastewater discharge permits.

Section 21-377 Wastewater Permit Requirement

(1) Wastewater Survey

When requested by the general manager an industrial user must submit information on the nature and characteristics of their wastewater by completing a wastewater survey. The survey shall be completed and returned within ninety (90) days. A copy of the survey is attached as Appendix B, however it may be modified by the general manager or additional information may be required. The general manager may periodically require existing industrial users to complete or update the survey. Failure to complete this survey shall be reasonable grounds for terminating service to the industrial user and shall be considered a violation of the policy. The survey must be signed and certified in accordance with this subdivision.

(2) Wastewater Permit Requirement

It shall be unlawful for a significant industrial user to discharge wastewater into the City's sanitary sewer system without first obtaining a wastewater permit from the general manager. Any violation of the terms and conditions of the wastewater permit shall be deemed a violation of this article and subjects the industrial user to the sanctions set out in the enforcement guide. Obtaining a wastewater permit does not relieve a permittee of its obligation to obtain other permits required by federal, state, or local law.

Upon finding that an industrial user meets the definition of a significant industrial user found in section 21-346 but has no reasonable potential for adversely affecting the wastewater system's operation, or for violating any discharge standards, or requirement, the manager may determine that the user, in accordance with Rule 62-625.500(2)(e), F.A.C., is not a significant industrial user.

All other industrial users may be required at, the general manager's discretion, to apply for a discharge permit and comply with the sewer use manual.

All IUs not required to obtain an individual wastewater discharge permit shall provide appropriate reports to the general manager, as he may require.

(a) Permitting Existing Connections

Any significant industrial user discharging into the wastewater system prior to the effective date of this policy and who wishes to continue such discharges in the future, shall, within ninety (90) days after notification, apply to the general manager for a wastewater permit in accordance with Section 21-377.5 below, and shall not cause or allow discharges to the system to continue after one hundred eighty (180) days of the effective date of this policy except in accordance with a permit issued by the general manager.

(b) Permitting New Connections

Any significant industrial user proposing to begin or recommence discharging into the wastewater system must obtain a wastewater permit prior to beginning or recommencing such discharge. An application for this permit must be filed at least thirty (30) days prior to the anticipated start of discharge.

(c) Wastewater Permit Application, Reissuance and Renewal

In order to be considered for a permit, an application furnished by the general manager shall be completed and signed by an authorized representative, as provided in Section 21-376(1)(d). Additional information may also be required

by the general manager if deemed necessary to evaluate the permit. Information furnished in the survey, if deemed current and adequate by the general manager, may be used as an application for existing users. Incomplete or inaccurate applications will not be processed and will be returned to the industrial user for revision. The City shall notify permitted significant industrial users at least ninety (90) days prior to the expiration of their permit. Any requests for a monitoring waiver (or a renewal of an approved monitoring waiver) for a pollutant neither present nor expected to be present in the discharge based on section 21-378 (1) c.

Information that may typically be required is listed below:

- (i) Name, mailing address, and location (if different from the mailing address);
- (ii) Environmental control permits held by or for the facility;
- (iii) Standard Industrial Classification (SIC) codes for pretreatment the industry as a whole and any processes for which categorical pretreatment standards have been promulgated; as defined by 21-346.30.
- (iv) Description of activities, facilities, and plant processes on the premises, including a list of all raw materials and chemicals used at the facility, which are or could accidentally or intentionally be discharged to the wastewater system;
- (v) Number and type of employees, and hours of operation, and proposed or actual hours of operation of the pretreatment system;
- (vi) Each product produced by type, amount, process or processes and rate of production;
- (vii) Type and amount of raw materials process (average and maximum per day);
- (viii) The site plans, floor plans and mechanical and plumbing plans and details to show all sewers, floor drains, and appurtenances by size, location and elevation, and all points of discharge.
- (ix) Time and duration of the discharge;
- (x) Measured average daily and maximum daily flow, in gallons per day, to the wastewater system from regulated process streams and other

streams as necessary to use the combined wastestream formula in 40 CFR 403.6(e).

- (xi) Daily maximum, daily average, and monthly average wastewater flow rates, including daily, monthly, and seasonal variations, if any;
- (xii) Wastewater constituents and characteristics, including any pollutants in the discharge which are limited by any federal, state, or local pretreatment standards applicable to each regulated process; and nature and concentration (or mass if pretreatment standard requires) of regulated pollutants in each regulated process (daily maximum and average concentration or mass when required by a pretreatment standard). Sampling and analysis will be undertaken in accordance with 40 CFR Part 136 and Section 21-379.
- (xiii) A statement reviewed by an authorized representative of the user, and certified to by a qualified professional, indicating whether or not the pretreatment standards are being met on a consistent basis, and if not, what additional pretreatment is necessary.
- (xiv) If additional pretreatment and/or operations and maintenance (O&M) will be required to meet the standards, then the industrial user shall indicate the shortest time schedule necessary to accomplish installation or adoption of such additional treatment and/or O&M. The completion date in this schedule shall not be longer than the compliance date established for the applicable pretreatment standard. The following conditions apply to this schedule,
 - a. The schedule shall contain progress increments in the form of dates for the commencement and completion of major events leading to the construction and operation of additional pretreatment required for the user to meet the applicable pretreatment standards (such events include hiring an engineer, completing preliminary plans, completing final plans, executing contracts for major components, commencing construction, completing construction, beginning operation, and conducting routine operation). No increment referred to shall exceed nine (9) months, nor shall the total compliance period exceed eighteen (18) months.
 - b. No later than 14 days following each date in the schedule and the final date for compliance, the user shall submit a progress report to the general manager including, at a minimum,

whether or not it complied with the increment of progress, the reason for any delay, and if appropriate, the steps being taken by the user to return to the established schedule. In no event shall more than nine (9) months elapse between such progress reports to the general manager.

- (xv) Any other information as may be deemed by the general manager to be necessary to evaluate the permit application.
- (xvi) Incomplete or inaccurate applications will not be processed and will be returned to the industrial user for revision.

(d) Wastewater Permit Decisions

The general manager will evaluate the data furnished by the industrial user and may require additional information. Within forty-five (45) days of receipt of a completed permit application or of any additional information, the general manager will determine whether or not to issue a wastewater permit. If no determination is made within this time period, the application will be deemed denied.

(e) Wastewater Permit Duration

Permits shall be issued by the general manager for a specified time period, not to exceed five (5) years. A permit may be issued for a period less than five (5) years, at the discretion of the general manager. Each permit will indicate a specific date upon which it will expire.

(f) Wastewater Permit Contents

Wastewater permits shall include such conditions as are reasonably deemed necessary by the general manager to prevent pass through or interference, protect the quality of the treatment plant's effluent, protect worker health and safety, facilitate biosolids management and disposal, protect ambient air quality, and protect against damage to the wastewater system. Conditions that must be stated and examples of conditions that may be stated are listed below:

- (i) Wastewater Permits must contain the following conditions:
 - a. A statement that indicates permits expiration date, which in no event shall exceed 5 years.

- b. A statement that the permit is nontransferable without prior notification to and approval from the city, and provisions for furnishing the new user with a copy of the existing permit.
- c. Effluent limits, including BMPs applicable to the user based on pretreatment standards found in Chapter 62-625, F.A.C., categorical pretreatment standards, local limits, Federal, State and Local law.
- d. Self-monitoring, sampling, reporting, notification and record keeping requirements. These requirements shall include an identification of pollutants to be monitored, sampling location, sampling frequency, and sample type based on federal, state and local law.
- e. Statement of applicable penalties for violation of pretreatment standards and requirements, and compliance schedules.
- f. A plan to prevent slug discharges from entering the Control Authority's collection system.
- g. The process for seeking a waiver for a pollutant neither present nor expected to be present in the discharge in accordance with section 21-378(1)(c), or a specific waived pollutant in the case of an individual permit.

(ii) Permits may contain, but need not be limited to, the following:

- a. Limits on the average and/or maximum rate of discharge, time of discharge, and/or requirements for flow regulation and equalization.
- b. Limits on the instantaneous, daily and monthly average and/or maximum concentration, mass, or other measure of identified wastewater pollutants or properties.
- c. Requirements for the installation of pretreatment technology or construction of appropriate containment devices, etc., designed to reduce, eliminate, or prevent the introduction of pollutants into the treatment system.
- d. Development and implementation of spill control plans or other special conditions including management practices necessary to adequately prevent accidental, unanticipated, or routine discharges.

