

ORDINANCE 2019-51

AN ORDINANCE OF THE CITY OF GROVELAND, COUNTY OF LAKE, STATE OF FLORIDA, AMENDING CHAPTER 78 OF THE GROVELAND CODE OF ORDINANCES TO INCLUDE REGULATIONS FOR ALL USERS OF THE CITY OF GROVELAND'S WASTEWATER UTILITY; PROHIBITING INTRODUCTION OF POLLUTANTS AND OTHER HARMFUL SUBSTANCES INTO THE CITY'S WASTEWATER UTILITY SYSTEM; REQUIRING COMPLIANCE WITH FEDERAL, STATE, AND LOCAL PRE-TREATMENT REGULATIONS; REQUIRING AN INDIVIDUAL WASTEWATER DISCHARGE PERMIT FROM CERTAIN INDUSTRIAL USERS PRIOR TO DISCHARGE INTO THE CITY'S WASTEWATER UTILITY SYSTEM; PROVIDING FOR ENFORCEMENT AND PENALTIES; PROVIDING FOR CONFLICTS, CODIFICATION AND SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Groveland provides wastewater utility services to residential, commercial and industrial users within the City of Groveland's utility district established pursuant to §180, *Florida Statutes*;

WHEREAS, the introduction of pollutants, or certain substances or wastewater into the City's Publicly Owned Treatment Works must be prohibited as they can be cause for disruptions in the City's Publicly Owned Treatment Works treatment processes or operations or its sludge processes, use or disposal, and may also be cause for violations of the City's discharge permit; and

WHEREAS, it is prudent for the City to require wastewater users to meet pre-treatment standards found at 40 CFR Chapter I, Subchapter N, Parts 405–471, Florida State Pretreatment Standards codified under Chapter 62-625 of the Florida Administrative Code (F.A.C.), as well as local standards as set forth herein; and

WHEREAS, to carry out the intent and purposes of this ordinance, the City Council requires certain industrial users to obtain an individual wastewater discharge permit from the City prior to discharging wastewater into the Publicly Owned Treatment Works, and imposes reporting requirements; and

WHEREAS, it is necessary to provide for enforcement remedies for violations of this ordinance; and

WHEREAS, City Council is authorized by Ch. 166, Florida Statutes, and Ch. 180, Florida Statutes to enact legislation regulating use of its wastewater utility system and for the promotion of the public health, safety and welfare of its citizens, businesses and utility users.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GROVELAND, LAKE COUNTY, FLORIDA, as follows:

SECTION 1. The above recitals are true and correct and, by this reference, are hereby incorporated into and made an integral part of this ordinance.

SECTION 2. Article VIII in Chapter 78 of the Code of Ordinances, City of Groveland, Florida, is hereby created to read as follows:

ARTICLE VIII. - Requirements for users of the city publically owned treatment works.

Exhibit A attached hereto is incorporated as though fully set forth herein.

SECTION 3. All ordinances or parts of ordinances in conflict herewith are hereby repealed and all ordinances or parts of ordinances not in conflict herewith are hereby continued in full force and effect.

SECTION 4. It is the intent of the City Council of the City of Groveland that the provisions of this chapter shall become and made a part of the City of Groveland Code of Ordinances; and grants authority to the codifier to renumber or re-letter sections, and change the words in this ordinance to section, article, chapter or such other appropriate word or phrase in order to accomplish such intentions.

SECTION 5. If any portion, clause, phrase, sentence or classification of this ordinance is held or declared to be either unconstitutional, invalid, inapplicable, inoperative or void, then such declaration shall not be construed to affect other portions of the ordinance; it is hereby declared to be the express opinion of the City Council of the City of Groveland that any such unconstitutional, invalid, inapplicable, inoperative or void portion or portions of this ordinance did not induce its passage, and that without the inclusion of any such portion or portions of this ordinance, the City Council would have enacted the valid constitutional portions thereof.

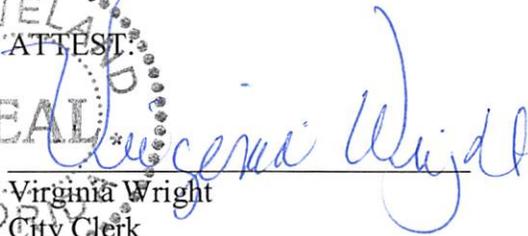
SECTION 6. The provisions within this ordinance shall take effect immediately upon adoption.

