

**RULES FOR DIRECT AND INDIRECT DISCHARGES OF POLLUTANTS
FROM NON-DOMESTIC SOURCES INTO THE WASTEWATER
COLLECTION AND TREATMENT SYSTEM OF THE REEDY CREEK
IMPROVEMENT DISTRICT (these “Rules”)**

I. GENERAL PROVISIONS

A. PURPOSE AND POLICY

These Rules set forth uniform requirements for direct and indirect discharges of pollutants from non-domestic sources into the wastewater collection and treatment system of the Reedy Creek Improvement District (the “District”) and enables the District to comply with all applicable federal and State laws including, but not limited to, the Clean Water Act (33 U.S.C. 1251 et seq.) the Clean Water Act General Pretreatment Regulations (40 CFR Part 403), the EPA’s Resource Conservation and Recovery Act Hazardous Waste Pharmaceuticals Final Rule (40 CFR Section 266.505), the EPA’s Dental Amalgam Rule (i.e. the Effluent Limitations Guidelines and Standards for the Dental Category (40 CFR Part 441), Section 403, F.S. and Chapter 62-625, F.A.C. The objectives of these Rules are:

1. to prevent the introduction of pollutants into the Publicly Owned Treatment Works (“POTW”) which will interfere with the operation of the system, including, but not limited to, interference with its use or disposal of municipal biosolids (40 CFR 403.2(a));
2. to prevent the introduction of pollutants into the POTW which will pass through the system, inadequately treated, into receiving water or the atmosphere or otherwise be incompatible with the POTW;
3. to protect POTW personnel who may come into contact with sewage, biosolids and effluent in the course of their employment as well as protecting the general public;
4. to prevent a hydraulic overload of the POTW;
5. to improve the opportunity to recycle and reclaim wastewater and biosolids from the POTW;
6. to ensure the District complies with its National Pollutant Discharge Elimination System (NPDES) permit conditions, biosolids use and disposal requirements any other federal or State laws to which the POTW is subject;

and

7. to provide for fees for the equitable distribution of the cost of implementation and administration of the District's wastewater pretreatment program.

These Rules provide for the regulation of direct and indirect discharge to the POTW through the issuance of permits to certain non-domestic Users and through enforcement of general requirements for other Users, authorizes monitoring and enforcement activities, establishes administrative review procedures, requires User reporting, and provides for the setting of fees for the equitable distribution of costs resulting from the program established herein.

B. ADMINISTRATION

1. These Rules shall apply solely within the District. Except as otherwise provided herein, the District Administrator of the Reedy Creek Improvement District or his designees shall administer, implement, and enforce the provisions of these Rules. Any powers granted to, or duties imposed upon, the District Administrator may be delegated by the District Administrator to other District personnel.
2. For the purpose of these Rules, "shall" is mandatory and "may" is permissive. These Rules are gender neutral and the masculine gender shall include the feminine and vice-versa. The use of the singular shall be construed to include the plural and the plural shall include the singular as indicated on the content of its use.

C. ABBREVIATIONS

The following abbreviations shall have the designated meanings:

BOD means biochemical oxygen demand
CFR means Code of Federal Regulations
CIU means Categorical Industrial User
COD means chemical oxygen demand
CWA means the Federal Clean Water Act, 33 U.S.C. §§ 1251 et. seq.
DOH means Florida Department of Health
EPA or USEPA means U.S. Environmental Protection Agency
F.A.C. means Florida Administrative Code
FDEP means Florida Department of Environmental Protection
F.S. means Florida Statutes
gpd means gallons per day
IU means Industrial User or User
l means liter
mg means milligrams
mg/l means milligrams per liter
NAICS means North American Industry Classification System
NELAC means National Environmental Accreditation Conference
NPDES means National Pollutant Discharge Elimination System
O&M means operation and maintenance
POTW means Publicly Owned Treatment Works

RCRA means Resource Conservation and Recovery Act
SIC means Standard Industrial Classification
SIU means Significant Industrial User
SNC means Significant Noncompliance
SWDA means Solid Waste Disposal Act, 42 U.S.C. 6901 et. seq.
TRC means Technical Review Criteria
TSS means total suspended solids
ug means micrograms
U.S.C. or U.S.C. means United States Code
WDP means Wastewater Discharge Permit
WWF means Wastewater Facility

D. DEFINITIONS

1. Act or “The Act”. The Federal Water Pollution Control Act, also known as the Clean Water Act, as amended, 33 U.S.C. 1251 et seq., and as may be amended from time to time.
2. Amalgam Separator. A device that employs filtration, settlement, centrifugation, or ion exchange to remove amalgam and its metal constituents from a dental office vacuum system before it discharges to the sewer.
3. Amalgam Waste. Non-contact amalgam (amalgam scrap that has not been in contact with the patient); contact amalgam (including, but not limited to, extracted teeth containing amalgam); amalgam sludge captured by chairside traps, vacuum pump filters, screens, and other amalgam trapping devices; used amalgam capsules; and leaking or unusable amalgam capsules.
4. ANSI/ADA Standard No. 108. The American National Standards Institute and American Dentistry association standard for amalgam separators
5. Approval Authority. The Department of Environmental Protection or its successor agencies.
6. Authorized representative of the Industrial User.
 - a. A president, secretary, treasurer or vice president of a corporation conducting a principal business function, or any person authorized to perform policy or decision-making functions for the corporation;
 - b. A manager of one or more manufacturing, production or operation facilities, provided the manager is authorized to make management decisions that govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations, and initiate and direct other comprehensive measures to assure long-term environmental compliance with environmental laws and regulations; can ensure that the necessary systems are established or actions taken to gather complete and accurate information for individual discharge permit requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate

procedures;

- c. A general partner or proprietor if the IU is a partnership or sole proprietorship respectively;
 - d. A principal executive officer or director having responsibility for the overall operation of the discharging facility if the IU is a federal, State or local government entity, or their agents; or
 - e. A duly authorized representative of a person indicated above if authorization has been made in writing on a prescribed authorization form submitted to the Control Authority (defined below) and the authorization specifies either an individual or a position having responsibility for the overall operation of the facility from which the industrial discharge originates, or a position of equivalent responsibility for environmental matters for the IU.
7. Bypass. The intentional diversion of wastewater streams from any portion of an IU's treatment facility.
8. Biochemical Oxygen Demand (BOD). The quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure, five (5) days at 20° Centigrade expressed in terms of weight and concentration (milligrams per liter (mg/l)).
9. Best Management Practices (BMPs). Schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to implement the prohibitions listed in Section II.A, and B. of these Rules, [40 CFR 403.5(a)(1) and (b)]. BMPs include treatment requirements, operating procedures, and practices to control plant site run-off, spillage or leaks, biosolids or waste disposal, or drainage from raw materials storage.
10. Building Sewer. A sewer conveying wastewater from the premises of a User to the POTW.
11. Categorical Pretreatment Standard or Categorical Standard. Any regulation containing pollutant discharge limits promulgated by the USEPA in accordance with Section 307 (b) and (c) of the Act (33 U.S.C. 1317) which applies to a specific category of IUs and which appears in 40 CFR Chapter 1, Subchapter N, Parts 405-471, incorporated herein by reference.
12. Chemical oxygen demand (COD). A measure of the oxygen required to oxidize organic matter and oxidizable inorganic compounds in water.
13. Categorical Industrial User (CIU). An IU subject to a categorical Pretreatment Standard or categorical Standard.
14. Color. The optical density at the visual wave-length of maximum absorption, relative to distilled water. One hundred percent (100%) transmittance is equivalent to zero (0.0) optical density.

15. Composite Sample. The sample resulting from the combination of individual wastewater samples taken at selected intervals based on either an increment of flow or time.
16. Consistent Removal. The average of the lowest fifty percent (50%) of the removal measured in accordance with Rule 62-625.420(2), F.A.C.
17. Control Authority. The District Administrator of the Reedy Creek Improvement District or his designee.
18. Daily Maximum. The arithmetic average of all effluent samples for a pollutant collected during a calendar day.
19. Daily Maximum Limit. 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 concentration, the daily discharge is the arithmetic average of the pollutant concentration derived from all measurements taken that day.
20. Discharge. The introduction of pollutants or other material or substance into the POTW from any non-domestic source regulated under Chapter 403, F.S.
21. District. The Reedy Creek Improvement District or RCID.
22. District Administrator. Manages and directs the Reedy Creek Improvement District organization towards its primary objectives, including the proper operation of the POTW, consistent with the District Charter and direction provided by the District Board of Supervisors; to insure compliance with federal, State and special district laws and regulations, by performing the duties personally or through the District Deputy Administrator, subordinate managers and/or designees. This term also means a duly authorized representative of the District Administrator.
23. Environmental Protection Agency (EPA) or USEPA. The U.S. Environmental Protection Agency, or where appropriate, the term may also be used as a designation for the District Administrator or other duly authorized official.
24. Existing Source. Any source of discharge that is not a “New Source”
25. Flow-Proportional Composite Sample. A sample consisting of a minimum of eight (8) discrete sample aliquots collected proportional to the flow rate of the liquid being sampled over the compositing period and combined to form a representative sample. Two (2) methods may be used to collect this type for sample. One (1) method collects equal volume aliquots at time intervals which vary based on the stream flow. The other method collects aliquots of varying volume, based on stream flow, at constant time intervals.
26. Food Service Facility. Any food service facility which prepares and/or packages food or beverages for sale or consumption, on or off site, with the

exception of private residences. Food service facilities shall include, but are not limited to: food courts, food manufacturers, food packagers, restaurants, grocery stores, bakeries, lounges, hospitals, hotels, nursing homes, churches, schools and all other food service facilities not listed above.

27. Garbage Disposal. A device which shreds or grinds up waste materials to facilitate transport into the District's wastewater collection system.
28. Grab Sample. A sample which is taken from a waste stream on a one-time basis without regard to the flow in the waste stream and over a period of time not to exceed fifteen (15) minutes.
29. Gray Water. All of the liquid contained in a Grease Interceptor (defined below) that lies below the floating grease layer and above the food solids layer.
30. Grease. A material, either liquid or solid, composed primarily of fat, oil, and grease from animal or vegetable sources. The terms "fats, oils, and grease (FOG)", "oil and grease" or "oil and grease substances" shall be included within this definition.
31. Grease Interceptor. A device located underground and outside of a Food Service Facility designed to collect, contain, or remove food wastes and Grease from the waste stream while allowing the balance of the liquid waste to discharge to the wastewater collection system by gravity. Interceptors shall have at least one inspection hatch on the top surface to facilitate inspection, cleaning, and maintenance by a grease hauler.
32. Grease Trap. A device located in a Food Service Facility or under a sink designed to collect, contain, or remove food wastes and Grease from the waste stream while allowing the balance of the liquid waste to discharge to the wastewater collection system by gravity. Grease Traps shall have a removable lid or access manhole on the top surface of each chamber or baffled wall section of the Grease Trap to facilitate inspection, cleaning, and maintenance. All Grease Traps constructed after the Effective Date, shall be equipped with a downstream inspection box to facilitate effluent sampling of the Grease Trap.
33. Hazardous Waste Pharmaceutical. A pharmaceutical that is a solid waste, as defined in Title 40 of the Code of Federal Regulations (40 CFR) Section 261.2, and exhibits one or more characteristics identified in 40 CFR Part 261 subpart C or is listed in 40 CFR Part 261 subpart D.
34. Healthcare Facility. Any Person that is lawfully authorized to:
 - a. Provide preventative, diagnostic, therapeutic, rehabilitative, maintenance or palliative care, and counseling, service, assessment or procedure with respect to the physical or mental condition, or functional status, of a human or animal or that affects the structure or function of the human or animal body; or

- b. Distribute, sell, or dispense pharmaceuticals. This definition includes, but is not limited to, wholesale distributors, third-party logistics providers that serve as forward distributors, military medical logistics facilities, hospitals, psychiatric hospitals, ambulatory surgical centers, health clinics, physicians' offices, optical and dental providers, chiropractors, long-term care facilities, ambulance services, pharmacies, long-term care pharmacies, mail-order pharmacies, retailers of pharmaceuticals, veterinary clinics, and veterinary hospitals.