- e. Development and implementation of waste minimization plans to reduce the amount of pollutants discharged to the wastewater system.
- f. Requirements for installation and maintenance of inspection and sampling facilities and equipment.
- g. Specifications for monitoring programs, which may include sampling locations, frequency of sampling, number, types, and standards for tests, and reporting schedules.
- h. Requirements for immediate reporting of any instance of noncompliance and for automatic resampling and reporting within 30 days where self-monitoring indicates a violation(s).
- i. Compliance schedules for meeting pretreatment standards and requirements.
- j. Requirements for submission of periodic self-monitoring or special notification reports.
- k. Requirements for maintaining and retaining plant records (3 years) relating to wastewater discharge as specified in Section 21-379.1 and affording the, or his representatives, access thereto.
- l. Requirements for prior notification and approval by the general manager of any new introduction of wastewater pollutants or of any significant change in the volume or character of the wastewater prior to introduction in the system.
- m. Requirements for the prior notification and approval by the general manager of any change in the manufacturing and/or pretreatment process used by the permittee.
- n. Requirement for immediate notification of any discharge which could cause any problems to the system.
- o. A statement that compliance with the permit does not relieve the permittee of responsibility for compliance with all applicable federal and state pretreatment standards, including those which become effective during the term of the permit.

- p. Other conditions as deemed appropriate by the general manager to ensure compliance with this policy, state and federal laws, rules, regulations; and the terms of the permit.

(g) Wastewater Permit Appeals

Any person including the industrial user may petition to the general manager to reconsider the designation of significant industrial user or the terms of the permit within 14 days of the notice.

- (i) Failure to submit a timely petition for review shall be deemed to be a waiver of the administrative appeal.
- (ii) In its petition, the appealing party must indicate the permit provisions objected to, the reasons for this objection, and the alternative condition, if any, it seeks to place in the permit.
- (iii) The effectiveness of the permit shall not be stayed pending the appeal.
- (iv) If the city fails to act within 21 days, a request for reconsideration shall be deemed to be denied. Decisions not to reconsider a permit, not to issue a permit, or not to modify a permit shall be considered final administrative action.
- (v) Aggrieved parties seeking review of the final administrative permit decision must do so by filing a complaint with the general manager. The decision of the general manager shall be final.

(h) Wastewater Permit Modification

The general manager may modify the permit for good cause including, but not limited to, the following:

- (i) To incorporate any new or revised Federal, State, or Local pretreatment standards or requirements.
- (ii) To address significant alterations or additions to the industrial user's operation, processes, or wastewater volume or character since the time of permit issuance.
- (iii) A change in the wastewater system that requires either a temporary or permanent reduction or elimination of the authorized discharge.
- (iv) Information indicating that the permitted discharge poses a threat to the city's wastewater system, city personnel, or the receiving waters.

- (v) Violation of any terms or conditions of the wastewater permit.
- (vi) Misrepresentation or failure to disclose fully all relevant facts in the permit application or in any required reporting.
- (vii) Revision of or a grant of variance from categorical pretreatment standards pursuant to 40 CFR 403.13.
- (viii) To correct typographical or other errors in the permit.
- (ix) To reflect a transfer of operation of the facility to a new user.

The filing of a request by the permittee for a permit modification does not stay any permit condition.

(i) Wastewater Permit Transfer

Permits may be reassigned or transferred to a new user with prior approval of the general manager if the permittee gives at least 30 days' advance notice to the general manager. The notice must include a written certification by the new user which:

- (i) States that the new user has no immediate intent to change the facility's operations and processes.
- (ii) Identifies the specific date on which the transfer is to occur.
- (iii) Acknowledges full responsibility for complying with the existing permit.

Failure to provide advance notice of a transfer renders the wastewater permit voidable on the date of facility transfer.

(j) Wastewater Permit Revocation

Wastewater permits may be revoked for the following reasons:

- (i) Failure to notify the city of significant changes to the wastewater prior to the changed discharge;
- (ii) Falsifying self-monitoring reports;
- (iii) Tampering with monitoring equipment;
- (iv) Refusing to allow the city timely access to the facility premises and records;
- (v) Failure to meet effluent limitations;

- (vi) Failure to pay fines;
- (vii) Failure to pay sewer charges;
- (viii) Failure to meet compliance schedules;
- (ix) Failure to complete an industrial pretreatment survey;
- (x) Failure to provide advance notice of the transfer of a permitted facility;
- (xi) Violation of any pretreatment standard or requirement or any terms of the permit or the policy.

Permits shall be voidable upon nonuse, cessation of operations for more than one year, or transfer of business ownership.

Section 21-378 Reporting Requirements

(1) Periodic Compliance Reports for Significant Industrial Users

Any significant industrial user subject to a categorical pretreatment standard, except a non-significant categorical industrial user, subject to a pretreatment standard or requiring pretreatment to meet a specific limitation shall, at a frequency determined by the general manager but in no case less than twice per year (June and December), submit a report indicating the nature and concentration of pollutants in the discharge which are limited by such standards, and the measured or estimated average and maximum daily flows for the reporting period. In cases where the pretreatment standard requires compliance with a BMP or pollution prevention alternative, the IU shall submit documentation required by the general manager or the pretreatment standard necessary to determine the compliance status of the IU. The IU may request submission of this report in months other than June and December, if based on such factors as local high or low flow rates, holidays, or budget cycles, the alternate dates more accurately represent actual operating conditions. Written reports will be deemed to have been submitted on the date postmarked. For reports, which are not mailed, postage prepaid, into a mail facility serviced by the United States Postal Service, the date of receipt of the report shall govern.

All periodic compliance reports must be signed and certified in accordance with Section 21-376. Reports shall not be required for users who are required to use no other pretreatment device other than a grease separator, sand/oil separator, lint separator or flow equalization devices, or for waste haulers.

- (a) All wastewater samples must be representative of the industrial user's discharge. Wastewater monitoring and flow measurement facilities shall be properly operated, kept clean, and maintained in good working order at all

times. The failure of an industrial user to keep its monitoring facility in good working order shall not be grounds for the industrial user to claim that sample results are unrepresentative of its discharge. If an IU subject to the reporting requirement in this section monitors any regulated pollutant at the appropriate sampling location more frequently than required by the general manager, using the procedures prescribed in section 21-379 (2) of this ordinance, the results of this monitoring shall be included in the report.

- (b) In the event an industrial user's monitoring results indicate a violation has occurred, the industrial user must immediately notify the general manager and resample its discharge. The industrial user must report the results of the repeated sampling within 30 days of discovering the first violation. Where the City has performed the sampling and analysis in lieu of the IU, the City will perform the repeat sampling and analysis, unless the IU is notified and required to perform the repeat analysis. Resampling is not required if the City performs sampling at the IU's facility at a frequency of at least once per month, or if the City performs sampling at the IU's facility between the time when the initial sampling was conducted and the time when the IU or the City receives the results of this sampling.
- (c) The City may authorize a CIU to waive sampling of a pollutant regulated by a categorical pretreatment standard if the CIU demonstrates the following through sampling and other technical factors.
 - (i) The pollutant is neither present nor expected to be present in the discharge, or the pollutant is present only at background levels from intake water and without any increase in the pollutant due to activities of the CIU; and
 - (ii) The pollutant is determined to be present solely due to sanitary wastewater discharged from the facility provided that the sanitary wastewater is not regulated by an applicable categorical standard and otherwise includes no process wastewater.
- (d) The authorization of the monitoring waiver is subject to the following conditions and does not supersede certification processes and requirements established in categorical pretreatment standards, except as specified in the categorical pretreatment standard.
 - (i) The monitoring waiver is valid only for the duration of the effective period of the individual wastewater discharge permit, but in no case longer than 5 years. The CIU must submit a new request for the waiver

before the waiver can be granted for each subsequent individual wastewater discharge permit;

- (ii) In making a demonstration that a pollutant is not present, the CIU must provide data from at least one sampling of the facility's process wastewater prior to any treatment present at the facility that is representative of all wastewater from all processes. Non-detectable sample results may only be used as a demonstration that a pollutant is not present.
- (iii) The request for a monitoring waiver must be certified in accordance with Section 21-376 and signed by an authorized representative of the user. The authorization must be included as a condition in the CIU's permit. The reasons supporting the waiver and any information submitted by the CIU in its request for the waiver must be maintained by the general manager for 3 years after expiration of the waiver;
- (iv) Upon approval of the monitoring waiver and revision of the CIU's individual wastewater discharge permit by the general manager the CIU must certify on each report the statement in Section 21-376.
- (v) In the event that a waived pollutant is found to be present, or is expected to be present based on changes that occur in the CIU's operations, the CIU must immediately notify the general manager and comply with the monitoring requirements of this ordinance or other more frequent monitoring requirements imposed by the General Manager.