PASSED AND ORDAINED in regular session of the City Council of the City of Groveland, Lake County, Florida, this 7th day of October, 2019.



Evelyn Wilson, Mayor
City of Groveland, Florida

ATTEST:



Virginia Wright
City Clerk





Approved as to Form:

Anita Geraci-Carver

Anita Geraci-Carver
City Attorney

Passed First Reading 9-16-2019
Passed Second Reading 10-7-2019

Council Member Sweatt moved the passage and adoption of the above and foregoing Ordinance. Motion was seconded by Council Member Radzik and upon roll call on the motion the vote was as follows:

	YEA	NAY
Mike Radzik	✓	
Jeff Shoobridge	✓	
Mike Smith	✓	
Dina Sweatt	✓	
Evelyn Wilson	✓	



Sewer Use Ordinance
City of Groveland Public Works

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1. GENERAL PROVISIONS

1.1 PURPOSE AND POLICY

This ordinance sets forth uniform requirements for Users of the Publicly Owned Treatment Works for the City of Groveland, FL and enables the City to comply with all applicable State and Federal laws, including the Clean Water Act (33 United States Code [U.S.C.] section 1251 et seq.) and the General Pretreatment Regulations (Title 40 of the Code of Federal Regulations [CFR] Part 403). The objectives of this ordinance are:

- (a) To prevent the introduction of pollutants into the Publicly Owned Treatment Works (POTW) that will interfere with its operation;
- (b) To prevent the introduction of pollutants that will pass through the POTW, inadequately treated, into receiving waters, or otherwise be incompatible with the POTW;
- (c) To protect both POTW personnel who may be affected by wastewater and sludge in the course of their employment and the general public;
- (d) To promote reuse and recycling of industrial wastewater and sludge from the POTW;
- (e) To enable the City of Groveland to comply with its permit conditions, sludge use and disposal requirements, and any other Federal or State laws to which the POTW is subject.

This ordinance shall apply to all Users of the POTW. The ordinance authorizes the issuance of individual wastewater discharge permits; provides for monitoring, compliance, and enforcement activities; establishes administrative review procedures; and required User reporting;

1.2 ADMINISTRATION

Except as otherwise provided herein, the Director of Public Services shall administer, implement, and enforce the provisions of this ordinance. Any powers granted to or duties imposed upon the Director may be delegated by the Director to a duly authorized city employee.

1.3 ABBREVIATIONS

The following abbreviations, when used in this ordinance, shall have the designated meanings:

BOD	–	Biochemical Oxygen Demand
BMP	–	Best Management Practice
BMR	–	Baseline Monitoring Report
CFR	–	<i>Code of Federal Regulations</i>
CIU	–	Categorical Industrial User
COD	–	Chemical Oxygen Demand
EPA	–	U.S. Environmental Protection Agency
FDEP	–	Florida Department of Environmental Protection
FOG(s)	–	Fats, Oils, Greases
gpd	–	gallons per day
IU	–	Industrial User
mg/l	–	milligrams per liter
NOV	–	Notice of Violation
NPDES	–	National Pollutant Discharge Elimination System

NSCIU – Non-Significant Categorical Industrial User
POTW – Publicly Owned Treatment Works
RCRA – Resource Conservation and Recovery Act
SIU – Significant Industrial User
SNC – Significant Noncompliance
TSS – Total Suspended Solids
U.S.C. – United States Code
WWTP – Wastewater Treatment Plant

1.4 DEFINITIONS

Unless a provision explicitly states otherwise, the following terms and phrases, as used in this ordinance, shall have the meanings hereinafter designated.

Act or "the Act." The Federal Water Pollution Control Act, also known as the Clean Water Act, as amended, 33 U.S.C. section 1251 et seq.

Approval Authority. Florida Department of Environmental Protection.

Authorized or Duly Authorized Representative of the User.

(a) If the User is a corporation:

- (1) The president, secretary, treasurer, or a vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation; or
- (2) The manager of one or more manufacturing, production, or operating 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 wastewater discharge requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.

(b) If the User is a partnership or sole proprietorship: a general partner or proprietor, respectively.

- (1) If the User is a Federal, State, or local governmental facility: a director or highest official appointed or designated to oversee the operation and performance of the activities of the government facility, or their designee.
- (2) The individuals described in section (a), above, may designate a Duly Authorized Representative if the authorization is in writing, the authorization specifies the individual or position responsible for the overall operation of the facility from which the discharge originates or having overall responsibility for environmental matters for the company, and the written authorization is submitted to the City.