Healthcare facility does not include pharmaceutical manufacturers.

- 35. Holding Tank Waste. Any waste from holding tanks such as vessels, chemical toilets, campers, trailers, septic tanks, and vacuum pump tank trucks.
- 36. Indirect Discharge. The introduction of pollutants into the POTW from any non-domestic source regulated under Chapter 403, F.S., including, but not limited to, holding tank waste.
- 37. Initial Effective Date. December 20, 2011
- 38. Instantaneous Limit. The maximum concentration of a pollutant allowed to be discharged at any time, determined from the analysis of any discrete or composited sample collected, independent of the industrial flow rate or the duration of the sampling event.
- 39. Interference. A discharge which, alone or in conjunction with a discharge or discharges from other sources, both:
 - a. Inhibits or disrupts the POTW, its treatment processes or operations, or its domestic wastewater residuals processes, use or disposal; and
 - b. Is a cause of a violation of any requirement of the District's NPDES permit (including, but not limited to, an increase in the magnitude or duration of a violation) or prevents use or disposal of domestic wastewater residuals in compliance with applicable State, federal and local laws, regulations and ordinances including, but not limited to: Section 405 of the Clean Water Act; the Solid Waste Disposal Act (SWDA), including, but not limited to, Title II commonly referred to as the Resource Conservation and Recovery Act (RCRA); any State regulations contained in any State biosolids management plan prepared pursuant to Subtitle D of the SWDA; the Clean Air Act; the Toxic Substances Control Act; and the Marine Protection, Research, and Sanctuaries Act.
- 40. ISO 11143. The International Organization for Standardization's standard for Amalgam Separators.
- 41. Local Limit. Specific discharge limits developed and enforced by the District upon industrial or commercial facilities to implement the general and specific

discharge prohibitions listed in 40 CFR 403.5(a)(1) and (b), and subsections 62-625.400(1)(a) and (2), F.A.C. Refer to Sections 2.1 A and B for a list of prohibitions.

42. Medical Waste. Isolation wastes, infectious agents, human blood byproducts, pathological wastes, sharps, body parts, fomites, etiologic agents, contaminated bedding, surgical wastes, potentially contaminated laboratory wastes and dialysis wastes.

43. New Source.
 - a. Any building, structure, facility or installation from which there is or may be a discharge, the construction for which commenced after the publication of proposed pretreatment standards under Section 307 of the CWA which will be applicable to such source if such standards are thereafter promulgated in accordance with that section, provided that:
 - (1) The building, structure, facility or installation is constructed at a site at which no other source is located; or
 - (2) The building, structure, facility or installation totally replaces the process or production equipment that causes the discharge of pollutants at an Existing Source; or
 - (3) 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.
 - b. 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 35.a.(2) or (3) above but otherwise alters, replaces, or adds to existing process or production equipment; or
 - c. Construction of a New Source, as defined in this chapter, has commenced if the owner or operator has:
 - (1) Begun, or caused to begin as part of a continuous on-site construction program:
 - (a) Any placement, assembly, or installation of facilities or equipment; or
 - (b) Significant site preparation work including, but not limited to, 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

- (2) Entered into a binding contractual obligation for the purchase of facilities or equipment which are 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 paragraph.
44. Non-contact cooling water. Water used for cooling purposes only, which has no direct contact with any raw material, intermediate, or final product and to which the only pollutant added is heat.
45. National Pollutant Discharge Elimination System (NPDES) Permit. A permit, including, but not limited to, a No Discharge (ND) permit, issued to a POTW in accordance with Chapter 62-620, F.A.C.
46. North American Industry Classification System (NAICS). Groups together and identifies establishments that use the same or similar processes to produce goods or services. Developed jointly by the U.S., Canada, and Mexico to provide comparable statistics about business activity across North America. NAICS has replaced and supersedes the U.S. Standard Industrial Classification (SIC) system.

<u>NAICS</u>		<u>SIC</u>	
2-digit	<u>Sector</u>	<u>Division</u>	Letter
3-digit	<u>Subsector</u>	<u>Major Group</u>	2-digit
4-digit	<u>Industry Group</u>	<u>Industry Group</u>	3-digit
5-digit	<u>NAICS Industry</u>	<u>Industry</u>	4-digit
6-digit	<u>National</u>	<u>N/A</u>	N/A

NAICS vs. SIC: Structure and Nomenclature

47. Pass Through. A discharge which exits the POTW into Waters of the State (defined below) or of the United States 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 the District's NPDES permit (including, but not limited to, an increase in the magnitude or duration of a violation).
48. Person. 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 or local governmental

entities.

49. pH. A quantitative expression for acidity or alkalinity of an aqueous solution. Theoretically $\text{pH} = -\log(\text{base } 10)\text{cH}$, where cH is the concentration of hydrogen ions in grams per liter. Scale ranges from 0 to 14, pH 7 being neutral, less than 7 acid, more than 7 alkaline.
50. Pharmaceutical. Any drug or dietary supplement for use by humans or other animals; any electronic nicotine delivery system (e.g., electronic cigarette or vaping pen); or any liquid nicotine (e-liquid) packaged for retail sale for use in electronic nicotine delivery systems (e.g., pre-filled cartridges or vials). This definition includes, but is not limited to, dietary supplements, as defined by the Federal Food, Drug and Cosmetic Act; prescription drugs, as defined by Title 21 of the Code of Federal Regulations Part 203.3(y); over-the-counter drugs; homeopathic drugs; compounded drugs; investigational new drugs; pharmaceuticals remaining in non-empty containers; personal protective equipment contaminated with pharmaceuticals; and clean-up material from spills of pharmaceuticals. Pharmaceutical does not include dental amalgam or sharps.
51. Pollutant. Any dredged spoil, solid waste, incinerator residue, sewage, garbage, sewage biosolids, munitions, medical wastes, chemical wastes, industrial wastes, biological materials, radioactive materials, heat wrecked or discharged equipment, rock, sand, cellar dirt and agricultural wastes.
52. Pretreatment. The reduction of the amount of pollutants, the elimination of pollutants, or the alteration of the nature of pollutant properties in wastewater prior to or in lieu of discharging or otherwise introducing such pollutants into the POTW. The reduction or alteration may be obtained by physical, chemical or biological processes, process changes or by other means, except as prohibited by Rule 62-625.410(5), F.A.C. Appropriate pretreatment technology includes, but is not limited to, control equipment, such as equalization tanks or facilities for protection against surges or slug discharges that might interfere with or otherwise be incompatible with the POTW. However, where wastewater from a regulated process is mixed in an equalization facility with unregulated wastewater or with wastewater from another regulated process, the effluent from the equalization facility must meet an adjusted pretreatment limit calculated in accordance with Rule 62-625.410(6), F.A.C.
53. Pretreatment Program. A program administered by the District that meets the criteria established in Rule 62-625.500, F.A.C.
54. Pretreatment Requirement. Any substantive or procedural requirement related to pretreatment, other than a pretreatment standard, imposed on an IU.
55. Pretreatment Standard. Any regulation containing pollutant discharge limits to a POTW promulgated by the EPA, State or District. This includes, but is not limited to, categorical standards and the general and specific prohibitive discharge limits and the District's Local Limits. Whenever EPA or the State and the District have established a pretreatment standard for a specific

pollutant, the most stringent standard shall apply.

56. Prohibited Discharge Standards or Prohibited Discharges. Absolute prohibitions against the discharge of certain defined types of industrial wastewater.
57. Publicly Owned Treatment Works (POTW). “Publicly Owned Treatment Works” or POTW means a treatment works as defined by Section 212 of the Act, which is owned by the District. This definition includes any devices and systems used in storage, treatment, recycling and reclamation of municipal sewage or industrial wastes of a liquid nature. It also includes sewer, pipes and other conveyances only if they convey wastewater to the POTW.
58. Receiving Stream or Water of the State. All streams, lakes, ponds, marshes, water courses, waterways, wells, springs, reservoirs, aquifers, irrigation systems, drainage systems and all other bodies or accumulations of water, surface or underground, natural or artificial, public or private, which are contained within, flow through, or border upon the State or any portion thereof.
59. Removal. A reduction in the amount of a pollutant in the POTW’s effluent or alteration of the nature of a pollutant during treatment at the POTW. The reduction or alteration can be obtained by physical, chemical or biological means and may be the result of specifically designed POTW capabilities or may be incidental to the operation of the treatment system. Removal as used in these Rules shall not mean dilution of a pollutant in the POTW.
60. Reverse Distributor. Any Person that receives and accumulates prescription pharmaceuticals that are potentially creditable hazardous waste pharmaceuticals for the purpose of facilitating or verifying manufacturer credit. Any Person, including, but not limited to, forward distributors, third-party logistics providers, and pharmaceutical manufacturers, that processes prescription pharmaceuticals for the facilitation or verification of manufacturer credit is considered a reverse distributor.
61. Sewage. Human excrement and gray water (household showers, dishwashing operations, etc.).
62. Septic Tank Waste. Waste from a subsurface system intended from the treatment and disposal of sewage.
63. Significant Industrial User (SIU). Except as provided in c. below, the following:
 - a. All IUs subject to categorical pretreatment standards under Rule 62-625.410, F.A.C., and 40 CFR Chapter I, Subchapter N which has been adopted by reference in Chapter 62-660, F.A.C.; and
 - b. any other IU that discharges an average of twenty-five thousand (25,000) gallons per day or more of process wastewater to the POTW (excluding domestic wastewater, non-contact cooling and boiler

blowdown wastewater); contributes a process waste stream which makes up five percent (5%) or more of the average dry weather hydraulic or organic capacity of the treatment plant; or is designated as such by Control Authority on the basis that the IU has a reasonable potential for adversely affecting the POTW's operation or for violating any pretreatment standard or requirement in accordance with Rule 62-625.500(2)(e), F.A.C.

c. Upon a finding that an IU meeting the criteria in b. above has no reasonable potential for adversely affecting the POTW'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 IU, and in accordance with Rule 62-625.500(2)(e), F.A.C., determine that such IU is not a SIU.

64. Significant Noncompliance (SNC). A User is in significant noncompliance if its violation meets the criteria specified in Section IX of these Rules.:
65. Slug. Any pollutant (including, but not limited to, conventional pollutants) released in a discharge at a flow rate, level, or concentration which may reasonably be expected to cause interference with the operation of the water reclamation facility. Discharges may be of a non-routine, episodic nature, including, but not limited to, an accidental spill or a non-customary batch discharge.
66. Standard Industrial Classification (SIC) Code. A classification pursuant to the Standard Industrial Classification Manual issued by the Executive Office of the President, Office of Management and Budget, 1987, as amended.
67. State. The State of Florida or an agency within the state government having relevant jurisdiction
68. Storm Water. Any flow occurring during or following any form of natural precipitation and resulting therefrom.
69. Suspended Solids. The total suspended matter that floats on the surface of, or is suspended in, water, wastewater, or other liquid, and which is removable by laboratory filtering.
70. Time-Proportional Composite Sample. A sample consisting of a minimum of eight (8) equal volumes, discrete sample aliquots collected at equal time intervals over the compositing period and combined to form a representative sample.
71. Treatment Plant. That portion of a POTW which is designed to provide treatment (including, but not limited to, recycling and reclamation) of domestic and industrial wastewater.
72. Upset. An exception incident in which there is unintentional and temporary noncompliance with categorical pretreatment standards because of factors beyond the reasonable control of the IU.