(2) **Baseline Monitoring Reports for Categorical Users**

Within 180 days after the effective date of a categorical pretreatment standard, or 180 days after the final administrative decision on a category determination under 62-625.410(2) F.A.C., whichever is later, existing significant industrial users subject to such categorical pretreatment standards and currently discharging to or scheduled to discharge to the wastewater system shall be required to submit, to the general manager a report which contains the information listed in the sewer use manual. At least ninety (90) days prior to commencement of their discharge, new sources, including existing users which have changed their operation or processes so as to become new sources, shall be required to submit to the general manager a report which contains the information listed in the sewer use manual. A new source shall also be required to report the method of pretreatment it intends to use to meet applicable pretreatment standards. New sources shall also give estimates of its anticipated flow and quantity of pollutants discharged. The information required by this section includes:

- (a) Identifying Information. The user shall submit the name and address of the facility including the name of the operator and owners.
- (b) Permits. The user shall submit a list of any environmental control permits held by or for the facility.
- (c) Description of Operations. The user shall submit a brief description of the nature, average rate of production, and standard industrial classifications of the operation(s) carried out by such industrial user. This description should include a schematic process diagram which indicates points of discharge to the system from the regulated processes.
- (d) Flow Measurement. The user shall submit information showing the measured average daily and maximum daily flow, in gallons per day, to the system from regulated process streams and other streams as necessary to allow use of the combined wastestream formula set out in 62-625.410(6) F.A.C. The general manager may allow for verifiable estimates of these flows, where justified by cost or feasibility considerations.
- (e) Measurement of Pollutants.
 - (i) The industrial user shall identify the categorical pretreatment standards applicable to each regulated process.
 - (ii) In addition, the industrial user shall submit the results of sampling and analysis identifying the nature and concentration (and/or mass, where required by the standard or city) of regulated pollutants in the discharge from each regulated process. Instantaneous daily maximum and long term average concentrations (or mass, where required) shall be reported. The sample shall be representative of daily operations and shall be performed in accordance with procedures set out in 40 CFR Part 136.
 - (iii) In cases where the pretreatment standard requires compliance with a BMP or pollution prevention alternative, the IU shall submit documentation as required by the general manager or the applicable standards to determine compliance with the standard.
 - (iv) A minimum of four (4) grab samples must be used for pH, cyanide, total phenols, oil and grease, sulfide, and volatile organics. All other pollutants must be measured by composite samples obtained through flow proportional sampling techniques. If flow proportional composite sampling is not feasible, samples may be obtained through time

proportional sampling techniques or through four (4) grab samples if the user proves such a sample will be representative of the discharge.

- (v) The BMR shall indicate the time, date and place of sampling, methods of analysis, and test results for each component and shall certify that such sampling and analysis is representative of normal work cycles and expected pollutant discharges to the system.
- f. Special Certification. A statement reviewed by an authorized representative of the industrial user and certified by a qualified professional, indicating whether pretreatment standards are being met on a consistent basis, and, if not, whether additional operation and maintenance (O&M) and/or additional pretreatment is required in order to meet the pretreatment standards and requirements.
- g. Compliance Schedule. If additional pretreatment and/or O&M will be required to meet the pretreatment standards the shortest schedule by which the industrial user must be used to provide such additional pretreatment and/or O&M. The completion date in this schedule shall not be later than the compliance date established for the applicable pretreatment standard
- h. All baseline monitoring reports must be signed and certified in accordance with Section 21-376.

(3) Compliance Deadline Reports for Categorical Users

Within 90 days following the date for final compliance with applicable categorical pretreatment standards, or in the case of a new source, following commencement of the introduction of wastewater into the wastewater system, any industrial user subject to such pretreatment standards and requirements shall submit to the general manager a report containing the information described in Section 21-378. For industrial users subject to equivalent mass or concentration limits established in accordance with the procedures in 40 CFR 403.6(c), this report shall contain a reasonable measure of the user's long term production rate. For all other industrial users subject to categorical pretreatment standards expressed in terms of allowable pollutant discharge per unit of production (or other measure of operation), this report shall include the user's actual production during the appropriate sampling period. All compliance reports must be signed and certified in accordance with Section 21-378.

(4) Report of Changed Conditions

- (a) All users are required to notify the general manager, at least ten calendar days before the change is implemented, of any planned significant changes to the industrial user's operation or pretreatment systems which might alter the nature, quality or volume of its wastewater. The general manager may require

the industrial user to submit such information as may be deemed necessary to evaluate the changed condition, including the submission of a wastewater permit application under Section 21-377, if necessary.

- (b) The general manager may issue a wastewater permit under Section 21-377.3 or modify an existing wastewater permit under Section 21-377.4 in response to changed or anticipated conditions.
- (c) No industrial user shall implement the planned changed condition(s) until and unless the general manager has responded to the industrial user's notice.
- (d) For purposes of this requirement, flow increases of 10% or greater and the discharge of any previously unreported pollutant shall be deemed significant.

(5) Reports of Potential Problems

Each industrial user shall report accidental or intentional discharges of prohibited materials or other substances regulated by this article to the general manager. Facilities to prevent the discharge of prohibited materials shall be provided and maintained at the user's own cost and expense.

- (a) In the case of an accidental or other discharge which may cause potential problems for the city's wastewater system, it is the responsibility of the user to immediately telephone and notify the general manager, of the incident. This notification shall include the location of discharge, type of waste, concentration and volume, if known, and corrective actions taken by the user.
- (b) Within 5 days following an accidental discharge, the user shall, unless waived by the general manager, submit a detailed written report describing the cause(s) of the discharge and the measures to be taken by the user to prevent similar future occurrences. Such notification shall not relieve the user of any expense, loss, damage, or other liability which may be incurred as a result of damage to the system, natural resources, or any other damage to person or property; nor shall such notification relieve the user of any fines, civil penalties, or other liability which may be imposed by this article.
- (c) Failure to notify the general manager of any changes to its facility that may result in potential problem discharges shall be deemed a separate violation of this article.
- (d) A notice provided by the city shall be permanently posted on the user's bulletin board or other prominent place advising employees who to call in the event of a discharge described in paragraph b, above. Employers shall ensure that all

employees who may cause or suffer such a discharge to occur are advised of the emergency notification procedure.

(e) Reports from Non-Categorical Users

All users not subject to categorical pretreatment standards shall provide appropriate reports to the city as the general manager may require (ex. grease interceptor haulers manifest).

(6) Notification of the Discharge of Hazardous Waste

- (a) Users who commence the discharge, to the wastewater system, of a substance which, if otherwise disposed of, would be a hazardous waste under 40 CFR Part 261, shall give written notice of such discharge to the general manager, the EPA Regional Waste Management Division Director, and Florida Department of Environmental Protection Pretreatment authorities. Such notification must include the name of the hazardous waste as set forth in 40 CFR Part 261, the EPA hazardous waste number, and the type of discharge (continuous, batch, or other). If the user discharges more than one hundred (100) kilograms of such waste per calendar month to the wastewater system, the notification also shall contain the following information to the extent such information is known and readily available to the user: an identification of the hazardous constituents contained in the waste, an estimate of the mass and concentration of such constituents in the waste stream discharged during that calendar month, and an estimate of the mass of constituents in the waste stream expected to be discharged during the following twelve (12) months. All such notifications must take place no later than one hundred and eighty (180) days after the discharge commences. Such notification need be submitted only once for each hazardous waste discharged; however, notifications of changed conditions must still be submitted in accordance with this sub-division. This notification requirement does not apply to pollutants already reported by users subject to categorical pretreatment standards under the self-monitoring requirements set forth in this sub-division.
- (b) Users shall be exempt from the requirements of subsection (1) above during a calendar month in which they discharge no more than 15 kilograms of hazardous wastes, unless the wastes are acute hazardous wastes as described in 40 CFR 261.30(d) and 261.33(e). Discharge of more than 15 kilograms of non-acute hazardous wastes in a calendar month, or of any quantity of acute hazardous wastes as described in 40 CFR 261.30(d) and 261.33(e).
- (c) In the case of any new regulations under Section 3001 of RCRA identifying additional characteristics of hazardous waste or listing any additional substance

as a hazardous waste, each user must notify the general manager, the EPA Regional Waste Management Waste Division Director, and State hazardous waste authorities of the discharge of such substance within ninety (90) days of the effective date of such regulations.

- (d) In the case of any notification made under this sub-section, the user shall certify that it has a program in place to reduce the volume and toxicity of hazardous wastes generated to the degree it has determined to be economically practical.
- (e) This provision does not create a right to discharge any substance not otherwise permitted to be discharged by this division, a permit issued hereunder, or any applicable Federal law or State statute.
- (f) All compliance reporting required by this division shall be performed in accordance with the requirements of Rule 62-160, F.A.C.