Biochemical Oxygen Demand or BOD. The quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedures for five (5) days at 20 degrees centigrade, usually expressed as a concentration (e.g., mg/l).

Best Management Practices or BMPs means schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to implement the prohibitions listed in Section 2.1 (a) and (b) [40 CFR 403.5(a)(1) and (b)]. BMPs include treatment requirements, operating procedures, and practices to control plant site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw materials storage.

Categorical Pretreatment Standard or Categorical Standard. Any regulation containing pollutant discharge limits promulgated by EPA in accordance with sections 307(b) and (c) of the Act (33 U.S.C. section 1317) that apply to a specific category of Users and that appear in 40 CFR Chapter I, Subchapter N, Parts 405-471.

Categorical Industrial User. An Industrial User subject to a categorical Pretreatment Standard or categorical Standard.

City. The City of Groveland.

Control Authority. The City.

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

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 a concentration, the daily discharge is the arithmetic average measurement of the pollutant concentration derived from all measurements taken that day.

Environmental Protection Agency or EPA. The U.S. Environmental Protection Agency or, where appropriate, the Regional Water Management Division Director, the Regional Administrator, or other duly authorized official of said agency.

Existing Source. Any source of discharge that is not a "New Source."

Grab Sample. A sample that is taken from a wastestream without regard to the flow in the wastestream and over a period not to exceed fifteen (15) minutes.

Indirect Discharge or Discharge. The introduction of pollutants into the POTW from any nondomestic source.

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 and the duration of the sampling event.

Interference. A discharge that, alone or in conjunction with a discharge or discharges from other sources, inhibits or disrupts the POTW, its treatment processes or operations or its sludge processes, use or disposal; and therefore, is a cause of a violation of the City's discharge permits or of the prevention of sewage sludge use or disposal in compliance with any of the following statutory/regulatory provisions or permits issued thereunder, or any more stringent State or local regulations: section 405 of the Act; the Solid Waste Disposal Act, including Title II commonly referred to as the Resource Conservation and Recovery Act (RCRA); any State regulations contained in any State sludge management plan prepared pursuant to Subtitle D of the Solid Waste Disposal Act; the Clean Air Act; the Toxic Substances Control Act; and the Marine Protection, Research, and Sanctuaries Act.

Local Limit. Specific discharge limits developed and enforced by the City upon industrial or commercial facilities to implement the general and specific discharge prohibitions listed in 40 CFR 403.5(a)(1) and (b).

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

Monthly Average. The sum of all “daily discharges” measured during a calendar month divided by the number of “daily discharges” measured during that month.

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

New Source:

- (a) Any building, structure, facility, or installation from which there is (or may be) a discharge of pollutants, the construction of which commenced after the publication of proposed Pretreatment Standards under section 307(c) of the Act that 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; or
 - (4) Any alteration to an existing process which results in a significant change to production method or products produced.
- (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 Section (a) above but otherwise alters, replaces, or adds to existing process or production equipment.
- (c) Construction of a New Source as defined under this paragraph has commenced if the owner or operator has:
 - (1) Begun, or caused to begin, as part of a continuous onsite construction program
 - (i) any placement, assembly, or installation of facilities or equipment; or
 - (ii) significant site preparation work including clearing, excavation, or removal of existing buildings, structures, or facilities which is necessary for the placement, assembly, or installation of new source facilities or equipment; or

- (2) Entered 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.

Noncontact Cooling Water. Water used for cooling that does not come into direct contact with any raw material, intermediate product, waste product, or finished product.

Pass Through. A discharge which exits the POTW into waters 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 City's discharge permit, including an increase in the magnitude or duration of a violation.

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, and local governmental entities.

pH. A measure of the acidity or alkalinity of a solution expressed in standard units.

Pollutant. Dredged spoil, solid waste, incinerator residue, filter backwash, sewage, garbage, sewage sludge, munitions, Medical Wastes, chemical wastes, biological materials, radioactive materials, heat, wrecked or discarded equipment, rock, sand, cellar dirt, municipal, agricultural and industrial wastes, and certain characteristics of wastewater (e.g., pH, temperature, TSS, turbidity, color, BOD, COD, toxicity, or odor).

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, introducing such pollutants into the POTW. This reduction or alteration can be obtained by physical, chemical, or biological processes; by process changes; or by other means, except by diluting the concentration of the pollutants unless allowed by an applicable Pretreatment Standard.