73. User or Industrial User (IU). Any Person who contributes, or causes or allows the contribution of sewage or industrial wastewater into the wastewater system.
74. Wastewater. The liquid and water carried industrial wastes, or sewage from residential dwellings, commercial buildings, industrial and manufacturing facilities, and institutions, whether treated or untreated, which is contributed to the wastewater system.
75. Wastewater Discharge Permit (WDP). A permit issued by the District which authorizes the discharge of wastewater or sewage by a User into the POTW.
76. Wastewater Treatment Plant or Treatment Plant. That portion of the facility designed to provide treatment of sewage and industrial waste (also referred to as POTW).
77. Waters of the State. All streams, lakes, ponds, marshes, watercourses, waterways, wells, springs, reservoirs, aquifers, irrigation systems, drainage systems and all other bodies or accumulations of water, surface or underground, natural or artificial, public or private, which are contained within, flow through, or border upon the State or any portion thereof.

II. GENERAL SEWER USER REQUIREMENTS

A. GENERAL DISCHARGE PROHIBITIONS

1. No User shall introduce or cause to be introduced into the POTW any pollutant which, either acting alone or in conjunction with other substances present in the POTW, causes pass through or interference. These general prohibitions and the specific prohibitions in subsection B. below apply to all Users of the POTW regardless of whether the User is subject to categorical pretreatment standards or any other federal, State, or local pretreatment requirements.
2. An IU shall have an affirmative defense in any action brought against it alleging a violation of the general prohibitions established in paragraph 1. above and the specific prohibitions in paragraphs B. 3. through B.7. below where the IU can demonstrate that:
 - a. It did not know or have reason to know that its discharge, alone or in conjunction with a discharge or discharges from other sources, would cause pass through or interference: and
 - b. Either of the following:
 - (1) A Local Limit designed to prevent pass through or interference was developed in accordance with paragraph B. 3. below for each pollutant in the IU's discharge that caused pass through or interference, and the IU was in compliance with each such Local Limit directly prior to and during the pass through or

interference, or

- (2) If a Local Limit designed to prevent pass through or interference has not been developed in accordance with paragraph B. 3. below for the pollutants that caused the pass through or interference, and the IU's discharge directly prior to and during the pass through or interference did not change substantially in nature or constituents from the IU's discharge activity when the POTW was regularly in compliance with the POTW's permit requirements and applicable requirements for domestic wastewater residuals.

B. SPECIFIC DISCHARGE PROHIBITIONS

No User shall introduce or cause to be introduced into the POTW the following pollutants, substances, or wastewater:

1. Any substances 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 be injurious in any other way to the POTW or its operation. In no case shall pollutants or waste streams with a closed cup flashpoint of less than 140 degrees Fahrenheit (60 degrees Celsius), as determined by the test methods specified in 40 CFR 261.21, be discharged to the POTW. At no time shall two successive readings on an explosion hazard meter at the point of discharge into the system (or at any point in the system) be more than five percent (5%), nor any single reading over ten percent (10%), of the lower explosive limit (LEL) of the meter. Prohibited materials include, but are not limited to, gasoline, kerosene, naphtha, benzene, toluene, xylene, ethers, alcohols, ketones, aldehydes, peroxides, chlorates, perchlorates, bromates, carbides, hydrides and sulfides and any other substances which constitute a fire hazard or a hazard to the system.
2. Any substances capable of causing corrosion to structures or equipment, but in no case discharges with a pH lower than 5.0 or higher than 12.0.
3. Solid or viscous substances in quantities or of such size capable of causing obstruction to the flow of the sewers or interference with the operation of or which cause injury to the WWF including, but not limited to, uncomminuted garbage or food waste with particles greater than one-half (.5) inch in any direction, paper dishes, cups, milk containers, etc., either whole or ground by garbage grinders, animals guts or tissues, paunch manure, bones, hair, hides or fleshings, entrails, whole blood, feathers, 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 or glass grinding or polishing wastes.
4. Any pollutant, including, but not limited to, oxygen demanding (e.g., ethylene glycol) and conventional pollutants (BOD, COD, TSS, etc.), released at a flow rate or pollutant concentration which may reasonably be expected to cause interference with the POTW. In no case shall a User's discharge have a

flow rate or contain concentration or quantities of pollutants that exceeds one and one-half (1.5) times the average twenty-four (24)hour concentration, quantities or flow.

5. Any substance having a temperature which will inhibit biological activity in the POTW treatment plant resulting in interference, but in no case wastewater with a temperature at the introduction into the POTW which exceeds forty degrees (40°) Celsius (one hundred four degrees (104°) Fahrenheit), unless the DEP, upon request of the District, approves alternate temperature limits.
6. Petroleum oil, non-biodegradable cutting oil or products of mineral oil in amounts which may reasonably be expected to cause interference or pass through.
7. Any substances which result in the presence of toxic gases, vapors or fumes within the POTW or noxious or malodorous substances other than normal sewage which either alone or by interaction with other wastes are sufficient to cause acute worker health and safety problems, create a public nuisance or hazard to life, or are sufficient to prevent entry in to the POTW or its appurtenances for maintenance, inspection and repair.
8. Any trucked or hauled pollutants except those lawfully discharged at specific points designated by the District.
9. Any substances containing quantities of radioactive wastes or isotopes in excess of applicable State or federal regulation or permits issued by State or federal agencies.
10. Any water or waste containing fats, wax, grease, oils, or related substances, whether or not emulsified, in excess of two hundred fifty (250) parts per million by weight or which may solidify or become viscous at temperatures between four and one-half degrees (4.5°) Celsius (forty degrees (40°) Fahrenheit) and sixty-five and one-half degrees (65.5°) (one hundred fifty degrees (150°) degrees Fahrenheit). The Control Authority, at his discretion, may impose mass limitations in addition to or in place of the concentration-based limitations. Specifically prohibited is the heating of the contents of grease traps and subsequent discharge to the sewer system.
11. Any storm water, surface water, unpolluted groundwater, roof run-off, subsurface drainage, uncontaminated cooling water, or unpolluted industrial process waters.
12. Any concentrated dye wastes, spent tanning solutions, or other wastes which are highly colored, or wastes which are of unusual volume, concentration of solids, or composition that may create obstruction o the flow in sewers, or other interference with the POTW.
13. Any substance which may reasonably be expected to cause the POTW's effluent or any other product of the POTW such as residues, biosolids, or scums to be unsuitable for reclamation and reuse or to interfere with the reclamation process. In no case shall a discharge to the POTW be permitted

which causes the POTW to be in noncompliance with biosolids use or disposal criteria, guidelines or regulations developed under Section 405 of the Act or any other federal or State law or regulation applicable to any reclaimed product of the POTW.

14. Any substance which may reasonably be expected to cause the POTW to violate its NPDES or State disposal system permit or the State or federal water quality standards.
15. Substances causing conditions at the POTW which violate any statute, rule or regulation of any public agency of the State or the United States.
16. Wastewater or wastes containing substances which are not reasonably amenable to treatment or reduction by the ordinary operation of the POTW.
17. Any hazardous waste pharmaceuticals from healthcare facilities and reverse distributors.

C. NATIONAL CATEGORICAL PRETREATMENT STANDARDS

The national categorical pretreatment standards found at 40 CFR chapter 1, subchapter N, parts 405-471 are incorporated by reference herein. IUs who are now or who hereafter (as determined by the EPA pursuant to 40 CFR 403.6(a)) may become subject to national categorical pretreatment standards promulgated by the EPA specifying quantities or concentrations of pollutants or pollutant properties which may be discharged into the POTW shall comply with all requirements of such standards, and shall also comply with any additional or more stringent State or local limitations. Upon the promulgation of new national categorical pretreatment standards for a particular industrial sub-category, the national categorical pretreatment standards, if more stringent than limitations imposed under these Rules for sources in that sub-category, shall immediately supersede the limitations imposed under these Rules. The District shall notify all known affected Users of the applicable reporting requirements under 40 CFR 403.12. Compliance with national categorical pretreatment standards for existing sources which hereafter become subject to such standards shall be within three (3) years following promulgation of the standard unless a shorter compliance time is specified in the standard. Compliance with national categorical pretreatment standards for New Sources shall be required upon promulgation of the standard or prior to connection to the POTW. When wastewater subject to a categorical pretreatment standard is mixed with wastewater not regulated by the same standard, the District shall impose an alternate limit in accordance with 40 CFR 403.6(e)

D. STATE PRETREATMENT STANDARDS

State requirements and limitations on discharges to the POTW shall be met by all Users which are subject to such standards in any instance in which they are more stringent than federal requirements and limitations or those in these Rules or in other applicable rules, regulations or ordinances.

E. LOCAL LIMITS

1. No User shall discharge wastewater in excess of the Local Limits (set forth in Table I and Table II below), at the point of entry into the District's sanitary sewer system. All concentrations for metallic substances are for total metal unless indicated otherwise. At his discretion, the District Administrator may impose mass limitations in addition to or in lieu of the concentration-based limitations.
2. The Local Limits have been established using standard procedures, calculations and methods acceptable to FDEP to protect against pass through and interference, protection of POTW employees, and adverse effects on wastewater residuals disposal. No IU shall discharge process waste streams, unregulated waste streams, or dilute waste streams in excess of the concentrations set forth by the District. Local Limits shall be included as permit conditions in each SIU wastewater permit issued.
3. The District may develop BMPs, by ordinance or in individual WDPs, to implement Local Limits and the requirements of Section II.B.
4. The established Local Limits are subject to change and shall be modified as needed based on regulatory requirements and standards, POTW operation, performance and processes, the IU base, potable water quality and domestic wastewater characteristics. Modifications to the established Local Limits must be reviewed and approved by FDEP prior to implementation. Implementation shall be effective thirty (30) days from notice of acceptance of the modified limits by FDEP. Permitted SIU's shall also be issued an addendum to their WDP, which contains the new or revised Local Limits.

Table I

<i>Pollutant</i>	<i>Local Limit (mg/L)</i>
Arsenic	0.10
BOD5	400
Cadmium	0.07
Chromium	2.46
Copper	1.20
Cyanide	0.59
Lead	0.54
Mercury	0.03
Molybdenum	0.21
Nickel	1.12
Selenium	0.17
Silver	1.34
Zinc	1.06
Total suspended solids	400

Fats, oils, and grease	100
pH	<5.5 and >9.5
Temperature	150° F

Table II

Organic Pollutants - Local Limits	
<i>Pollutant of Concern</i>	<i>Local Limit (mg/L)</i>
Benzene	0.14
Chloroform	0.41
Ethyl Benzene	1.56
Methylene Chloride	2.06
Phenol	1,024
Trichloroethylene	0.71
Toluene	1.36

5. The District may develop BMPs, by rule or in individual WDPs, to implement Local Limits and the requirements of Section II B.

F. RIGHT OF REVISION

The District reserves the right to establish by rules, resolution, or standard in WDPs, more stringent limitations or requirements on discharges to the POTW if deemed necessary by the District to comply with the objectives set forth in Section I.A.

G. PROHIBITION ON DILUTION

Unless expressly authorized by an applicable pretreatment standard or requirement, no User shall ever increase the use of process water, or in any way attempt to dilute a discharge as a partial or complete substitute for adequate treatment to achieve compliance with a pretreatment standard or requirement. The District may impose mass limitations on Users which are using dilution to meet applicable pretreatment standards or requirements or in other cases where the imposition of mass limitations is appropriate pursuant to 40 CFR 403.6(c).