Section 21-379 - Compliance Monitoring

(1) Inspection and Sampling

The general manager shall have the right to enter the facilities of any industrial user to ascertain whether the purpose of this division is being met and whether such user is in compliance with all requirements of this division. Industrial users shall allow the general manager or his representatives ready access to all parts of the premises for the purposes of inspection, sampling, records examination and copying, and the performance of any additional duties. All sampling and laboratory analytical reports will conform to Chapter 62-160, F.A.C.

- (a) Where an industrial user has security measures in force which require proper identification and clearance before entry into their premises, the industrial user shall make necessary arrangements with its security guards so that upon presentation of suitable identification, personnel from the City, State, and U.S. EPA will be permitted to enter, without delay, for the purposes of performing their specific responsibilities.
- (b) The City, State, and U.S. EPA shall have the right to set up or require installation of, on the industrial user's property, such devices as are necessary to conduct sampling, and/or metering of the user's operations. This shall include the right to add tracers to the industrial user's wastestream, for purposes of determining their destination.
- (c) In addition to the discharge, samples may be taken of any product used or stored, and of any intermediate product produced in the facility.

- (d) The general manager may require the industrial user to install monitoring equipment, as necessary. The general manager may also require that provision be made on these monitors for the installation of city owned recorders or transmitters. The facility's, sampling and monitoring equipment shall be maintained at all times in a safe and proper operating condition by the industrial user at the industrial user's expense. Any city owned equipment will be maintained at city expense. All devices used to measure wastewater flow and quality shall be calibrated periodically to ensure their accuracy.
- (e) The general manager shall be given the opportunity to talk with and question employees of the industrial user concerning facilities operation, pretreatment and spills.
- (f) Any temporary or permanent obstruction to safe and easy access to the industrial facility to be inspected and/or sampled shall be promptly removed by the industrial user at the written or verbal request of the general manager and shall not be replaced. The costs of clearing such access shall be borne by the industrial user.
- (g) Unreasonable delays in allowing City, State, and U.S. EPA personnel access to the industrial user's premises shall be a violation of this policy.
- (h) Enforcement response and possible assessments guidelines to be used for determining any user that violates any part of this section shall be in accordance with Table 5 of Section 21-357.

(2) Sample Collection

- (a) Except in the case of NSCIUs, the reports required in Section 21-378 shall contain the results of sampling and analysis of the discharge, including the flow and the nature and concentration, or production and mass where requested by the general manager, of pollutants contained therein which are limited by the applicable pretreatment standards. This sampling and analysis may be performed by the City in lieu of the IU. Where the City performs the required sampling and analysis in lieu of the IU, the IU is not required to submit the compliance certification required in Section 21-376(1)(d). In addition, where the City collects all the information required for the report, including flow data, the IU is not required to submit the report. All laboratory analytical reports prepared by the IU or the City shall comply with Rule 62-160.340, F.A.C.
- (b) The reports shall be based upon data obtained through sampling and analysis performed during the period covered by the report. These data shall be representative of conditions occurring during the reporting period. The City will

indicate the frequency of monitoring necessary to assess and assure compliance by the IU with applicable pretreatment standards and requirements.

- (c) For all sampling required by this ordinance, grab samples must be used for pH, cyanide, total phenols, oil and grease, sulfide, and volatile organic compounds. For all other pollutants, 24-hour composite samples must be obtained through flow-proportional composite sampling techniques, unless time-proportional composite sampling or grab sampling is authorized by the general manager. Where time-proportional composite sampling or grab sampling is authorized by the City, the sample must be representative of the discharge and the decision to allow the alternative sampling will be documented in the IU's file. Using protocols (including appropriate preservation) specified in Chapter 62-160, F.A.C., and DEP-SOP-001/01, multiple grabs collected during a 24-hour period may be composited prior to analysis as follows:
 - (i) Samples for cyanide, total phenols, and sulfides may be composited in the laboratory or in the field;
 - (ii) Samples for volatile organics and oil and grease may be composited in the laboratory; and
 - (iii) Composite samples for other parameters unaffected by the compositing procedures as allowed in FDEP's approved sampling procedures and laboratory methodologies may be authorized by the City, as appropriate.
- (d) Oil and grease samples shall be collected in accordance with Section 21-379(2)(c) unless the sampling location or point cannot be physically accessed to perform a direct collection of a grab sample. In these instances, the sample shall be pumped from the sampling location or point into the sample container using a peristaltic-type pump. All pump tubing used for sample collection must be new or pre-cleaned and must be changed between sample containers and sample points. The pump tubing shall not be pre-rinsed or flushed with sample prior to collecting the sample. The report of analysis shall indicate that a peristaltic pump was used to collect the oil and grease sample. Samples for oil and grease, temperature, pH, cyanide, phenols, toxicity, sulfides, and volatile organic chemicals must be obtained using grab collection techniques.
- (e) Sampling required in support of the BMR and 90-day compliance report of this ordinance shall be conducted as follows:

- (i) For IUs where historical sampling data do not exist, a minimum of four (4) grab samples must be used for pH, cyanide, total phenols, oil and grease, sulfide and volatile organic compounds.
 - (ii) For IUs where historical sampling data are available, the general manager may authorize a lower minimum.
- (f) The general manager may require that the city be notified of the exact times that samples will be collected, at least forty-eight hours prior to sampling and that the samples be split for independent analysis by the city. The city will also make available split samples of any samples collected by the city for independent analysis by the industrial user.

(3) **Analytical Requirements**

All pollutant analyses, including sampling techniques, to be submitted as part of a permit application or report shall be performed in accordance with the techniques prescribed in 62-160 F.A.C., 62-625.600 (1) (e) or in accordance with procedures approved by the EPA and the city. All analysis shall be performed by a Laboratory certified by the Florida Department of Health signed by an authorized representative of that Laboratory.

(4) **Monitoring Charges**

The general manager may recover the city's costs incurred in collecting and analyzing samples of the industrial user's discharge by adding such costs to the industrial user's utility account. The person responsible for the utility account shall be responsible for these costs regardless of any rental or lease agreement. Permitted waste haulers shall be invoiced using Digester Fee billing procedures. Costs shall be recovered only for any sampling and analysis that indicates that the discharge is prohibited or exceeds limitations. Costs for collecting and analyzing samples shall be established annually by the general manager in the form of a sewer use directive.

(5) **Record Keeping**

Industrial users shall retain, and make available for inspection and copying, all records and information obtained pursuant to any monitoring activities required by this ordinance including documentation associated with BMPs, and any additional records of information obtained pursuant to monitoring activities under taken by the user independent of such requirements. Records shall include the date, exact place, method, time of sampling, the name of the person(s) taking the samples; the dates analyses were performed; who performed the analyses; the analytical techniques or methods used; and the results of such analyses. These records shall remain available for a period of at least 3 years. This period shall be automatically extended for the duration of any litigation concerning compliance with this policy, or where the industrial user has been

specifically notified of a longer retention period by the general manager. The general manager shall have the right to remove records for the purposes of copying, if copying facilities are not available on the premises.

(6) **Search Warrants**

If the general manager has been refused access to a building, structure or property or any part thereof, and if the general manager has probable cause to believe that there may be a violation this article or that there is a need to inspect as part of a routine inspection program of the city designed to protect the overall public health, safety and welfare of the community, then upon application by the City Attorney, the court shall issue a search and/or seizure warrant describing the specific location subject to the warrant. The warrant shall specify what, if anything may be searched and/or seized on the property described. Such warrant shall be served at reasonable hours by the general manager in the company of a uniformed law enforcement officer of the City or County. In the event of an emergency affecting public health and safety, or if the industrial user consents, inspections shall be made without the issuance of a warrant.

Section 21-380 Confidential Information

Information and data on an industrial user obtained from reports, questionnaires, permit applications, permits, and monitoring programs, and from city inspection and sampling activities, including effluent data information, shall be available to the public in accordance with requirements of the Florida Public Records Act, Chapter 119, Florida Statutes. Should a user believe, in good faith, that any such information or data is information which would be exempt from disclosure or copying under Florida law, such user shall indicate that belief by placing a distinctive cover sheet on the document containing such information or data with the phrase "CONTAINS INFORMATION EXEMPT FROM DISCLOSURE" set forth in large, bold type, and by typing or printing, in bold letters, the phrase "Exempt from Disclosure" on the face of each affected page of such material. The user shall submit to the general manager both a complete and a redacted copy of the document and each affected page. Should any person request to examine or copy any material so designated, the city will produce for that person only the redacted copy of the affected page. If the person requests to examine or copy the complete copy of the affected page, the city shall notify the user of that request, and the user, within thirty-six (36) hours of receiving such notification, shall either permit or refuse to permit such disclosure or copying. If the user refuses to permit the requested disclosure or copying, the user shall hold harmless and indemnify the city for all expenses, costs, damages, and penalties of any kind whatsoever which may be incurred by the city, or assessed or awarded against the city and in favor of the person making such request, in regard to the user's refusal to permit disclosure or copying of such material. If litigation is filed in relation to such request and the user is not initially named as a party, the user shall promptly seek to intervene as a defendant in such litigation to defend its claim regarding the confidentiality of such material.