Pretreatment Requirements. Any substantive or procedural requirement related to pretreatment imposed on a User, other than a Pretreatment Standard.

Pretreatment Standards or Standards. Pretreatment Standards shall mean prohibited discharge standards, categorical Pretreatment Standards, and Local Limits.

Prohibited Discharge Standards or Prohibited Discharges. Absolute prohibitions against the discharge of certain substances; these prohibitions appear in Section 2.1 of this ordinance.

Publicly Owned Treatment Works or POTW. A treatment works, as defined by section 212 of the Act (33 U.S.C. section 1292), which is owned by the City. This definition includes any devices or systems used in the collection, storage, treatment, recycling, and reclamation of sewage or industrial wastes of a liquid nature and any conveyances, which convey wastewater to a treatment plant.

Rolling Average. The statistical mean of a measured variable over a predetermined period in which every new measurement replaces the value of the oldest measurement. For example, a six-month rolling average of a utility bill would include only the six most recent billing statements in the calculation.

Septic Tank Waste. Any sewage from holding tanks such as vessels, chemical toilets, campers, trailers, and septic tanks.

Sewage. Human excrement and gray water (household showers, dishwashing operations, etc.).

Significant Industrial User (SIU):

- (a) Except as provided in paragraphs (3) and (4) of this Section, a Significant Industrial User is:
- (1) An Industrial User subject to categorical Pretreatment Standards; or
 - (2) An Industrial User that:
 - (i) Discharges an average of twenty-five thousand (25,000) gpd or more of process wastewater to the POTW (excluding sanitary, noncontact cooling and boiler blowdown wastewater);
 - (ii) Contributes a process wastestream which makes up five (5) percent or more of the average dry weather hydraulic or organic capacity of the POTW treatment plant; or
 - (iii) Is designated as such by the City on the basis that it has a reasonable potential for adversely affecting the POTW's operation or for violating any Pretreatment Standard or Requirement.
 - (3) The City may determine that an Industrial User subject to categorical Pretreatment Standards is a Non-Significant Categorical Industrial User rather than a Significant Industrial User on a finding that the Industrial User never discharges more than 100 gallons per day (gpd) of total categorical wastewater (excluding sanitary, non-contact cooling and boiler blowdown wastewater, unless specifically included in the Pretreatment Standard) and the following conditions are met:
 - (i) The Industrial User, prior to City's finding, has consistently complied with all applicable categorical Pretreatment Standards and Requirements;
 - (ii) The Industrial User annually submits the certification statement required in Section 6.14 [see 40 CR 403.12(q)], together with any additional information necessary to support the certification statement; and
 - (iii) The Industrial User never discharges any untreated concentrated wastewater.
 - (4) Upon a finding that a User meeting the criteria in Subsection (2) of this part has no reasonable potential for adversely affecting the POTW's operation or for violating any Pretreatment Standard or Requirement, the City may at any time, on its own initiative or in response to a petition received from an Industrial User, and in accordance with procedures in 40 CFR 403.8(f)(6), determine that such User should not be considered a Significant Industrial User.

Slug Load or Slug Discharge. Any discharge at a flow rate or concentration, which could cause a violation of the prohibited discharge standards in Section 2.1 of this ordinance. A Slug Discharge is any Discharge of a non-routine, episodic nature, including but not limited to an accidental spill or a non-customary batch Discharge, which has a reasonable potential to cause Interference or Pass Through, or in any other way violate the POTW's regulations, Local Limits or Permit conditions.

Storm Water. Any flow occurring during or following any form of natural precipitation, and resulting from such precipitation, including snowmelt.

Total Suspended Solids or Suspended Solids. The total suspended matter that floats on the surface of, or is suspended in, water, wastewater, or other liquid, and that is removable by laboratory filtering.

User or Industrial User. A source of indirect discharge.

Wastewater. Liquid and water-carried industrial wastes and sewage from residential dwellings, commercial buildings, industrial and manufacturing facilities, and institutions, whether treated or untreated, which are contributed to the POTW.

Wastewater Treatment Plant or Treatment Plant. That portion of the POTW which is designed to provide treatment of municipal sewage and industrial waste.