III. PRETREATMENT OF WASTEWATER

A. PRETREATMENT FACILITIES

Users shall provide necessary wastewater treatment as required to comply with these Rules and shall achieve compliance with all categorical pretreatment standards, Local Limits and the prohibitions set out in Section II above, within the time limitations specified by the District. Any facilities required to pre-treat wastewater to a level acceptable to the District shall be provided, operated, and maintained at the User's expense. Detailed plans showing the pretreatment facilities and operating procedures shall be submitted to the District for review, and shall be acceptable to the District before construction of the facility. The review of such plans and operating procedures will in no way relieve the User from the responsibility of modifying the facility as necessary to produce an acceptable discharge to the District under the

provisions of these Rules.

B. INTERCEPTORS

1. Whenever deemed necessary, the District may require Users to restrict their discharge during peak flow periods, designate that certain wastewater be discharged only into specific sewers, relocate and/or consolidate points of discharge, separate sewage waste streams from industrial waste streams, and such other conditions as may be necessary to protect the POTW and determine the User's compliance with the requirements of this Rule.
2. The District may require any Person discharging into the POTW to install and maintain, on their property and at their expense, a suitable storage and flow control facility to ensure equalization of flow. An individual WDP may be issued solely for flow equalization.
3. Grease, oil, and sand interceptors and Grease Traps shall be installed by Users when the District determines that they are necessary for the proper handling of liquid wastes containing grease in excessive amounts, or any flammable wastes, sand or other harmful ingredients. All interceptors shall be of a type and capacity approved by the District, and shall be located as to be readily and easily accessible for cleaning and inspection.
 - a. Grease Interceptors or Grease Traps shall be located in the Food Service Facilities' lateral sewer line between all fixtures which may introduce Grease into the sewer system and the connection to the District's wastewater collection system. Such fixtures shall include but not be limited to, sinks, dishwashers, garbage disposals, automatic hood wash units, floor drains in food preparation and storage areas, and any other fixture which is determined to be a potential source of grease. Wastewater from sanitary facilities and other similar fixtures shall not be introduced into the Grease Interceptor or Grease Trap under any circumstances.
 - b. Each Food Service Facility shall have its Grease Interceptor(s) or Grease Trap(s) pumped at a minimum frequency of once every ninety (90) days. In addition to the required minimum pumping frequency, each Food Service Facility shall determine an additional frequency at which its Grease Interceptor(s) or Grease Trap(s) shall be pumped according to the following criteria:
 - i. When the floatable Grease layer exceeds six inches (6") in depth as measured by an approved method, or;
 - ii. When the settleable solids layer exceeds eight inches (8") in depth as measured by an approved method, or;
 - iii. When the total volume of captured Grease and solid material displaces more than 20% of the capacity of the interceptor(s)/trap(s) as calculated using an approved method, or;
 - iv. When the interceptor is not retaining/capturing oils and

Greases; or the removal efficiency of the device, as determined through sampling and analysis, is less than eighty percent (80%).

- v. A variance from a. and b. above may be requested by the Grease Interceptor owner and may be approved, at the discretion of the Control Authority, for larger (i.e., 4,000 gallons and above) Grease Interceptors.
- 4. Wastes removed from each Grease Interceptor shall be disposed of at a facility permitted to receive such wastes or at a location designated by the District for such purposes. Neither Grease nor solid materials removed from interceptors/traps shall be returned to any grease interceptor/trap, private sewer line or to any portion of the District's wastewater collection system or Wastewater Treatment Plant without prior written permission from the District Administrator or his/her designee.
 - 5. All Grease Interceptors or Grease Traps shall initially be pumped completely empty. Excessive solids shall be scraped from the walls and baffles, and the inlet, outlet and baffle ports shall be cleared. Re-introduction of Gray Water only to the Grease Interceptors or Grease Traps shall be permitted provided the Grease hauler waits at least twenty (20) minutes to allow the Grease Interceptors or Grease Traps contents to separate in the tank truck before attempting to re-introduce the gray water to the Grease Interceptors or Grease Traps. No Grease or solids may be re-introduced into the interceptor.

C. DENTAL FACILITIES

- 1. All owners and operators of dental facilities that remove or place amalgam fillings shall comply with the following reporting and waste management practices:
 - a. For Existing Sources, the One-Time Compliance Report is due no later than October 12, 2020 or no later than ninety (90) days after transfer of ownership.
 - b. For New Sources, the One-Time Compliance Report is due within ninety (90) days of the start of discharge to the sewer collection system.
 - c. No Person shall rinse chairside traps, vacuum screens, or Amalgam Separators equipment in a sink or other connection to the sanitary sewer.
 - d. Owners and operators of dental facilities shall ensure that all staff members who handle Amalgam Waste are trained in the proper handling, management and disposal of mercury-containing material and fixer-containing solutions and shall maintain training records that shall be available for inspection by the superintendent or designee during normal business hours.

- e. Amalgam Waste shall be stored and managed in accordance with the instructions of the recycler or hauler of such materials.
- f. Bleach and other chlorine-containing disinfectants shall not be used to disinfect the vacuum line system.
- g. The use of bulk mercury is prohibited. Only pre-capsulated dental amalgam is permitted.

2. All owners and operators of dental vacuum suction systems, except as set forth in subsections (d) and (e) of this Section, shall comply with the following:

- a. An ISO 11143 or ANSI/ADA Standard No. 108 certified Amalgam Separator or equivalent device shall be installed for each dental vacuum suction system on or before July 14, 2020; provided, however, that all dental facilities that are newly constructed on and after the Initial Effective Date shall include an installed ISO 11143 or ANSI/ADA Standard No. 108 certified Amalgam Separator device. The installed device must be ISO 11143 or ANSI/ADA Standard No. 108 certified as capable of removing a minimum of ninety-five percent (95%) of amalgam. The Amalgam Separator system shall be certified at flow rates comparable to the flow rate of the actual vacuum suction system operation. Neither the Amalgam Separator device nor the related plumbing shall include an automatic flow bypass. For facilities that require an Amalgam Separator that exceeds the practical capacity of ISO 11143 test methodology, a non-certified Amalgam Separator will be accepted, provided that smaller units from the same manufacturer and of the same technology are ISO-certified.
- b. Proof of certification and installation records shall be submitted to the District Administrator within thirty (30) days of installation.
- c. Amalgam Separators shall be maintained in accordance with manufacturer recommendations. Installation, certification, and maintenance records shall be available for immediate inspection upon request therefor by the District Administrator during normal business hours. Records shall be maintained for a minimum of three (3) years.

3. Facilities with vacuum suction systems that meet all the following conditions may apply to the District Administrator for an exemption to the requirements of subsection (c) of this Section:

- a. The system is a dry vacuum pump system with an air-water separator;
- b. The sedimentation tank is non-bottom draining, with the drain above the anticipated maximum level of accumulated sludge;
- c. Evidence of regular pump outs by a licensed hauler (a minimum of once a year, or more often if either directed by the manufacturer or necessary to keep solids from exiting through the drain) is maintained and open to inspection by the District Administrator

during normal business hours; and

- d. The system has no direct discharge pipe to the sewer on the bottom of the sedimentation tank.

An owner or operator whose facility meets conditions (a) through (d) above may apply for this exemption by written letter to the District Administrator. The District Administrator will review the system and, if the exemption is approved, shall provide a written letter of exemption.

An exemption obtained pursuant to this subsection (3) shall expire upon installation of a new vacuum system. Upon expiration of the exemption, the facility shall comply with subsection (2) of this Section before commencing further operation.

4. Dental dischargers that exclusively practice one (1) or more of the following specialties are not subject to the requirements of this Section: (1) Orthodontics; (2) Periodontics; (3) Oral and maxillofacial surgery; (4) Radiology; (5) Oral pathology or oral medicine; (6) Endodontistry and prosthodontistry.

5. Dental practices that do not place dental amalgam, and do not remove amalgam except in limited emergency or unplanned, unanticipated circumstances, are exempt from the requirements of this part, provided the dental practice:

- a. Submits the following statement to the (City/County/Utility/Authority), signed by a responsible corporate officer, general partner, proprietor, or a duly authorized representative by the applicable compliance deadline identified in Section III.C1.:

“This facility is a dental discharger subject to this rule and does not place or remove dental amalgam except in limited emergency or unplanned, unanticipated circumstances. I am a responsible corporate officer, a general partner or proprietor (if the facility is a partnership or sole proprietorship), or a duly authorized representative in accordance with the requirements of § 403.12(l) of the above named dental facility, and 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 and imprisonment for knowing violations.”;

- b. Removes dental amalgam for limited emergency or unplanned, unanticipated circumstances, less than forty-eight (48) times per year and as no more than five percent (5%) of dental procedures; and

- c. The dental practice notifies the (City/County/Utility/Authority) of any changes affecting the applicability of this certification.
6. Disposal of hauled waste from dental facilities to the sanitary sewer is prohibited.
7. Dental dischargers that fail to comply with this Section will be considered SIUs, and will be subject to the requirements herein, including, but not limited to, the compliance monitoring, reporting requirements, and enforcement remedies identified in Section VI Reporting Requirements, Section VII Compliance Monitoring, Section X Administrative Enforcement Remedies, and/or Section XI Judicial Enforcement Remedies.

D. ACCIDENTAL DISCHARGE/SLUG CONTROL PLAN

1. The District shall evaluate, at least once every two (2) years, whether each SIU needs a plan to control slug discharges, including, but not limited, to an accidental spill, non-customary batch discharge or a discharge of a non-routine, episodic nature. The District may require any User to develop, submit for approval, and implement such a plan or take such other action that may be necessary to control slug discharges. Alternatively, the District may develop such a plan for any User. If required by the District, accidental discharges/slug control plans shall address at a minimum, the following:
 - a. Description of discharge practices, including, but not limited to, non-routine batch discharges.
 - b. Description of stored chemicals.
 - c. Procedures for immediately notifying the District and POTW of any accidental or slug discharge.
 - d. Procedures to prevent adverse impact from any accidental or slug discharges. Such procedures include, but are not limited to, 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 a containment structures or equipment, measures for containing toxic organic pollutants (including, but not limited to, solvents), and/or measures and equipment for emergency response.
2. Accidental or Slug Discharge Notification Requirements.
 - a. In the case of an accidental discharge or slug discharge by a User, it is the responsibility of that User to immediately inform the POTW of the incident by telephone. The caller shall specify location of discharge, type of waste, concentration, volume and correction action taken. All Users holding an WDP shall be given accidental or slug discharge emergency instructions within their WDP. A notice shall be permanently posted on the User's bulletin board or other

prominent place advising employees who to call in the event of an accidental or slug discharge. Employers shall insure that all employees who may be present when such accidental or slug discharges may occur are advised of the emergency procedures.

- b. Within thirty (30) calendar days following an accidental or slug discharge, the User shall submit to the District a detailed written report describing the cause of the discharge and the measures to be taken 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 POTW, fish kills, or other such 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 division or other applicable law.

E. TRANSPORTED LIQUID WASTE PROCEDURES

1. No Person shall transport and discharge liquid waste into the POTW without prior authorization from the District. Such waste shall not violate Section II of these Rules, and cannot contain any wastes that are RCRA Hazardous wastes. To obtain such authorization, the discharger must provide the District:
 - a. the location and time where such liquid wastes may be discharged and
 - b. a description of the liquid waste, including, but not limited to, the source quantity to be discharge and physical properties of the waste
2. The District may impose additional conditions and requirements as necessary on a case-by-case basis to ensure compliance with provisions of these Rules.

IV. REQUIREMENT TO OBTAIN WASTEWATER DISCHARGE PERMIT

A. WASTEWATER SURVEY

When requested by the District, any new or existing IU must submit information on the nature and characteristics of its wastewater by completing a wastewater survey and submit to the District within thirty (30) days of the request. The District may prepare a form for this purpose and may periodically require IUs to update the survey. Failure to complete this survey shall be reasonable grounds for terminating service to the IU and shall be considered a violation of these Rules.