Section 21-381 Recognition of Outstanding Customers and Publication of Significant Violators

(1) Certificate of Recognition and Appreciation

The City Commission may annually award a Certificate of Recognition And Appreciation to the Industrial User that has operated the most effective, the most important improvement or made the greatest contribution to pretreatment, or to waste minimization.

(2) Publication of Significant Noncompliance

The city shall annually publish, in the newspaper of largest circulation in Leon County, a list of the industrial users which during the previous 12 months, were in significant noncompliance with applicable pretreatment standards and requirements. For the purpose of this provision, an industrial user is in significant noncompliance if its violation meets one or more of the following criteria:

- (a) Chronic violations of wastewater discharge limits defined here as those in which sixty-six percent (66%) or more of wastewater measurements taken during a 6-month period exceed the discharge limit for the same pollutant parameter by any amount;
- (b) Technical Review Criteria (TRC) violations defined here as those in which thirty-three percent (33%) or more of wastewater measurements taken during a 6-month period equal or exceed the product of the daily maximum limit or the average limit multiplied by the applicable criteria (1.4 for BOD, TSS, TPH, and 1.2 for all other pollutants except pH)
- (c) Any other discharge violation that the city believes has caused, alone or in combination with other discharges, interference or pass through, or endangered the health of city personnel;
- (d) Any discharge of pollutants that has caused imminent endangerment to the public or to the environment, or has resulted in the city's exercise of its emergency authority to halt or prevent such a discharge;
- (e) Failure to meet, within 90 days of the scheduled date, a compliance schedule milestone contained in a permit or enforcement order for starting construction, completing construction, or attaining final compliance;
- (f) Failure to provide, within 30 days after the due date, any required reports, including baseline monitoring reports, 90-day compliance reports, periodic self-monitoring reports, and reports on compliance with compliance schedules;
- (g) Failure to accurately report noncompliance; or

- (h) Any other violation(s) which the city has reason to believe is significant.

Appendix A – List of Regulated Toxic Pollutants

(40 CFR 401.15, Table 1)

ACENAPHTHENE
ACROLEIN
ACRYLONITRILE
ALDRIN/DIELDRIN ^[1]
ANTIMONY AND COMPOUNDS ^[2]
ARSENIC AND COMPOUNDS
ASBESTOS
BENZENE
BENZIDINE ^[1]
BERYLLIUM AND COMPOUNDS
CADMIUM AND COMPOUNDS
CARBON TETRACHLORIDE
CHLORDANE (TECHNICAL MIXTURE AND METABOLITES)
CHLORINATED BENZENES (OTHER THAN DI-CHLOROBENZENES)
CHLORINATED ETHANES (INCLUDING 1,2-DI-CHLOROETHANE, 1,1,1-TRICHLOROETHANE, AND HEXACHLOROETHANE)
CHLOROALKYL ETHERS (CHLOROETHYL AND MIXED ETHERS)
CHLORINATED NAPHTHALENE
CHLORINATED PHENOLS (OTHER THAN THOSE LISTED ELSEWHERE; INCLUDES TRICHLOROPHENOLS AND CHLORINATED CRESOLS)
CHLOROFORM
2-CHLOROPHENOL
CHROMIUM AND COMPOUNDS
COPPER AND COMPOUNDS
CYANIDES
DDT AND METABOLITES ^[1]
DICHLOROBENZENES (1,2-, 1,3-, AND 1,4-DI-CHLOROBENZENES)
DICHLOROBENZIDINE
DICHLOROETHYLENES (1,1-, AND 1,2-DICHLOROETHYLENE)
2,4-DICHLOROPHENOL
DICHLOROPROPANE AND DICHLOROPROPENE
2,4-DIMETHYLPHENOL
DINITROTOLUENE
DIPHENYLHYDRAZINE
ENDOSULFAN AND METABOLITES
ENDRIN AND METABOLITES ^[1]
ETHYLBENZENE
FLUORANTHENE
HALOETHERS (OTHER THAN THOSE LISTED ELSEWHERE; INCLUDES CHLOROPHENYLPHENYL ETHERS, BROMOPHENYLPHENYL ETHER, BIS(DICHLOROISOPROPYL) ETHER, BIS-(CHLOROETHOXY) METHANE AND POLYCHLORINATED DIPHENYL ETHERS)

Appendix A – List of Regulated Toxic Pollutants (40 CFR 401.15, Table 1) (continued)

HALOMETHANES (OTHER THAN THOSE LISTED ELSEWHERE; INCLUDES METHYLENE CHLORIDE, METHYLCHLORIDE, METHYLBROMIDE, BROMOFORM, DICHLOROBROMOMETHANE)
HEPTACHLOR AND METABOLITES
HEXACHLOROBUTADIENE
HEXACHLOROCYCLOHEXANE
HEXACHLOROCYCLOPENTADIENE
ISOPHORONE
LEAD AND COMPOUNDS
MERCURY AND COMPOUNDS
NAPHTHALENE
NICKEL AND COMPOUNDS
NITROBENZENE
NITROPHENOLS (INCLUDING 2,4-DINITROPHENOL, DINITROCRESOL)
NITROSAMINES
PENTACHLOROPHENOL
PHENOL
PHTHALATE ESTERS
POLYCHLORINATED BIPHENYLS (PCBS) 1
POLYNUCLEAR AROMATIC HYDROCARBONS (INCLUDING BENZANTHRACENES, BENZOPYRENES, BENZOFLUORANTHENE, CHRYSENES, DIBENZ-ANTHRACENES, AND INDENOPYRENES)
SELENIUM AND COMPOUNDS
SILVER AND COMPOUNDS
2,3,7,8-TETRACHLORODIBENZO-P-DIOXIN (TCDD)
TETRACHLOROETHYLENE
THALLIUM AND COMPOUNDS
TOLUENE
TOXAPHENE 1
TRICHLOROETHYLENE
VINYL CHLORIDE
ZINC AND COMPOUNDS

FOOTNOTE(S):

[1] EFFLUENT STANDARD PROMULGATED (40 CFR PART 129).

[2] THE TERM COMPOUNDS SHALL INCLUDE ORGANIC AND INORGANIC COMPOUNDS.

Appendix B – Industrial User Survey

Section A. - General Information

Facility / Project Name:									
Facility Street Address:									
City:					State:		Zip:		
Contact Person:						Title:			
Phone:			Fax:			Email:			
Utility Account Number(s):									
Company Name and Location: If same as facility above, check here [<input type="checkbox"/>]									
Company Name (if different):									
Mailing Street Address:									
City:					State:		Zip:		
Contact Person:						Title:			
Phone:			Fax:			Email:			

Section B. - Plant/Business Operation

1. What will be the total number of employees at the facility?			
2. Give a brief description of operation performed on premises:			
What is the Standard Industrial Classification (SIC) number?			
3(a) Is the normal use of the facility something other than retail sales or office space that contributes non- domestic waste discharging to the sanitary sewer system? (check one)			[<input type="checkbox"/>] Yes [<input type="checkbox"/>] No
3(b) Are hazardous or toxic chemicals are used or stored on site? (check one)			[<input type="checkbox"/>] Yes [<input type="checkbox"/>] No
If you checked "No" for both 3(a) and 3(b), proceed to Section H, otherwise continue to Item 4.			
4. List the major Raw Materials Used:			
5. List Any Intermediate or By-Products that are produced:			
6. Is production [<input type="checkbox"/>] Continuous or [<input type="checkbox"/>] Batch? (Check one)			
If batch, average number of batches per 24 hours:			

7. Are there shift changes, shut downs, or seasonal production changes in your operation (check one) (If No, go to Section C, otherwise continue)							[] Yes [] No
a) Is there a regularly scheduled shut down? (check one)							[] Yes [] No
If so, when:							
b) Is production seasonal? (check one)							[] Yes [] No
If yes, provide description indicating month(s) of peak production:							
c) Average number of employees per shift:				1 st :	2 nd :	3 rd	
d) Shift start times:				1 st :	2 nd :	3 rd	
e. Shift Schedule:							
Shift	SUN	MON	TUE	WED	THU	FRI	SAT
1 st							
2 nd							
3 rd							

Section C. - Discharge to Sanitary Sewer System

1. Does the facility have any source of water other than the City of Tallahassee metered water?							[] Yes [] No
If Yes, describe:							
Is there a separate meter for sanitary sewer charges?							[] Yes [] No
If Yes, provide size, type and location of meter):							
Estimate the average daily water usage (in gallons per day) of facility and discharge destination							
	Sanitary Sewer	Storm or Irrigation	Waste Hauler	Evaporation	Contained In Product		
Domestic Waste							
Landscape Maintenance							
Wash Down							
Cooling Water							
Boiler Water							
Process Water							
Raw Material							
Other							
Other							