2. GENERAL SEWER USE REQUIREMENTS

2.1 PROHIBITED DISCHARGE STANDARDS

- (a) **General Prohibitions.** No User shall introduce or cause to be introduced into the POTW any pollutant or wastewater which causes Pass Through or Interference. These general prohibitions apply to all Users of the POTW whether or not they are subject to categorical Pretreatment Standards or any other National, State, or local Pretreatment Standards or Requirements.
- (b) **Specific Prohibitions.** No User shall introduce or cause to be introduced into the POTW the following pollutants, substances, or wastewater:
- (1) Pollutants which create a fire or explosive hazard in the POTW, including, but not limited to, wastestreams with a closed-cup flashpoint of less than 140 degrees F (60 degrees C) using the test methods specified in 40 CFR 261.21;
 - (2) Wastewater having a pH less than 5.5 or more than 10.5, or otherwise causing corrosive structural damage to the POTW or equipment;
 - (3) Solid or viscous substances in amounts which will cause obstruction of the flow in the POTW resulting in Interference;
 - (4) Pollutants, including oxygen-demanding pollutants (BOD, etc.), released in a discharge at a flow rate and/or pollutant concentration which, either singly or by interaction with other pollutants, will cause Interference with the POTW;
 - (5) Wastewater having a temperature greater than 104 degrees F (40 degrees C), or which will inhibit biological activity in the treatment plant resulting in Interference;
 - (6) Petroleum oil, nonbiodegradable cutting oil, or products of mineral oil origin, in amounts that will cause Interference or Pass Through;
 - (7) Pollutants which result in the presence of toxic gases, vapors, or fumes within the POTW in a quantity that may cause acute worker health and safety problems;
 - (8) Trucked or hauled pollutants, except at discharge points designated by the Director of Public Services in accordance with Section 3.4 of this ordinance;
 - (9) Noxious or malodorous liquids, gases, solids, or other wastewater which, either singly or by interaction with other wastes, are sufficient to create a public nuisance or a hazard to life, or to prevent entry into the sewers for maintenance or repair;
 - (10) Wastewater which imparts color which cannot be removed by the treatment process, such as, but not limited to, dye wastes and vegetable tanning solutions, which consequently imparts color to the treatment plant's effluent, thereby violating the City's permit;
 - (11) Wastewater containing any radioactive wastes or isotopes except in compliance with applicable State or Federal regulations;
 - (12) Storm Water, surface water, ground water, artesian well water, roof runoff, subsurface drainage, swimming pool drainage, condensate, deionized water, Noncontact Cooling Water, and unpolluted wastewater, unless specifically authorized by the Director;
 - (13) Sludges, screenings, or other residues from the pretreatment of industrial wastes;

- (14) Medical Wastes, except as specifically authorized by the Director in an individual wastewater discharge permit;
- (15) Wastewater causing, alone or in conjunction with other sources, the treatment plant's effluent to fail toxicity test;
- (16) Detergents, surface-active agents, or other substances which that might cause excessive foaming in the POTW;
- (17) BOD in concentrations greater than 200 mg/l;
- (18) TSS in concentrations greater than 200 mg/l;
- (19) Fats, oils, or greases of animal or vegetable origin in concentrations greater than 50 mg/l;
- (20) Any volume of wastewater which would exceed the collection systems transfer capabilities.

Pollutants, substances, or wastewater prohibited by this Section shall not be processed or stored in such a manner that they could be discharged to the POTW.

2.2 NATIONAL CATEGORICAL PRETREATMENT STANDARDS

Users must comply with the categorical Pretreatment Standards found at 40 CFR Chapter I, Subchapter N, Parts 405–471.

- (a) Where a categorical Pretreatment Standard is expressed only in terms of either the mass or the concentration of a pollutant in wastewater, the Director may impose equivalent concentration or mass limits in accordance with Section 2.2 (e) and 2.2 (f).
- (b) When the limits in a categorical Pretreatment Standard are expressed only in terms of mass of pollutant per unit of production, the Director may convert the limits to equivalent limitations expressed either as mass of pollutant discharged per day or effluent concentration for purposes of calculating effluent limitations applicable to individual Industrial Users.
- (c) When wastewater subject to a categorical Pretreatment Standard is mixed with wastewater not regulated by the same Standard, Director shall impose an alternate limit in accordance with 40 CFR 403.6(e).
- (d) The Director may convert the mass limits of the categorical Pretreatment Standards of 40 CFR Parts 414, 419, and 455 to concentration limits for purposes of calculating limitations applicable to individual Industrial Users. The conversion is at the discretion of the Director.