B. PERMITTING REQUIREMENTS FOR SIGNIFICANT INDUSTRIAL USERS.

All Users whose discharge may render them a SIU must apply for and obtain a WDP. It shall be unlawful for any SIU to discharge to the POTW without a current WDP. Any violation of the terms and conditions of a WDP shall be deemed a violation of these Rules and subjects the wastewater discharge permittee to the sanctions set out in these Rules.

C. PERMITTING FOR EXISTING CONNECTIONS

Any SIU which discharges industrial waste into the POTW prior to the Initial Effective Date and who wishes to continue such discharges in the future, shall, within ninety (90) days after the Initial Effective Date apply to the District for a WDP in accordance with these Rules, and shall not cause or allow discharges to the system to continue after one hundred eighty (180) days of the Initial Effective Date, except in accordance with a permit issued by the District.

D. PERMITTING NEW CONNECTIONS

Any SIU proposing to begin or recommence discharging industrial wastes into the POTW must obtain a wastewater permit prior to beginning or recommencing such discharges. An application for this permit must be filed at least ninety (90) days prior to the anticipated start-up date.

E. PERMIT APPLICATION CONTENTS

In support of the application, in compliance with subsection 62-625.600(1), F.A.C., the SIUs shall submit, in units and terms appropriate for evaluation, the following information:

1. Name, address and location, if different from the mailing address.
2. SIC number according to the Standard Industrial Classification Manual.
3. Environmental Permits. A list of any environmental control permits held by or for the facility.
4. Wastewater constituents and characteristics as determined by a certified analytical laboratory; sampling and analysis shall be performed in accordance with procedures established by the EPA pursuant to Section 304(g) of the Act and contained in 40 CFR 136 as amended.
5. Time and duration of contribution.
6. Average daily and 30-minute peak wastewater flow rates, including, but not limited to, daily, monthly and seasonal variations, if any.
7. Site plans, floor plans, mechanical and plumbing plans and details to show all sewers, sewer connections and appurtenances by the size, location and elevation.
8. Description of activities, facilities and plant processes on the premises including, but not limited to, all materials which are or could be discharged.
9. Where known, the nature and concentration of any pollutants in the discharge which are limited by a local, State or federal pretreatment standards, and a statement regarding whether or not the pretreatment standards are being met

on a consistent basis and if not, whether additional O&M and/or additional pretreatment is required for the SIU to meet applicable pretreatment standards. This statement shall be signed by the authorized representative of the IU.

10. If additional pretreatment technology and/or O&M will be required to meet the pretreatment standards, a compliance schedule by which the SIU will provide such additional pretreatment shall be submitted. The completion date in this compliance schedule shall not be later than the compliance date established for the applicable pretreatment standard.

The following conditions shall apply to this compliance schedule:

- a. The schedule shall contain increments of progress 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 SIU to meet the applicable pretreatment standards, e.g., hiring an engineer, completing preliminary plans, completing final plans, executing contract for major components, commencing construction, completing construction, etc.
 - b. No increment referred to in this subsection shall exceed nine (9) months.
 - c. No later than fourteen (14) days following each date in the schedule and the final date for compliance, the SIU shall submit a progress report to the District including, as a minimum, whether or not it complied with the increment of progress to be met on such date and, if not, the date on which it expects to comply with this increment of progress, the reason for the delay the steps being taken by the SIU to return the construction to the schedule established. In no event shall more than nine (9) months elapse between such progress reports to the District.
11. Each product produced by type, amount, process or processes and rate of production.
 12. Type and amount of raw materials processed (average and maximum per day).
 13. Number and type of employees and hours of operation of plant and proposed or actual hours of operation of pretreatment system.
 14. Any other information as may be deemed by the District to be necessary to evaluate the permit application.

F. APPLICATION SIGNATURES AND CERTIFICATION

All permit applications and IU reports must contain the following certification statement and be signed by an authorized representative of the IU.

“I certify under penalty of law that this document 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 submitted false information, including, but not limited to, the possibility of fine and imprisonment for knowing violations.”

G. WASTEWATER PERMIT DECISION

1. COMPLETE APPLICATION

- a. The District Administrator will act only on completed applications. Persons submitting incomplete applications shall be notified by the District Administrator within sixty (60) days that the application is deficient and the nature of such deficiency and shall be given thirty (30) days to correct the deficiency. If the deficiency is not corrected within thirty (30) days or within such extended period as allowed by the District Administrator, the District Administrator shall deny the WDP and notify the applicant in writing of such action.
- b. Upon receipt of a complete application, the District Administrator shall review and evaluate all data furnished by the SIU and may require additional data. After evaluation of the data furnished, the District Administrator may issue the WDP with appropriate permit conditions and requirements within one hundred and twenty (120) days. Issuance of a WDP shall not relieve the User from complying with all other applicable State, federal and local laws, regulations and ordinances.

V. WASTEWATER DISCHARGE PERMIT PROCESS

A. PERMIT DURATION

WDPs shall be issued for a specified time period not to exceed five (5) years.

B. PERMIT CONDITIONS

WDPs shall be expressly subject to all provisions of these Rules and all other applicable ordinances, laws, regulations and User charges and fees established by the District. All WDPs shall minimally include applicable national categorical pretreatment standards for new and existing sources as set out in 40 CFR subchapter N, parts 401 through 471. Other requirements and restrictions in WDPs may include but shall not be limited to the following:

1. Limits on the characteristics and average and maximum allowable concentration of wastewater constituents including, but not limited to, the application of the combined waste stream formula. Effluent limits, including, but not limited to, BMPs, based on applicable pretreatment standards.
2. Calculated limits on the mean and maximum mass emission rates or production based mass limitations or other appropriate limits on wastewater constituents or properties.
3. Limits on the average and maximum rate and time of discharge or requirements for flow regulations and equalization.
4. Installation of pretreatment technology or construction of appropriate containment devices, etc., designed to reduce, eliminate, or prevent the introduction of pollutants into the POTW.
5. Development and implementation of spill control plans or other special conditions including, but not limited to, additional management practices necessary to adequately prevent accidental, unanticipated, or routine discharges.
6. Installation and maintenance by the User of suitable inspection and sampling facilities.
7. Specifications for monitoring programs which may include sampling location (or locations, if more than one process stream is involved), frequency and method of sampling, flow metering, number, types and standards for analytical tests and reporting schedules.
8. Compliance schedules and compliance report requirements including, but not limited to, submission dates.
9. Submission and certification of technical reports and periodic compliance reports to include information concerning volume, rate of flow, constituent concentrations, peak flow rates, production details, hours of operations, number of employees, or other information.
10. Maintaining and retaining plant records relating to wastewater discharge as specified by the District.
11. Notification to the District and obtaining prior approval from the District Administrator for any new introduction of wastewater constituents or any substantial planned change in production rate (ten percent (10%) or more) or in the volume or character of the wastewater constituents being discharged to the POTW.
12. Notification to the District of any change in the manufacturing processes or pretreatment processes used by the permittee.
13. Notification to the District of excessive, accidental or slug discharges.

14. Provisions concerning observed concentration violations of any of the analytical data contained in periodic compliance reports.
15. Provisions concerning the frequency of submission of certification statements for particular conditions of categorical regulations.
16. The unit charge or schedule of User charges and fees for the wastewater to be discharged to the POTW.
17. Effective and expiration dates and permit transfer requirements.
18. State of applicable civil and criminal penalties for violations of pretreatment standards and requirements.
19. Other conditions as deemed appropriate by the District Administrator to ensure compliance with this division or other applicable ordinances, laws, or regulations.

The permittee shall be responsible for all costs associated with satisfying WDP conditions, requirements and restrictions.

C. PERMIT NON-TRANSFERABILITY

A WDP is issued to a specific User for a specific operation. A WDP shall not be assigned, transferred or sold to a new owner, new SIU, for different premises, or for a new or significantly changed operation unless approved by the District in writing. An application for permission to transfer a WDP must contain the applicable transfer fee and be received by the District at least thirty (30) days prior to the requested date of transfer. The application must also contain a certification statement signed by an authorized representative of the new owner which:

1. States that the new owner has no immediate intent to change the facility's operations or processes.
2. Identifies the specific date on which the transfer is to occur.
3. Acknowledges full responsibility for complying with the existing permit.

The District Administrator may modify the conditions and requirements of the exiting WDP at the time of transfer or require the new owner to apply for a new WDP depending on the data submitted in the WDP transfer application.

D. PERMIT APPEALS

1. Upon receipt of the WDP, the applicant shall have forty-five (45) days to file, in writing objections, to any term or condition of the WDP and:
 - a. If the applicant files no objections within this time, the WDP is deemed to be accepted.

- b. If the applicant files a timely objection and agreement cannot be reached, the District Administrator may submit to the Board of Supervisors the proposed WDP conditions and the applicant's written objections thereto at a meeting of the Board of Supervisors.
2. The Board of Supervisors shall schedule a public hearing within ninety (90) days following the submission by the District of the proposed WDP and written objections, unless such time to be extended for just cause shown to resolve any disputed matters relevant to such WDP. The District shall notify the applicant of the date, time, place and purpose of the hearing scheduled before the Board of Supervisors. The Board of Supervisors shall establish such special permit conditions as it deems advisable to ensure the applicant's compliance with this division or applicable law or regulation and direct the District to issue a WDP to the applicant accordingly.

E. PERMIT MODIFICATIONS

The terms, conditions, restrictions or requirements of any WDP are subject to modification and change by the District during the term of the WDP to accommodate new information, changed conditions and as local, State, regional and federal laws, rules and regulations, and case decisions are modified or amended. Modifications may also be made to correct technical mistakes, erroneous interpretations of federal, State or local law, or typographical errors.

1. WDP holders shall be notified of any proposed changes in their respective WDPs by the District at least sixty (60) days prior to the effective date of change. Any change or new condition in a WDP shall include a provision for a reasonable time schedule for compliance. Permittees shall have the right to object to these proposed changes and to appeal to the Board of Supervisors.
2. WDP holders may petition the District for modification of their WDPs based on changed conditions. Such petition shall not relieve the WDP holder of compliance with any existing WDP conditions. The District shall review such petitions with such supporting data as it deems necessary and take appropriate action. If substantial changes are involved, the District may require the User to submit a new application for a WDP.

F. PERMIT REVOCATION

Any WDP issued under the provisions of these Rules is subject to be modified, suspended or revoked in whole or in part during its term for cause shown including, but not limited to, any one of the following:

1. Violation of any terms or conditions of the WDP or other applicable law or regulation.
2. Obtaining a WDP by misrepresentation or failure to fully disclose all relevant facts.

3. Falsifying periodic compliance reports.
4. Tampering with monitoring equipment.
5. Failure to pay administrative surcharges.
6. Failure or refusal to accept notices of violation or compliance schedules or other enforcement procedures.
7. Failure to provide notification to the District of any change in the permitted User's operating conditions that either alters the nature, quality or volume of its wastewater discharge or requires either a temporary or permanent reduction or elimination of the permitted discharge.
8. When necessary to protect the public health, safety and welfare in accordance with the administrative enforcement remedies set forth in these Rules.

G. PERMIT RE-ISSUANCE

1. Re-Issuance Applications

The SIU shall submit a completed re-issuance application form as prescribed by the District together with a re-issuance fee to the District Administrator at least ninety (90) days prior to the expiration of the current WDP. Conditions governing the re-issuance of a WDP shall be the same as those governing the issuance of a new WDP. Temporary WDP's shall not be issued.