If a waste hauler is utilized, give name and address:			
If there is no discharge to the sanitary sewer other than domestic waste, go to Section E			
4. Do you intend to discharge any wastes to the sanitary sewer that may be flammable, explosive, toxic, corrosive (pH<5.0 or pH>10.0) or concentrated (BOD or COD)?			[] Yes [] No
If yes, list the waste and estimate the maximum daily quantity that will be discharged:			
5. Indicate the maximum concentration (mg/l) of each of the following substances which the source discharge might contain:			
Acidity		Iron	
Ammonia		Lead	
Alkalinity		Manganese	
Arsenic		Mercury	
Barium		Nickel	
Boron		Phosphorus	
Bromine		pH (Min – Max.)	
Cadmium		Selenium	
Chloride		Silver	
Chromium		Sulfate	
Copper		Sulfide	
Cyanide		Zinc	
Alcohols		Organic Nitrogen Compounds	
Phenols or Phenolic Compounds		Surfactants	
Hydrocarbons		Oils and Greases	
Chlorinated Solvents		Petroleum Products	
Miscellaneous organic chemicals (Including Dyes, aromatics, organo metal compounds, formaldehyde, ketones, aldehydes, and any compound that may be toxic or hazardous to the treatment process.)			

6. Is there any possibility that you might discharge solid or viscous wastes such as grease, garbage (>1/2"), animal guts or tissues, paunch manure, manure, bonus, hair, hides or fleshings, entrails, whole blood, feathers, shells, ashes, cinders, sand, spent lime, stone or marble dust, metal, glass, straw shavings, grass clippings, rags, spent grains, spent hops, waste paper, wood, plastics, gas, tar asphalt residues, residues from refining, or processing of fuel or lubricating oil, mud, glass grinding or polishing wastes.		[] Yes [] No
If yes, please describe:		
7. Will the temperature of the discharged wastes at any time exceed 40°C (104°F)		[] Yes [] No
If yes, list temperature, quantity and maximum duration:		

Section D. - Pretreatment

1. Is this facility subject to any Categorical Standard		[] Yes [] No
If yes, please list Categorical Standard(s):		
2. Will there be any form of pretreatment (this would include sand/oil separator, grease separator, silver recovery, etc.)?		[] Yes [] No
If yes, please describe pretreatment process:		

Section E. - Sampling and Inspections

1. Will you be conducting a testing program of the discharge?		[] Yes [] No
If yes, please describe schedule:		
2. Where can samples of your discharge be collected?		

3. What are the projected flow rate for your facility (in gallons per minute)?		
gpm (minimum)	gpm (average)	gpm (maximum)
What accounts for the variation?		
What other factors should be considered in sampling?		
Who should the Inspector notify at the time an inspection is being made and samples collected?		
Name	Telephone	Email
Will it be necessary for the Inspector to obtain pre-approved security clearance?		
Name	Telephone	Email

Section F. - Products Used But Not Normally Discharged

1. Is there a floor drain system or catch basin system that connects to the following sewer systems:				
Sanitary Sewer	<input type="checkbox"/> Yes <input type="checkbox"/> No		Storm Sewer	<input type="checkbox"/> Yes <input type="checkbox"/> No
2. Are their spill containment systems (dikes, sumps, etc.) in the facility				<input type="checkbox"/> Yes <input type="checkbox"/> No
If yes, please describe:				
2. Is there a spill prevention control and counter measure plan in effect for this facility				<input type="checkbox"/> Yes <input type="checkbox"/> No
If yes, please describe:				
4. Please list all raw materials and other products that are used (use additional sheets if necessary):				
Product	Quantities Used (daily, monthly etc.)	Max Stored on Site (gallons, liters, etc.)	Max Container Capacity (gal, Liter, etc.)	Destination if Spilled

Section G. - Attachments

1. Material Data Sheets for raw materials and other products that are used.
 2. Schematic drawing of facility showing process discharge points, pretreatment units, facility discharge point and sampling point.
 3. Dimensioned drawing of Grease Separator or Oil/Sand Separator.
 4. Detailed description of process, operation and equipment associated with pre-treatment.
 5. Site plans, floor plans, mechanical and plumbing plans and details to show all sanitary sewers, sewer connections, sampling point and appurtenances, floor draining, storm sewers and appurtenances. Size and location shall be indicated.
-

This survey should be mailed to:

City of Tallahassee
Underground Utilities & Public Infrastructure Department
Attn: Industrial Pretreatment Supervisor
4505-A Springhill Rd.
Tallahassee, Fl. 32305
Telephone: (850) 891-1200

Section H - Signature of Official

This form must be signed by an authorized official of your firm after adequate completion of this form and review of the information by the signing official.

- a) If the industrial user is a corporation, authorized representative shall mean:
 - i. the president, secretary, treasurer, or a vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision making functions for the corporation, or
 - ii. the manager of one or more manufacturing, production, or operation facilities employing more than 250 persons or having gross annual sales or expenditures exceeding \$25 million (in second-quarter 1980 dollars), if authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.
- b) If the industrial user is a partnership, association, or sole proprietorship, an authorized representative shall mean a general partner or the proprietor.
- c) If the individual user is representing Federal, State or Local governments, or an agent thereof, an authorized representative shall mean a manager or highest official appointed or designated to oversee the operation and performance of the activities of the government facility.
- d) The individuals described above may designate another authorized representative if the authorization is in writing; the authorization specifies the individual or position responsible for the overall operation of the facility from which the discharge originates or having overall responsibility for environmental matters for the company, and the authorization is submitted to the General Manager or his designee.

*Note to Signing Official: Data provided in this document shall be available to the public without restriction. Requests for confidential treatment of information shall be governed by procedures specified in the Sewer Use Manual and in accordance with 40 CFR Part 2

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, and to the best of my knowledge and belief, the information is true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including possibility of fine and imprisonment for knowing violations."

Print Name and Title of Official

Signature of Official

Date

Appendix C - Industry Categories Subject to National Categorical Pretreatment Standards

Industry Category	40CFR,PART:
Aluminum Forming	467 & 53FR52366
Battery Manufacturing	461
Coil Coating (Phase 1)	465
Coil Coating (Can making)	465
Copper Forming	468
Electrical and Electronic Components (Phase I)	469
Electrical and Electronic Components (Phase II)	469
Electroplating	413
Inorganic Chemicals (Interim, Phase I, and Phase II)	415
Iron and Steel	420
Leather Tanning and Finishing	425
Metal Finishing	433
Metal Molding and Casting (Foundries)	464
Nonferrous Metals Forming and Metal Powders	471
Nonferrous Metals Manufacturing (Phase I)	421
Nonferrous Metals Manufacturing (Phase II)	421
Organic Chemicals, Plastics and Synthetic Fibers	414 & 416
Pesticide Chemicals	455
Petroleum Refining	419
Pharmaceuticals Manufacturing	439
Porcelain Enameling	466
Pulp, Paper, Paperboard	430 & 431
Steam Electric Power Generation	423
Timber Products Processing	429

Appendix D - Industrial Pretreatment Sampling and Analysis Costs

1. Purpose: To assign costs for sample collection and analysis as provided in the Industrial Pretreatment Policy Section 21-379.
2. Policy & Procedure: The following schedule of costs shall be used to determine the City's expenses for sample collection and analysis. This cost shall only be applied when the analysis indicates that the discharge is prohibited or exceeds limitations. For analysis not listed in this guide the standard rate used by the City Of Tallahassee Water Quality Division shall be used if the analysis is performed in-house. If the analysis is performed by another laboratory, the actual cost to the City shall be used.