[Note: When converting such limits to concentration limits, the Director will use the concentrations listed in the applicable subparts of 40 CFR Parts 414, 419, and 455 and document that dilution is not being substituted for treatment as prohibited by Section 2.6 of this ordinance (see 40 CFR 403.6(d)). In addition, the Director will document how the equivalent limits were derived for any changes from concentration to mass limits, or vice versa, and make this information publicly available (see 40 CFR 403.6(c)(7)).]

- (e) Once included in its permit, the Industrial User must comply with the equivalent limitations developed in this Section 2.2 in lieu of the promulgated categorical Standards from which the equivalent limitations were derived. **[Note: See 40 CFR 403.6(c)(7)]**

- (f) Many categorical Pretreatment Standards specify one limit for calculating maximum daily discharge limitations and a second limit for calculating maximum Monthly Average, or 4-day average, limitations. Where such Standards are being applied, the same production or flow figure shall be used in calculating both the average and the maximum equivalent limitation. [Note: See 40 CFR 403.6(c)(8)]
- (g) Any Industrial User operating under a permit incorporating equivalent mass or concentration limits calculated from a production-based Standard shall notify the Director within two (2) business days after the User has a reasonable basis to know that the production level will significantly change within the next calendar month. Any User not notifying the Director of such anticipated change will be required to meet the mass or concentration limits in its permit that were based on the original estimate of the long-term average production rate. [Note: See 40 CFR 403.6(c)(9)]

2.3 STATE PRETREATMENT STANDARDS

Users must comply with the Florida State Pretreatment Standards codified under Chapter 62-625 of the Florida Administrative Code (F.A.C.).

2.4 LOCAL LIMITS

- (a) The Director of Public Services is authorized to establish Local Limits pursuant to 40 CFR 403.5(c).
- (b) No User shall discharge wastewater containing pollutants in excess of the local limits for those pollutants which have been established for the City of Groveland using standard procedures, calculations and methods acceptable to FDEP to protect against pass through, interference, protection of City employees, and adverse effects on wastewater residuals disposal. No industrial user shall discharge process waste streams, unregulated waste streams, or dilute waste streams in excess of the concentrations set forth by the Director. Local limits shall be included as permit conditions and attached to each SIU wastewater permit issued. The established local limits are subject to change and shall be modified as needed based on regulatory requirements and standards, WWTP operation, performance and processes, the industrial user 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 30 days from notice of acceptance of the modified limits by FDEP. Permitted SIUs shall also be issued an addendum to their wastewater discharge permit containing the new local limits. The established local limits apply at the point where the wastewater is discharged to the POTW. All concentrations for metallic substances are for total metal unless indicated otherwise. At his or her discretion, the director may impose mass limitations in addition to or in place of the concentration-based limitations.

The Director may develop Best Management Practices (BMPs), by ordinance or in individual wastewater discharge permits to implement Local Limits and the requirements of Section 2.1.

2.5 CITY'S RIGHT OF REVISION

The City reserves the right to establish, by ordinance or in individual wastewater discharge permits more stringent Standards or Requirements on discharges to the POTW consistent with the purpose of this ordinance.

2.6 DILUTION

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 discharge limitation unless

expressly authorized by an applicable Pretreatment Standard or Requirement. The Director may impose mass limitations on Users who are using dilution to meet applicable Pretreatment Standards or Requirements, or in other cases when the imposition of mass limitations is appropriate.

2.7 SURCHARGES

- (a) Any User discharging wastewater to the POTW is subject to additional surcharges for pollutant concentrations above those limits defined in section 2.1 or the User's individual wastewater permit limits, whichever is stricter.
- (b) Surcharges reflect the real cost incurred by the WWTP to treat and remove the pollutants in excess of established limits. Rates are subject to change at the discretion of the Director.
- (c) Surcharges will be calculated for each pollutant based on a six-month rolling average of reported values.