2. Continuation of Expired WDPs.

An expired WDP will continue to be effective and enforceable until the WDP is reissued provided:

- a. The SIU has submitted a completed WDP application at least ninety (90) days but no more than one hundred and twenty (120) days prior to the expiration date of the User's existing WDP; and
- b. The failure to reissue the WDP, prior to expiration of the previous WDP, is not due to any act or omission on the part of the SIU.

VI. REPORTING REQUIREMENTS

A. BASELINE MONITORING REPORT

Within one hundred and eighty (180) days after the effective date of a categorical pretreatment standard, or one hundred and eighty (180) days after the final administrative decision made upon a category determination request under Rule 62-625.410(2)(d), F.A.C., whichever is later, existing IUs subject to such categorical pretreatment standards and currently discharging to, or scheduled to discharge to a POTW, shall submit to the District a report which contains the information listed in 1-5 below. Where reports containing this information have already been submitted to

FDEP or EPA Regional Administrator in compliance with the requirement of 40 CFR Part 403, the IU shall not be required to submit this information again. At least ninety (90) days prior to commencement of discharge, New Sources, and sources that become IUs subsequent to the promulgation of an applicable categorical pretreatment standard, shall submit to the District a report which contains the information listed in 1-5 below. New Sources shall include in this report information on the method of pretreatment it intends to use to meet applicable pretreatment standards. New Sources shall give estimates of the information requested in 4 and 5, below.

1. Identifying information. The IU shall submit the name and address of the facility, including the name of the operator and owners.
2. Permits. The IU shall submit a list of any pollution control permits held by or for the facility.
3. Description of operations. The IU shall submit a brief description of the nature, average rate of production, and SIC codes of the operations carried out by such IU. This description shall include a schematic process diagram which indicates points of discharge to the POTW from the regulated processes.
4. Flow measurement. The IU shall submit information showing the measured average daily and maximum daily flow, in gallons per day, to the POTW from each of the following:
 - a. Regulated process streams, and
 - b. Other streams as necessary to allow use of the combined waste stream formula of Rule 62-625.410(6), F.A.C. The District shall allow for verifiable estimates of these flows where they can be justified by cost or feasibility considerations.
5. Measurement of pollutants.
 - a. The IU shall identify the pretreatment standards applicable to each regulated process.
 - b. In addition, the IU shall submit the results of sampling and analysis identifying the nature and concentration (or mass, where required by the pretreatment standard or District) of regulated pollutants in the discharge from each regulated process. All laboratory analytical reports shall comply with Rule 62-160.670, F.A.C. Both daily maximum and average concentration (or mass, where required) shall be reported. The sample shall be representative of daily operations.
 - c. A minimum of four (4) grab samples must be used for any of these applicable tests: pH, cyanide, total phenols, oil and grease, volatile organics, temperature, dissolved oxygen, chlorine residual, un-ionized ammonia, microbiology, specific conductance, and dissolved constituents (e.g., ortho-phosphate, etc.). For all other pollutants, 24-

hour composite samples must be obtained through flow-proportional composite sampling techniques where feasible. The District shall waive flow-proportional composite sampling for any IU that demonstrates that flow-proportional sampling is technically unfeasible. In such cases, samples shall be obtained through time-proportional composite sampling techniques or through a minimum of four (4) grab samples where the IU demonstrates that this will provide a representative sample of the effluent being discharged.

- d. The IU shall take a minimum of one representative sample to compile the data necessary to comply with these requirements.
- e. Samples shall be taken immediately downstream from pretreatment facilities, if such exist, or immediately downstream from the regulated process if no pretreatment exists. If other wastewater(s) are mixed with the regulated wastewater prior to pretreatment, the IU shall measure the flows and concentrations necessary to allow use of the combined waste stream formula of Rule 62-625.410(6), F.A.C., in order to evaluate compliance with the pretreatment standards. Where an alternate concentration or mass limit has been calculated in accordance with Rule 62-625.410(6), F.A.C., this adjusted limit, along with supporting data, shall be submitted to the District.
- f. All activities related to sampling and analysis shall comply with Chapter 62-160, F.A.C.
 - (1) Sampling activities shall be performed according to Official FDEP Field SOPs (as referenced in the QA Rule 62-160 F.A.C.) These Field SOPs are required for all organizations submitting data to DEP.
 - (2) Laboratory analyses shall be performed by a NELAC certified laboratory with current certification by FDOH according to 64 E-1 F.A.C. for the appropriate categories and/or matrices.
 - (3) Where sampling or analytical techniques for the pollutant in question are not available or approved, or where FDEP determines that the sampling and analytical techniques are inappropriate for the pollutant in question, sampling and analysis shall be performed by using analytical methods or any other applicable sampling and analytical procedures, including, but not limited to, procedures suggest by the District or other parties, for which method validation information has been submitted and approved by FDEP in accordance with Rules- 62-160.220, 62-160.330, 62-160.600, F.A.C.
- g. The IU may submit a baseline report which utilizes only historical data as long as the data provides information sufficient to determine the need for industrial pretreatment measures.

- h. The baseline report 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 POTW.
 - (1) The IU may submit a baseline report which utilizes only historical data as long as the data provides information sufficient to determine the need for industrial pretreatment.
 - (2) The baseline report 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 POTW.
- i. Certification. A statement, reviewed by an authorized representative of the IU indicating whether pretreatment standards are being met on a consistent basis, and if not, whether additional O&M or additional pretreatment is required for the IU to meet the pretreatment standards and requirements.
- j. Compliance Schedule. If additional pretreatment of O&M will be required to meet the pretreatment standards, the IU shall provide such additional pretreatment or O&M as specified in a compliance schedule. The completion date in this schedule shall not be later than the compliance date established for the applicable pretreatment standard.
 - (1) Where the IU's categorical pretreatment standard has been modified by the combined waste stream formula in accordance with Rule 62-625.410(6), F.A.C., a removal credit in accordance with Rule 62-625.420, F.A.C., or a fundamentally different factor variance in accordance with Rule 62-625.700, F.A.C., at the time the IU submits the report required by this subsection, the information requested in this subsection shall pertain to the modified limits.
 - (2) If the categorical pretreatment standard is modified by the combined waste stream formula, a removal credit, or a fundamentally different factor variance after the IU submits the report required by this subsection, any necessary amendment to the information requested in this subsection shall be submitted by the IU to the Control Authority within sixty (60) days after the modified limit is approved.

B. COMPLIANCE SCHEDULE PROGRESS REPORTS

The following conditions shall apply to the compliance schedule required by Section A.5.j. above:

1. The schedule shall contain increments of progress 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 IU to meet the applicable categorical pretreatment standards (e.g., hiring an engineer, completing preliminary plans, completing final plans, executing contract for major components, commencing construction, completing construction).
2. No increment referred to in 1. above shall exceed nine (9) months.
3. Within fourteen (14) days following each date in the schedule and the final date for compliance, the IU shall submit a progress report to the District including, at a minimum, whether or not it complied with the increment of progress to be met on such date and, if not, the date on which it expects to comply with this increment of progress, the reason for the delay, and the steps being taken by the IU to return the construction to the schedule established. In no event shall more than nine (9) months elapse between such progress reports to the District.

C. REPORT ON COMPLIANCE WITH CATEGORICAL PRETREATMENT STANDARDS

Within ninety (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 POTW, any IU subject to pretreatment standards and requirements shall submit to the District a report containing the information described in A.4-5, above. For IUs subject to equivalent mass or concentration limits established by the District in accordance with the procedures in Rule 62-625.410(4), F.A.C., this report shall contain a reasonable measure of the IU's long-term production rate. For all other IUs 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 IU's actual production during the appropriate sampling period.

D. PERIODIC COMPLIANCE REPORTS

1. Any IU subject to a categorical pretreatment standard, after the compliance date of such pretreatment standard, or, in the case of a New Source, after commencement of the discharge into the POTW, shall submit to the District during the months of June and December [or on the dates specified in the WDP], no less than twice a year, unless required more frequently in the pretreatment standard or by the District, a report indicating the nature and concentration of pollutants in the effluent which are limited by such pretreatment standards. The report 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 District shall require frequency of monitoring necessary to assess and assure compliance by IUs with applicable pretreatment standards and requirements. In addition, this report shall include a record of measured or estimated average and maximum daily flows for the

reporting period for the discharge reported in A.4 above, except that the Control Authority shall require more detailed reporting of flows if necessary to comply with the requirements of this Section. The IU may request submission of the above reports 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.

2. Where the District has imposed mass limitations on IUs as provided for by Rule 62-625.410(5), F.A.C., the report required by 1. above shall indicate the mass of pollutants regulated by pretreatment standards in the discharge from the IU.
3. For IUs subject to equivalent mass or concentration limits established by the District in accordance with the procedures in Rule 62-625.410(4), F.A.C., the report required by 1. above shall contain a reasonable measure of the IU's long-term production rate. For all other IUs subject to categorical pretreatment standards expressed only in terms of allowable pollutant discharge per unit of production (or other measure of operation), the report required by 1. above shall include the IU's actual average production rate for the reporting period.

The reports required in A., C., and D., above shall contain the results of all sampling and analysis of the discharge, including, but not limited to, the flow and the nature and concentration, or production and mass where requested by the Control Authority, of pollutants contained therein which are limited by the applicable pretreatment standards. This sampling and analysis may be performed by the Control Authority in lieu of the IU, except when the Approval Authority is acting as the Control Authority. Where the Control Authority performs the required sampling and analysis in lieu of the IU, the IU shall not be required to submit the compliance certification required under VI. A.5.i., and C. above. In addition, where the Control Authority itself collects all the information required for the report, including, but not limited to, flow data, the IU shall not be required to submit the report. All laboratory analytical reports prepared by the IU or the Control Authority shall comply with Rule 62-160.670, F.A.C.

4. If the sampling performed by an IU indicates a violation, the User shall notify the Control Authority within twenty-four (24) hours of becoming aware of the violation. The User shall also repeat the sampling and analysis and submit the repeat analysis to the Control Authority within thirty (30) days after becoming aware of the violation, except the IU is not required to resample if:
 - a. The Control Authority has assumed responsibility for sampling in lieu of the IU, it is the Control Authority which must repeat sampling and analysis within thirty (30) days of becoming aware of an exceedance.

E. SAMPLE COLLECTION AND ANALYTICAL REQUIREMENTS FOR COMPLIANCE REPORTS

1. Sample Collection. Samples collected to satisfy reporting requirements must be based on data obtained through appropriate sampling and analysis performed during the period covered by the report, based on data that is representative of conditions occurring during the reporting period. The reports required in A., C. and D. above shall contain the results of sampling and analysis of the discharge, including, but not limited to, the flow and the nature and concentration, or production and mass if requested by the District, of pollutants contained therein which are limited by the applicable pretreatment standards.
 - a. Except as indicated in b. and c. below, the User must collect wastewater samples using 24-hour flow-proportional composite sampling techniques, unless time-proportional composite sampling or grab sampling is authorized by the District. Where time-proportional composite sampling or grab sampling is authorized by the District, the samples must be representative of the discharge. Using protocols (including, but not limited to, appropriate preservation) specified in 40 CFR Part 136 and appropriate EPA guidance, multiple grab samples collected during a 24-hour period may be composited prior to analysis as follows: for cyanide, total phenols, and sulfides the samples may be composited in the laboratory or in the field; for volatile organics and oil and grease, the samples may be composited in the laboratory. Composite samples for other parameters unaffected by the compositing procedures as documented in approved EPA methodologies may be authorized by the District, as appropriate. In addition, grab samples may be required to show compliance with Instantaneous Limits.
 - b. Samples for oil and grease, temperature, pH, cyanide, total phenols, sulfides, and volatile organic compounds must be collected using grab collection techniques.
 - c. For sampling required in support of baseline monitoring and 90-day compliance reports required in Section VI. A. and C., a minimum of four (4) grab samples must be used for pH, cyanide, total phenols, oil and grease, sulfide and volatile organic compounds for facilities for which historical sampling data do not exist; for facilities for which historical sampling data are available, the District may authorize a lower minimum. For the reports required by paragraphs Section VI. D., the IU is required to collect the number of grab samples necessary to assess and assure compliance with the applicable pretreatment standards and requirements.
2. Analytical Requirements All pollutant analysis, including, but not limited to, sampling techniques, to be submitted as part of a WDP application or report shall be performed in accordance with the techniques prescribed in 40 CFR Part 136 and amendments thereto, unless otherwise specified in an applicable categorical pretreatment standard. If 40 CFR Part 136 does not contain sampling or analytical techniques for the pollutant in question, or where the EPA determines that the Part 136 sampling techniques are inappropriate for

the pollutant in question, sampling and analyses shall be performed by using validated analytical methods or other applicable sampling and analytical procedures, including, but not limited to, procedures suggested by the District or other parties approved by EPA. All laboratory analytical reports prepared by the IU shall comply with Rule 62-160.240 (1), 62-160.340 (1), F.A.C.; NELAC Quality Systems 5.13, and all activities related to sampling and analysis shall be subject to the same requirements specified in A.5.f. above.