Description	Method	Fee
Sample Collection		
Grab sample		\$75.00
Flow proportional sample		\$75.00
Laboratory Analysis		
BOD5Day	SM 5210-B	\$20.00
COD	EPA 410.4	\$20.00
Suspended Solids	SM2540-D	\$15.00
Oil & Grease (TOG)	EPA 1664	\$40.00
Oil & Grease (TPH)	EPA 1664	\$40.00
pH	EPA 150.1	\$20.00
Mercury	EPA 245.1	\$25.00
Nickel	EPA 200.7	\$20.00
Pre Treatment Metals Group Analysis*		\$175.00
Arsenic*	EPA 200.7	\$20.00
Cadmium*	EPA 200.7	\$20.00
Chromium*	EPA 200.7	\$20.00
Copper*	EPA 200.7	\$20.00
Iron*	EPA 200.7	\$20.00
Lead*	EPA 200.7	\$20.00
Molybdenum	EPA 200.7	\$20.00
Cyanide*	EPA 335.4	\$50.00
Selenium*	EPA 200.7	\$20.00
Silver*	EPA 200.7	\$20.00
Zinc*	EPA 200.7	\$20.00
Volatile Compounds	EPA 8260	\$200.00
Base/Neutral Compounds	EPA 8270-BN	\$200.00
Acid Compounds	EPA 8270-AF	\$200.00
Pesticides & PCB's	EPA 8081-MC	\$200.00
TKN	EPA351.2	\$40.00

Appendix E - Industrial User Wastewater Discharge Permit Application

Section A – General Information

1. Company Name:					
Mailing Street Address:					
City:		State		Zip	
Phone:		Fax:		Email:	
2. Facility Name and Location:		If same as above, check here [<input type="checkbox"/>]			
Facility Name (if different)					
Facility Street Address:					
City:		State		Zip	
Phone:		Fax:		Email:	
3. Contact information of the highest ranking official authorized to represent this company or organization in official dealings with the City of Tallahassee (City), Florida Department of Environmental Protection (FDEP), and U.S. Environmental Protection Agency (EPA).					
Name			Title		
Phone		Fax		Email	
4. Contact Information of the person authorized to represent this company or organization in official dealings with the City, FDEP, and EPA.					
Name			Title		
Phone		Fax		Email	
5. Alternate contact Information of a representative of the company or organization.					
Name			Title		
Phone		Fax		Email	
6. Identify the type of business conducted (auto repair, electroplating, painting, food processing, etc.) at this facility.					
7. Identify when the facility began discharging to the STP:					
8. Provide a brief description of the manufacturing, production, or service activities you conduct:					
9. Identify when the Categorical IU Baseline Monitoring Report (BMR) was submitted to the Control Authority:					

Section A – General Information (continued)

10. Identify when the 90 day report for categorical industrial users was submitted:		
11. If your facility employs or will be employing processes in any of the industrial categories or business activities listed below (regardless of whether they generate wastewater, waste sludge, or hazardous wastes), place a check beside the category of business activity (check all that apply).		
	Aluminum Forming	Nonferrous Metals Forming
	Asbestos Manufacturing	Nonferrous Metals Manufacturing
	Battery Manufacturing	Organic Chemicals Manufacturing
	Can Making	Paint and Ink Formulating
	Carbon Black	Paving and Roofing Manufacturing
	Centralized Waste Treatment	Pesticides Manufacturing
	Coal Mining	Petroleum Refining
	Coil Coating	Pharmaceutical
	Copper Forming	Plastic and Synthetic Materials Manufacturing
	Electric and Electronic Components Manufacturing	Plastics Processing Manufacturing
	Electroplating	Porcelain Enamel
	Feedlots	Pulp, Paper, and Fiberboard Manufacturing
	Fertilizer Manufacturing	Rubber
	Foundries (Metal Molding and Casting)	Soap and Detergent Manufacturing
	Glass Manufacturing	Steam Electric
	Grain Mills	Sugar Processing
	Inorganic Chemicals	Textile Mills
	Iron and Steel	Timber Products
	Leather Tanning and Finishing	Transportation Equipment Clean
	Electric and Electronic Components Manufacturing	Plastics Processing Manufacturing
	Electroplating	Porcelain Enamel
	Feedlots	Pulp, Paper, and Fiberboard Manufacturing
	Fertilizer Manufacturing	Rubber
	Metal Finishing	

A facility with processes included in these business areas may be covered by EPA’s categorical pretreatment standards. These facilities are termed “categorical industrial users.”

13. Indicate applicable Standard Industrial Classification (SIC) code for all processes. (If more than one applies, list in descending order of importance.)

a.	c.
b.	d.

Section B – Wastewater Information

Identify the following waste sources and volumes that are generated by this facility:

Wastewater Source	Maximum (gpd)	Average Volume (gpd)	Flow Method ^[1]	Disposal Method ^[2]	Waste Hauled (Y/N)	Volume Hauled (per year)
1. Sanitary (toilet, lavatory, shower, etc.)						
2. Cooling water, non-contact						
3. Cooling water, contact						
4. Boiler tower blow-down						
5. Process water						
6. Equipment / facility wash down						
7. Air pollution control						
8. Surface water runoff to storm sewer						
9. Landscape irrigation						
10. Contained in product						
11. Other (describe below)						

[1] Flow determination method: E - estimated from water bills; M - Measured by flow meters.

[2] Disposal method abbreviations: WS-wastewater sewer; SP-septic tank; ST-storm sewer; GW-groundwater; EV-evaporation; OT-other (explain).

Section C – Facility Operations

NOTE: The following information in this section must be used for each product/process line. If the company has more than one product/process line make a copy of this section and complete the information and attach.

1. Principal raw product(s) used:							
2. Number of employee shifts worked per 24 hour period is:							
3 Average number of employees per shift:							
4. Shift start times:		1st:	AM	2nd:	AM	3 rd :	AM
		1st:	PM	2nd:	PM	3 rd :	PM
5. Hours worked per day:							
SUN	MON	TUE	WED	THU	FRI	SAT	
6. Is production subject to seasonal variation? (check one)						[] Yes [] No	
If yes, please describe seasonal production cycle:							
7. Select the process discharge:		[] Batch		[] Continuous		[] Combination	
If combination, please estimated percentage of each:			% Batch		% Continuous		
8. If batch discharge occurs (or will occur), indicate the following (new facilities may estimate):							
a. Number of batch discharges per day:							
d. Frequency of batch discharges:				day(s) per week at		hours per day	
b. Average discharge volume per batch:							
c. Estimated flow rate of discharge:							
9. Are any process changes or expansions planned during the next three years?						[] Yes [] No	
If yes, describe the nature of planned changes or expansions:							

10. Companies applying for an Industrial Users Wastewater Discharge Permit the first time or applying for a new facility must:

- a. Identify the Federal Pretreatment Standards applicable to each regulated process.
- b. Identify the nature and concentration (or mass, where required by the Standard or the Control Authority) of regulated pollutants in the discharge of each regulated process, if Federal Pretreatment Standards apply. The information shall be representative of daily operations. Historical information or information from another facility that is the same may be used. If samples will be collected to obtain information then the samples shall be taken immediately downstream from pretreatment facilities, if such exists, or immediately downstream from the regulated process if no pretreatment exists. If other wastewaters are mixed with the regulated wastewater prior to pretreatment, you shall measure the flows and concentrations of applicable wastestreams to allow use of the

Combined Wastestream Formula in order to evaluate compliance with Pretreatment Standards.

- c. Identify the nature and concentration of pollutants in the discharge from the facility, if Federal Pretreatment Standards do not apply. Historical information or information from another facility that is the same may be used. If samples will be collected to obtain information, then the samples should be collected to obtain all wastewater discharged from the facility.
 - d. Sampling and analysis shall be performed in accordance with the techniques prescribed in 40 CFR 136 and amendments thereto.
11. Return the following items as attachments to the Industrial Users Wastewater Discharge Permit Application if the company is applying for a permit for the first time or if applying for a new facility. If the industrial user is renewing their permit, review the information previously submitted and submit only the information that is new or has changed. If nothing has changed then initial the “no change” in the corresponding space below.

Check & Initial If No Change (Permit Renewal)	Attachments
<input type="checkbox"/>	A. Floor plan showing the location of process lines/equipment, treatment systems, chemical storage, hazardous waste storage, waste storage, offices and use for each room or area.
<input type="checkbox"/>	B. Engineering diagram of the facility’s sewer, showing the locations where process lines/equipment and treatment system enter sewer lines, where the facility sewer lines connect to the city sewer main, of clean-outs, of sampling ports, of manholes, of sinks, of floor drains, etc.
<input type="checkbox"/>	C Description of the processes and pretreatment system that shall include flow diagrams of the process lines/equipment and pretreatment systems that shows the flow of product and water. This shall include the purpose of each process line/equipment, chemicals used, sizing and flow. Include Material Safety Data Sheets.
<input type="checkbox"/>	D. Standard operating procedure for the pretreatment system that shall include operating and maintenance schedules. This is only required if a pretreatment system is present or required.

12. Categorical Users subject to total toxic organic (TTO) requirements shall respond to the following:

a. Does (or will) this facility use any of the toxic organics that are listed under the TTO standard of the applicable categorical pretreatment standards published by EPA?6.	[] Yes [] No
b. Has a baseline monitoring report (BMR) been submitted which contains TTO information?	[] Yes [] No
c. Has a toxic organics management plan (TOMP) been developed?	[] Yes [] No

Section D – Priority Pollutant Information (40 CFR Part 423, Appendix A)

1. For each of the following priority pollutants, please indicate whether it is Known Present, Suspected Present or Suspected Absent at the facility, either as a raw product, a constituent in a chemical (verify MSDS) or a by-product of any chemical or process of the facility. DO NOT LEAVE BLANKS.