(1) BOD Surcharge = ([Effluent BOD (six-month rolling average), mg/l – 200 mg/l BOD] * 8.34 * Monthly Flow Volume, MGD) * \$0.100/lb

(2) TSS Surcharge = ([Effluent TSS (six-month rolling average), mg/l – 200 mg/l TSS] * 8.34 * Monthly Flow Volume, MGD) * \$0.100/lb

(3) FOG Surcharge = ([Effluent FOG (six-month rolling average), mg/l – 50 mg/l FOG] * 8.34 * Monthly Flow Volume, MGD) * \$0.100/lb

3. PRETREATMENT OF WASTEWATER

3.1 PRETREATMENT FACILITIES

Users shall provide wastewater treatment as necessary to comply with this ordinance and shall achieve compliance with all categorical Pretreatment Standards, Local Limits, and the prohibitions set out in Section 2.1 of this ordinance within the time limitations specified by EPA, the State, or the Director, whichever is more stringent. Any facilities necessary for compliance shall be provided, operated, and maintained at the User's expense. Detailed plans describing such facilities and operating procedures shall be submitted to the Director for review and shall be acceptable to the Director before such facilities are constructed. The review of such plans and operating procedures shall in no way relieve the User from the responsibility of modifying such facilities as necessary to produce a discharge acceptable to the City under the provisions of this ordinance.

3.2 ADDITIONAL PRETREATMENT MEASURES

- (a) Whenever deemed necessary, the Director 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 wastestreams from industrial wastestreams, and such other conditions as may be necessary to protect the POTW and determine the User's compliance with the requirements of this ordinance.
- (b) The Director 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 wastewater discharge permit may be issued solely for flow equalization.
- (c) Grease, oil, and sand interceptors shall be provided when, in the opinion of the Director, they are necessary for the proper handling of wastewater containing excessive amounts of grease and oil, or sand; except that such interceptors shall not be required for residential users. All interception units shall be of a type and capacity approved by the Director and shall be so located to be easily accessible for cleaning and inspection. Such interceptors shall be inspected, cleaned, and repaired as needed by the User at their expense.
 - (1) The attempt to bypass the pretreatment measures above through the use of any type of "grease eating" bacteria or chemicals is prohibited and cause for violating a User's discharge permit.
- (d) Users with the potential to discharge flammable substances may be required to install and maintain an approved combustible gas detection meter.

3.3 ACCIDENTAL DISCHARGE/SLUG CONTROL PLANS

The Director of Public Services shall evaluate whether each SIU needs an accidental discharge/slug discharge control plan or other action to control Slug Discharges. The Director 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 Director may develop such a plan for any User. An accidental discharge/slug discharge control plan shall address, at a minimum, the following:

- (a) Description of discharge practices, including nonroutine batch discharges;
- (b) Description of stored chemicals;

- (c) Procedures for immediately notifying the Director of any accidental or Slug Discharge, as required by Section 6.6 of this ordinance; and
- (d) Procedures to prevent adverse impact from any accidental or Slug Discharge. 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 runoff, worker training, building of containment structures or equipment, measures for containing toxic organic pollutants, including solvents, and/or measures and equipment for emergency response.

3.4 HAULED WASTEWATER

- (a) Septic tank waste may be introduced into the POTW only at locations designated by the Director, and at such times as are established by the Director. Such waste shall not violate Section 2 of this ordinance or any other requirements established by the City. The Director may require septic tank waste haulers to obtain individual wastewater discharge permits.
- (b) The Director may require haulers of industrial waste to obtain individual wastewater discharge permits. The Director may require generators of hauled industrial waste to obtain individual wastewater discharge permits. The Director also may prohibit the disposal of hauled industrial waste. The discharge of hauled industrial waste is subject to all other requirements of this ordinance.
- (c) Industrial waste haulers may discharge loads only at locations designated by the Director. No load may be discharged without prior consent of the Director. The Director may collect samples of each hauled load to ensure compliance with applicable Standards. The Director may require the industrial waste hauler to provide a waste analysis of any load prior to discharge.
- (d) Industrial waste haulers must provide a waste-tracking form for every load. This form shall include, at a minimum, the name and address of the industrial waste hauler, permit number, truck identification, names and addresses of sources of waste, and volume and characteristics of waste. The form shall identify the type of industry, known or suspected waste constituents, and whether any wastes are RCRA hazardous wastes. Users that accept trucked industrial wastes for treatment and eventual discharge to the sewer are also required to file a waste-tracking form for each load.

4. INDIVIDUAL WASTEWATER DISCHARGE PERMITS

4.1 WASTEWATER ANALYSIS

When requested by the Director, a User must submit information on the nature and characteristics of its wastewater within (30) days of the request. The Director is authorized to prepare a form for this purpose and may periodically require Users to update this information.