F. REPORTS OF POTENTIAL PROBLEMS

All categorical and significant non-categorical IUs shall notify the District and the POTW immediately of all discharges that could cause problems to the POTW, including, but not limited to, any slug discharges and prohibited discharges, as defined by Rule 62-625.400(2), F.A.C., and shall follow the notification procedure of Section III.C.2. of the Rules.

G. REPORTS OF CHANGED CONDITION.

All IUs shall promptly notify the District at least thirty (30) days in advance of any change in the volume or character of pollutants in their discharge that may result in pass through or interference at the POTW, in accordance with Section 62625.600(9), F.A.C., including, but not limited to, the listed or characteristic hazardous wastes for which the IU has submitted an initial notification.

H. REPORTS FROM USERS NOT SUBJECT TO CATEGORICAL PRETREATMENT STANDARD

1. The District shall require appropriate reporting from those IUs with discharges that are not subject to categorical pretreatment standards. Significant non-categorical IUs shall submit to the District at least once every six (6) months (on dates specified by the District) a description of the nature, concentration, and flow of the pollutants required to be reported by the District.
2. The reports shall be based on all sampling and analysis performed in the period covered by the report, and are subject to the same requirements specified in A.5.f. above. All laboratory analytical reports prepared by the IU or the District shall comply with Rule 62-160.240 (1), 62-160.340 (1), F.A.C. and NELAC Quality Systems 5.13.
3. All SIUs are required to notify the District immediately of any changes at its facility affecting the potential for a slug discharge.

I. REPORTS FROM UNPERMITTED USERS.

All Users not required to obtain an individual WDP shall provide appropriate reports to the District as the District may require.

J. REPEAT SAMPLING AND REPORTING REQUIREMENTS FOR VIOLATIONS

If sampling performed by an IU indicates a violation, the IU shall notify the District within twenty-four (24) hours of becoming aware of the violation. The IU shall also repeat the sampling and analysis within five (5) days and submit the results of the repeat analysis to the District within thirty (30) days after becoming aware of the violation.

K. NOTIFICATION OF HAZARDOUS WASTE DISCHARGE

1. The IU shall notify the District and the FDEP hazardous waste and pretreatment authorities in writing of any discharge in the POTW of a substance, which, if otherwise disposed of, would be hazardous waste under Chapter 62-730, F.A.C. Such notification must include the name of the hazardous waste, the EPA hazardous waste number, and the type of discharge (continuous, batch, or other). If the IU discharges more than 100 kilograms of such waste per calendar month to the POTW, the notification shall also contain the following information to the extent such information is known and readily available to the IU: an identification of the hazardous constituents contained in the wastes, an estimation of the mass and concentration of such constituents in the waste stream discharged during the calendar month, and an estimation of the mass of constituents in the waste stream expected to be discharged during the following twelve (12) months. IUs who commence discharging after the Initial Effective Date shall provide the notification no later than one hundred and eighty (180) days after the discharge of the listed or characteristic hazardous waste. Any notification under this subsection need be submitted only once for each hazardous waste discharged. However, notifications of changed discharges must be submitted under G, above. The notification requirement in this Section does not apply to pollutants already reported under the self-monitoring requirements of A, C and D, above.
2. Discharges are exempt from the requirements of 1. above during a calendar month in which they discharge no more than fifteen (15) kilograms of hazardous wastes, unless the wastes are acute hazardous wastes as specified in Chapter 62-730, F.A.C. Discharge of more than fifteen (15) kilograms of non-acute hazardous wastes in a calendar month, or of any quantity of acute hazardous wastes as specified in Chapter 62-730, F.A.C., requires a one-time notification. Subsequent months during which the IU discharges more than such quantities of any hazardous waste do not require additional notification.
3. In the case of any new FDEP regulations identifying additional characteristics of hazardous waste or listing any additional substance as a hazardous waste, the IU must notify the District and FDEP's hazardous wastes and pretreatment authorities of the discharge of such substance within ninety (90) days of the effective date of such regulations.
4. In the case of any notification made under this subsection, the IU 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.

L. SIGNATORY REQUIREMENTS FOR INDUSTRIAL USER REPORTS

1. The reports required by A., C. and D. above shall include the following certification statement:

“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 gathered and evaluated the information submitted. Based on my inquiry of the person or persons who managed 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, but not limited to, the possibility of fines and imprisonment for knowing violation.”

2. The certification shall be signed in accordance with 62-625.600 as follows:
 - a. By a responsible corporate officer, if the IU submitting the reports required by A., C., and D. above is a corporation.
 - b. By a general partner or proprietor, if the IU submitting the reports required by A., C., and D. above is a partnership or sole proprietorship respectively.
 - c. By a duly authorized representative of the individual designated in a. or b. above if:
 - (1) The authorization is made in writing by the individual described in a. or b. above,
 - (2) The authorization specifies either an individual or a position having responsibility for the overall operation of the facility from which the discharge originates, such as the position of plant manager, operator of a well, or well field superintendent, or a position of equivalent responsibility, or having overall responsibility for environmental matters for the company, and
 - (3) The written authorization is submitted to the District.
 - d. If an authorization under c. above 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 authorization satisfying the requirements of c above must be submitted to the District prior to or together with any reports to be signed by an authorized representative.
3. Any person, including, but not limited to, a responsible corporate officer, submitting or maintaining reports and other documents required by these Rules shall be subject to the civil and criminal penalties of Section 403.161, F.S. for any falsification described in that Section.

M. RECORD KEEPING REQUIREMENTS

Users subject to the reporting requirements of these Rules shall retain, and make available all records of information obtained pursuant to any monitoring activities required by these Rules, any additional records of information obtained pursuant to monitoring activities undertaken by the User independent of such requirements, and documentation associated with BMPs established under Section II.E.3 of these Rules. All sampling and analysis activities shall be subject to the record keeping requirements specified in Chapter 62-160, F.A.C. Records shall include the date, exact place, method, and time of sampling, and 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 three (3) years. This period of retention shall be automatically extended during the course of any unresolved litigation regarding the IU or when requested by the District, the State or EPA upon reasonable notice to the permittee.

VII. COMPLIANCE MONITORING

A. ENTRY AND ACCESS TO RECORDS

All Users of the POTW shall allow the District Administrator and other duly authorized employees or agents of the District bearing proper credentials and identifications ready access at all reasonable times to all parts of the premises for the purpose of inspection, observation, records, examination and copying, measurement, sampling and testing in accordance with the provisions of these Rules. The refusal of any User to permit the District Administrator or other duly authorized employees or agents of the District bearing proper credentials and identifications entry to or upon the User's premises for purposes of inspection, sampling effluents or inspecting and copying records or performing such other duties as shall be required by these Rules shall constitute a significant violation of a condition of the User's WDP and the terms of these Rules.

B. INSPECTION

The District may inspect the facilities of any User at any time to ascertain whether the intent of these Rules is being met and whether Users are complying with all requirements. During an inspection, the District may inquire into the type of industrial processes used to determine the kind and source of discharge to the sewers receiving waters or facilities for wastewater treatment. Records or information obtained by these inspections shall, in the case of effluent data, be related to any applicable effluent limitations, toxic, pretreatment or WDP condition that shall be available to the public.

C. INDEPENDENT SAMPLING

Whenever required to carry out the objectives of these Rules, the District shall have the right to set up on the User's property such devices as are reasonably necessary to conduct sampling, inspection, compliance or demand monitoring and/or metering

operations.

D. INSTALLATION OF MONITORING EQUIPMENT

The District may require any User to install and maintain at the User's expense a suitable control manhole together with necessary approved meters, flow apparatus and other appurtenances in the building sewer and/or internal drainage systems to facilitate observation, sampling and measurement of the waste stream. Such facility shall be accessible, safely located and constructed in accordance with plans reviewed and accepted by the District. The monitoring facility shall be situated on the User's premises unless the use of an existing monitoring facility on District property is approved by the District in writing. Such approval may be revoked at any time and the User required to provide suitable monitoring facilities on his own property.

E. SEARCH WARRANT

The District may seek a search warrant or use other legal procedures as may be advisable and reasonably necessary to discharge its duties under these Rules.

VIII. CONFIDENTIAL INFORMATION ACCESS TO DATA

In accordance with Chapter 119, F.S., all information, documents, and data submitted to the District are considered to be public information, and as such shall be available to the public. However, in accordance with Section 403.111, F.S., any information submitted to the District in accordance with these Rules may be claimed as confidential by the submitter. Any such claim must be asserted at the time of submission in the manner prescribed on the application form or instructions, or, in the case of other submissions, by stamping the words "confidential business information" on each page containing such information. If no claim is made at the time of submission, the District shall make the information available to the public without further notice. If a claim is asserted, the information will be treated in accordance with the procedures in Section 403.111, F.S. without restriction, unless the User specifically requests and is able to demonstrate to the satisfaction of the District that the release of such information would divulge information, processes or methods of production entitled to protection as trade secrets under applicable State law. When requested and demonstrated by the User furnishing a report that such information should be held confidential, the portions of a report which might disclose trade secrets or secret processes shall not be made available for inspection by the public but shall be made available immediately upon request to governmental agencies for uses related to the NPDES program or pretreatment program and in enforcement proceedings involving the person furnishing the report. Wastewater constituents and characteristics and other "effluent data" as defined by 40 CFR 2.302 shall not be recognized as confidential information and shall be available to the public without restriction.

IX. PUBLICATION OF SIGNIFICANT INDUSTRIAL USERS IN SIGNIFICANT NONCOMPLIANCE

The District shall publish annually, in a newspaper of general circulation that provides meaningful public notice within the jurisdictions served by the POTW, a list of the Users which , at any time during the previous twelve (12) months, were in Significant Noncompliance with applicable pretreatment standards and requirements. The term

Significant Noncompliance shall be applicable to all SIUs (or any other IU that violates paragraphs (C), (D), or (H) of this Section and shall mean:

- A. Chronic violations of wastewater discharge limits, defined here as those in which sixty-six percent (66%) or more of all the measurements taken for the same pollutant parameter taken during a six (6) month period exceed (by any magnitude) a numeric pretreatment standard or requirement, including, but not limited to, Instantaneous Limits;
- B. Technical Review Criteria (TRC) violations, defined here as those in which thirty-three percent (33%) or more of the measurements taken for each pollutant parameter during a six (6) month period equal or exceed the product of the numeric pretreatment standard or requirement including, but not limited to, Instantaneous Limits, as defined by Section II multiplied by the applicable criteria (1.4 for BOD, TSS, fats, oil and grease, and 1.2 for all other pollutants except pH);
- C. Any other violation of a pretreatment standard or requirement as defined by Section II (Daily Maximum, long-term average, Instantaneous Limit, or narrative standard) that the Control Authority determines has caused, alone or in combination with other discharges, interference or pass through, including, but not limited to, endangering the health of POTW personnel or the general public;
- D. Any discharge of a pollutant that has caused imminent endangerment to the public or to the environment, or has resulted in the Control Authority's exercise of its emergency authority to halt or prevent such a discharge;
- E. Failure to meet, within ninety (90) days of the scheduled date, a compliance schedule milestone contained in an individual WDP or enforcement order for starting construction, completing construction, or attaining final compliance;
- F. Failure to provide within forty-five (45) days after the due date, any required reports, including, but not limited to, baseline monitoring reports, reports on compliance with categorical pretreatment standard deadlines, periodic self-monitoring reports, and reports on compliance with compliance schedules;
- G. Failure to accurately report noncompliance; or
- H. Any other violation(s), which may include a violation of BMPs, which the Control Authority determines will adversely affect the operation or implementation of the local pretreatment program.