Pollutant	Known Present	Suspected Present	Suspected Absent
Acenaphthene			
Acrolein			
Acrylonitrile	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Benzene	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Benzidine	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Carbon tetrachloride (tetrachloromethane)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Chlorobenzene	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
1,2,4-trichlorobenzene	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Hexachlorobenzene	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
1,2-dichloroethane	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
1,1,1-trichloroethane	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Hexachloroethane	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
1,1-dichloroethane	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
1,1,2-trichloroethane	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
1,1,2,2-tetrachloroethane	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Chloroethane	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bis(2-chloroethyl) ether	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2-chloroethyl vinyl ether (mixed)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2-chloronaphthalene	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2,4, 6-trichlorophenol	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Parachlorometa cresol	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Chloroform (trichloromethane)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2-chlorophenol	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
1,2-dichlorobenzene	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
1,3-dichlorobenzene	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
1,4-dichlorobenzene	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3,3-dichlorobenzidine	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
1,1-dichloroethylene	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
1,2-trans-dichloroethylene	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2,4-dichlorophenol	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
1,2-dichloropropane	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
1,2-dichloropropylene (1,3-dichloropropene)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2,4-dimethylphenol	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2,4-dinitrotoluene	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2,6-dinitrotoluene	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
1,2-diphenylhydrazine	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ethylbenzene	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Pollutant	Known Present	Suspected Present	Suspected Absent
Fluoranthene	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4-chlorophenyl phenyl ether	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4-bromophenyl phenyl ether	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bis(2-chloroisopropyl) ether	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bis(2-chloroethoxy) methane	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Methylene chloride (dichloromethane)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Methyl chloride (dichloromethane)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Methyl bromide (bromomethane)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bromoform (tribromomethane)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Dichlorobromomethane	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Chlorodibromomethane	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Hexachlorobutadiene	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Hexachloromyclopentadiene	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Isophorone	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Naphthalene	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Nitrobenzene	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2-nitrophenol	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4-nitrophenol	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2,4-dinitrophenol	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4,6-dinitro-o-cresol	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
N-nitrosodimethylamine	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
N-nitrosodiphenylamine	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
N-nitrosodi-n-propylamin	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Pentachlorophenol	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Phenol	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bis(2-ethylhexyl) phthalate	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Butyl benzyl phthalate	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Di-N-Butyl Phthalate	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Di-n-octyl phthalate	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Diethyl Phthalate	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Dimethyl phthalate	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
1,2-benzanthracene (benzo(a) anthracene	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Benzo(a)pyrene (3,4-benzo-pyrene)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3,4-Benzofluoranthene (benzo(b) fluoranthene)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
11,12-benzofluoranthene (benzo(b) fluoranthene)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Chrysene	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Acenaphthylene	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Anthracene	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
1,12-benzoperylene (benzo(ghi) perylene)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Fluorene	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Phenanthrene	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Pollutant	Known Present	Suspected Present	Suspected Absent
1,2,5,6-dibenzanthracene (dibenzo(h) anthracene)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Indeno (,1,2,3-cd) pyrene (2,3-o-pheynylene pyrene)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Pyrene	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Tetrachloroethylene	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Toluene	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Trichloroethylene	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Vinyl chloride (chloroethylene)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Aldrin	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Dieldrin	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Chlordane (technical mixture and metabolites)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4,4-DDT	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4,4-DDE (p,p-DDX)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4,4-DDD (p,p-TDE)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Alpha-endosulfan	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Beta-endosulfan	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Endosulfan sulfate	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Endrin	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Endrin aldehyde	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Heptachlor	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Heptachlor epoxide (BHC-hexachlorocyclohexane)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Alpha-BHC	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Beta-BHC	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Gamma-BHC (lindane)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Delta-BHC (PCB-polychlorinated biphenyls)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
PCB-1242 (Arochlor 1242)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
PCB-1254 (Arochlor 1254)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
PCB-1221 (Arochlor 1221)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
PCB-1232 (Arochlor 1232)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
PCB-1248 (Arochlor 1248)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
PCB-1260 (Arochlor 1260)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
PCB-1016 (Arochlor 1016)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Toxaphene	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Antimony	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Arsenic	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Asbestos	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Beryllium	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Cadmium	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Pollutant	Known Present	Suspected Present	Suspected Absent
Chromium	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Copper	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Cyanide, Total	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lead	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mercury	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Nickel	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Selenium	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Silver	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Thallium	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Silver	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Zinc	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2,3,7,8-tetrachloro-dibenzo-p-dioxin (TCDD)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Section E – Other Wastes

1. Are any wastes, solids or liquids, generated from this facility that are disposed of by means other than discharge to the City’s wastewater sewer system?								[] Yes [] No	
2. Please fill out the following table as accurately as possible. Include any hazardous wastes utilized or stored on site.									
	[1] Waste Description Code	[2] Source	Annual Quantity (gallons)	[3] Hazardous. Waste Code	[4] Classification Code	[5] Generator Classification	[6] Waste Storage On / Off Site	[7] Waste Disposal On / Off Site	[8] Disposal Company
a.									
b.									
c.									
d.									
e.									
f.									
[1] Waste Description Codes: AAW = Acids/Alkalies; OCW = Organic compounds; HMW = Heavy metal sludges; PSW = Pesticides; STW = Solvents/thinners; IDW = Inks/dyes; PNW =Paints; OGW = Oil and/or grease; OTH = Other hazardous wastes (describe below):									
Other Hazardous Wastes:									
[2] Please specify the source of wastes, e.g. pretreatment waste, etching, degreasing process, lathe.									
[3] Please specify the Classification of Hazardous waste as described in 40 CFR Part 261.									
[4] Please specify the Industrial Waste Classification Code as described in 30 TAC Part 335.									
[5] Please specify the Generator Classification as described in 40 CFR Part 260.									
[6] Please specify if wastes are <u>stored</u> on site or off site. Refer to question 3 on the following page for storage description.									
[7] Please specify if wastes are <u>disposed</u> on site or off site.									
[8] If wastes are disposed off site, please refer to questions 4 and 5 on the following page.									

3. Briefly describe the method(s) of storage as mentioned on the previous page of all wastes.:				
a.				
b.				
c.				
4. List the transporters name, identification no., address, and phone number for off-site waste disposal:				
a.				
b.				
c.				
5. List final disposal site, identification number, address, and phone number for off-site waste disposal:				
a.				
b.				
c.				
6. Does the facility have any other permits issued at this time (air, solid waste, etc.)				[] Yes [] No
If Yes, please provide permit information in in table below:				
Type of Permit→	a.	b.	c.	d.
EPA ID No:				
TCEQ ID No.:				
City ID No.:				
Other ID No.:				
7. Does the facility have chemical storage containers, bins, ponds, or other types of storage on site that could result in an accidental spill or discharge?				[] Yes [] No
If Yes, indicate the resulting destination of the resulting spill or discharge(check all that apply):				
<input type="checkbox"/>	On-site treatment and/or disposal system	<input type="checkbox"/>	Ground surface	
<input type="checkbox"/>	Public sanitary sewer system (e.g., through a floor drain)	<input type="checkbox"/>	Other, specify	
<input type="checkbox"/>	Storm drain	<input type="checkbox"/>	Not applicable, no possible discharge to any of the above routes.	
8. If applicable, does the facility have a spill Pollution Prevention Plan to prevent spills of chemicals, processed industrial wastewater, or slug discharges from entering the Control Authority's sewer or stormwater collection systems?				[] Yes [] No [] Not Applicable
If Yes, please provide a copy of the Pollution Prevention Plan with this application				
If Not Applicable, please explain why:				
9. Does the facility utilize an environmental management system (EMS)?				[] Yes [] No

Section F – Certification

This application is to be signed by the highest ranking authorized official of your firm after adequate completion of this form and review of the information by the signing official.

In accordance with 40 C.F.R. § 403.14, information and data provided in this questionnaire which identifies the nature and frequency of discharge shall be available to the public without restriction. Requests for confidential treatment of other information shall be governed by procedures specified in 40 C.F.R. Part 2 and shall be requested in writing. Should an Industrial Users Wastewater Discharge Permit be required for your facility, the information in this questionnaire will be used to issue the permit.

“I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, and to the best of my knowledge and belief, the information is true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including possibility of fine and imprisonment for knowing violations.”

Print Name of Authorized Official

Signature of Authorized Official

Date

END OF APPLICATION

Do not fill any information below this line.

FOR IP USE ONLY

Date application received: _____

Reviewed by: _____

Date Reviewed: _____

Application status: APPROVED
 DENIED