X. ADMINISTRATIVE ENFORCEMENT REMEDIES

A. NOTICES OF VIOLATION

- 1. Whenever the District Administrator or his designee determines, or has reasonable cause to believe, that an IU has violated these Rules or any orders, regulations, or permits issued pursuant to these Rules, the District Administrator shall serve by certified mail a Notice of Violation to that IU.

2. The Notice of Violation shall state the nature of the violation and shall require the IU to undertake corrective action to remedy the noncompliance within a specified time period, and provide an explanation as to the cause of the violation. If the IU responds with an acceptable written explanation for the violation or corrects the violations within the specified time, the District may cease all further enforcement actions.
3. The District at its discretion may request a compliance meeting with the IU, issue a compliance schedule, or request the IU to develop a compliance schedule in the Notice of Violation.
4. The User's failure to respond in any manner to a Notice of Violation within ten (10) days of receipt shall constitute Significant Noncompliance.

B. CONSENT ORDERS

The District may enter into consent orders, stipulated orders of abatement, written assurances of compliance, or other similar judicially enforceable documents establishing an agreement with an IU to correct noncompliance pursuant to a compliance schedule within a specified time period.

C. SHOW CAUSE HEARINGS

The District may order any User who causes or allows an unauthorized discharge to show cause before the District Administrator why the proposed enforcement action should not be taken. A notice shall be served on the User specifying the time and place of a hearing to be held regarding the violation, the reasons why the action is to be taken, the proposed enforcement action, and directing the User to show cause why the proposed enforcement action should not be taken. The notice of the hearing shall be served personally or by registered or certified mail at least ten (10) days before the hearing. Service may be made on any agent or officer of a corporation or on the local representative as identified in the permit application.

D. COMPLIANCE SCHEDULES

Any compliance schedule issued by the District or prepared by the User above shall contain specific actions to be taken by the User to correct the noncompliance within the time period also specified by the schedule. Schedules may also contain such other requirements as might be reasonably necessary and appropriate to address the noncompliance, including, but not limited to, the installation and proper operation of pretreatment technology, additional self-monitoring, and management practices.

E. CEASE AND DESIST ORDERS

When the District Administrator finds that a User has violated or continues to violate these Rules, permits, or orders issued hereunder, or any other pretreatment requirement, the District Administrator may issue an order to the IU directing it to cease and desist all such violations and directing the User to:

1. Immediately comply with all requirements.

2. Take such appropriate remedial or preventive action as may be needed to properly address a continuing or threatened violation, including, but not limited to, halting operations and/or terminating the discharge.

F. ADMINISTRATIVE FINES

Notwithstanding any other Section of these Rules, any User which is found to have violated any provision of these Rules, permits and orders issued hereunder, or any other pretreatment requirement shall be fined in amount not to exceed one thousand dollars (\$1,000.00) per day per violation. Such fines shall be assessed on a per violation, per day basis. In the case of monthly or other long-term average discharge limits, fines shall be assessed for each business day during the period of violation.

1. Assessments may be added to the User's next scheduled sewer service charge and the District Administrator shall have such other collection remedies as may be available for other service charges and fees.
2. Unpaid charges, fines and penalties shall, after forty-five (45) calendar days, be assessed an additional penalty of fifteen percent (15%) of the unpaid balance and interest shall accrue thereafter at a rate of one percent (1%) per month. Furthermore, these unpaid charges, fines and penalties, together with interest therefrom shall constitute a lien against the individual User's property.
3. Users desiring to dispute such fines must file a written request for the District Administrator to reconsider the fine along with full payment of the fine amount within ten (10) days of being notified of the fine. Where the District Administrator believes a request has merit, he shall convene a hearing on the matter before the Board of Supervisors within fifteen (15) days of receiving the request from the IU. In the event the User's appeal is successful the payment, together with any interest accruing thereto, shall be returned to the IU. The District may add the costs of preparing administrative enforcement actions, such as notices and orders to the fine.

G. EMERGENCY SUSPENSIONS

The District may suspend the wastewater permit of a User for a period not to exceed thirty (30) days 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 municipal wastewater system, or which presents or may present an endangerment to the environment.

1. Any User notified of a suspension of its wastewater permit shall immediately stop or eliminate its contribution. In the event of a User's failure to immediately comply voluntarily with the suspension order, the District shall take such steps as deemed necessary, including, , but not limited to, immediate severance of the sewer connection, to prevent or minimize damage to the system, its receiving stream, or endangerment to any individuals. The

District shall allow the IU to recommence its discharge when the User has demonstrated to the satisfaction of the District that the period of endangerment has passed, unless termination proceedings are initiated against the User.

2. A User which is responsible, in whole or in part, of any discharge presenting imminent endangerment shall submit a detailed written statement describing the cause of the harmful contribution and the measures taken to prevent any future occurrence to the District Administrator prior to the date of any show cause or termination hearing.
3. Failure to report significant changes in operations or wastewater volume, constituents and characteristics prior to discharge.
4. Refusal of reasonable access to the User's premises for the purpose of inspection, monitoring or sampling.

Non-compliant Users will be notified of the proposed termination of their wastewater permit under this Section and be offered an opportunity to show cause why the proposed action should not be taken.

H. EMERGENCY TERMINATION OF SERVICE

In the event of an actual or threatened discharge to the POTW of any pollutant which, in the opinion of the District Administrator, reasonably appears to present an imminent endangerment to the health or welfare of persons, the District Administrator, or, in his absence, his designee, shall immediately and effectively temporarily terminate the service of such User or Users as are necessary to abate the condition. The District Administrator shall also informally contact the affected IU or Users causing the emergency and request their assistance in abating the condition. Such service shall be restored by the District Administrator as soon as the emergency situation has been abated or corrected to his satisfaction.

In the event of an actual or threatened discharge to the POTW of any pollutant which, in the opinion of the District Administrator, reasonably appears to present an endangerment to the environment, or which threatens to interfere with the operation of the POTW, the District Administrator, or in his absence, his designee, shall immediately notify the User causing the discharge of the District's intention to terminate service if the condition is not immediately abated or corrected. The District Administrator shall request the User's immediate response and assistance in abating or correcting the condition. The District Administrator may temporarily terminate the service of such User or Users as are necessary to abate the condition, when such action appears reasonably necessary. Such service shall be restored by the District Administrator as soon as the condition has been abated or corrected to his satisfaction.

XI. JUDICIAL ENFORCEMENT REMEDIES

A. INJUNCTIVE RELIEF

Whenever an IU has violated or continues to violate the provisions of these Rules, permits or orders issued hereunder, or any other pretreatment requirements, the District Administrator, through the District's attorney, may petition the appropriate court for the issuance of a temporary or permanent injunction, as may be appropriate, which restrains or compels the specific performance of the wastewater permit, order, or other requirement imposed by these Rules on activities of the User. Such other action as may be appropriate for legal and/or equitable relief may also be sought by the District.

B. CIVIL PENALTIES

1. Any IU which has violated or continues to violate these Rules shall be liable to the District for a civil penalty in the amount of at least one thousand dollars (\$1,000.00) per violation per day. In case of a monthly or other long-term average discharge limit, penalties shall accrue for each business day during the period of the violation.
2. 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, connective actions by the IU, and any other factors as justice requires.
3. Where appropriate, the District Administrator may accept mitigation projects in lieu of the payment of civil penalties.

C. CRIMINAL PENALTIES

1. Any IU who intentionally or with reckless disregard violates any provisions of these Rules, any orders or permits issued hereunder, or any other pretreatment requirement shall, upon conviction, subject to a penalty in an amount not to exceed the maximum amount permissible by law or in the amount of at least one thousand dollars (\$1,000) per violation per day or imprisonment for not more than six (6) months, or both, for each offense. Each separate violation shall constitute a separate offense, and upon conviction of a specified violation of these Rules, each day of violation shall constitute a separate violation.
2. Any User 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 these Rules, or wastewater permits or who falsifies, tampers with or knowingly renders inaccurate any monitoring device or method required under these Rules shall, upon conviction, be punished by a fine of not more than one thousand dollars (\$1,000) per violation per day or imprisonment for not more than six (6) months or both.

Each day on which a violation shall occur or continue shall be deemed a separate and distinct offense.

D. REMEDIES NON-EXCLUSIVE

The remedies provided in these Rules shall not be exclusive, and the District may seek whatever other remedies are authorized by statute, law or in equity, against any Person or IU violating the provisions of these Rules.

XII. AFFIRMATIVE DEFENSES TO DISCHARGE VIOLATION

A. UPSET

An upset shall be an affirmative defense to an enforcement action brought against a User for violating a pretreatment standard and requirement if the following conditions are met:

1. The User can identify the cause of the upset.
2. The facility was operating in a prudent and workmanlike manner at the time of the upset and was in compliance with applicable O&M procedures.
3. The User submits, within twenty-four (24) hours of becoming aware of the upset, a description of the discharge and its causes, the period of noncompliance (if not corrected, then time noncompliance is anticipated to end), and the steps being taken to reduce, eliminate and prevent recurrence of the noncompliance.
4. If this report is given orally, the User must also submit a written report containing such information within five (5) days.
5. Noncompliance caused by operational error, improperly designed pretreatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation does not constitute an upset.

B. BYPASS

1. The intentional diversion of wastewater from any portion of an individual User's treatment facility shall be an affirmative defense to an enforcement action brought against the IU if the User can demonstrate that such a bypass was unavoidable to prevent loss of life, personal injury, or severe property damages. In order to be eligible for the affirmative defense, the IU must submit notice of the bypass as required by 62-625.860(2). F.A.C., and demonstrate that:
 - a. bypass was unavoidable to prevent loss of life, personal injury, or severe property damage, and
 - b. there were no technically feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate back-up equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass, which occurred during normal periods of equipment downtime or preventative maintenance.

2. For purposes of this Section:

- a. bypass means the intentional diversion of waste streams from any portion of a User's treatment facility.
- b. severe property damage means substantial physical damage to property, damage to the 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.

XIII. SEVERABILITY

If any provision of these Rules is invalidated by any court of competent jurisdiction, the remaining provisions shall not be affected and shall continue in full force and effect.

XIV. CONFLICTS

All ordinances, rules or regulations or provisions of other ordinances, rules or regulations that are inconsistent or conflicting with any part of these Rules are hereby repealed only to the extent of such inconsistency or conflict.

XV. EFFECTIVE DATE

These Rules are dated the 22nd day of April, 2020 and were adopted by the Board of Supervisors of the Reedy Creek Improvement District on such date. These Rules shall be in full force and effect immediately following their approval, adoption and publication by the District.

Note: See Resolution 616 for history of these Rules.