4.2 INDIVIDUAL WASTEWATER DISCHARGE PERMIT REQUIREMENT

- (a) No Significant Industrial User shall discharge wastewater into the POTW without first obtaining an individual wastewater discharge permit from the Director, except that a Significant Industrial User that has filed a timely application pursuant to Section 4.3 of this ordinance may continue to discharge for the time period specified therein.
- (b) The Director may require other Users to obtain individual wastewater discharge permits as necessary to carry out the purposes of this ordinance.
- (c) Any violation of the terms and conditions of an individual wastewater discharge permit shall be deemed a violation of this ordinance and subjects the wastewater discharge permittee to the sanctions set out in Sections 10 through 12 of this ordinance. Obtaining an individual wastewater discharge permit does not relieve a permittee of its obligation to comply with all Federal and State Pretreatment Standards or Requirements or with any other requirements of Federal, State, and local law.

4.3 INDIVIDUAL WASTEWATER DISCHARGE PERMITTING: EXISTING CONNECTIONS

Any User required to obtain an individual wastewater discharge permit who was discharging wastewater into the POTW prior to the effective date of this ordinance and who wishes to continue such discharges in the future, shall, within (30) days after said date, apply to the Director for an individual wastewater discharge permit in accordance with Section 4.5 of this ordinance, and shall not cause or allow discharges to the POTW to continue after (90) days of the effective date of this ordinance except in accordance with an individual wastewater discharge permit issued by the Director.

4.4 INDIVIDUAL WASTEWATER DISCHARGE PERMITTING: NEW CONNECTIONS

Any User required to obtain an individual wastewater discharge permit who proposes to begin or recommence discharging into the POTW must obtain such permit prior to the beginning or recommencing of such discharge. An application for this individual wastewater discharge permit, in accordance with Section 4.5 of this ordinance, must be filed at least (30) days prior to the date upon which any discharge will begin or recommence.

4.5 INDIVIDUAL WASTEWATER DISCHARGE PERMIT APPLICATION CONTENTS

All Users required to obtain an individual wastewater discharge permit must submit a permit application. The Director may require Users to submit all or some of the following information as part of a permit application:

(a) Identifying Information.

- (1) The name and address of the facility, including the name of the operator and owner.
- (2) Contact information, description of activities, facilities, and plant production processes on the premises;

(b) Environmental Permits. A list of any environmental control permits held by or for the facility.

(c) Description of Operations.

- (1) A brief description of the nature, average rate of production (including each product produced by type, amount, processes, and rate of production), and standard industrial classifications of the operation(s) carried out by such User. This description should include a schematic process diagram, which indicates points of discharge to the POTW from the regulated processes.
- (2) Types of wastes generated, and a list of all raw materials and chemicals used or stored at the facility which are, or could accidentally or intentionally be, discharged to the POTW;
- (3) Number and type of employees, hours of operation, and proposed or actual hours of operation;
- (4) Type and amount of raw materials processed (average and maximum per day);
- (5) Site plans, floor plans, mechanical and plumbing plans, and details to show all sewers, floor drains, and appurtenances by size, location, and elevation, and all points of discharge;

(d) Time and duration of discharges;

(e) The location for monitoring all wastes covered by the permit;

(f) Flow Measurement. Information showing the measured average daily and maximum daily flow, in gallons per day, to the POTW from regulated process streams and other streams, as necessary, to allow use of the combined wastestream formula set out in 40 CFR 403.6(e).

(g) Measurement of Pollutants.

- (1) The categorical Pretreatment Standards applicable to each regulated process and any new categorically regulated processes for Existing Sources.
- (2) The results of sampling and analysis identifying the nature and concentration, and/or mass, where required by the Standard or by the Director, of regulated pollutants in the discharge from each regulated process.
- (3) Instantaneous, Daily Maximum, and long-term average concentrations, or mass, where required, shall be reported.
- (4) The sample shall be representative of daily operations and shall be analyzed in accordance with procedures set out in Section 6.10 of this ordinance. Where the Standard requires compliance with a BMP or pollution prevention alternative, the User shall submit documentation as required by the Director or the applicable Standards to determine compliance with the Standard.

(5) Sampling must be performed in accordance with procedures set out in Section 6.11 of this ordinance.

(h) Any other information as may be deemed necessary by the Director to evaluate the permit application.

Incomplete or inaccurate applications will not be processed and will be returned to the User for revision.

4.6 APPLICATION SIGNATORIES AND CERTIFICATIONS

All wastewater discharge permit applications, User reports and certification statements must be signed by an Authorized Representative of the User and contain the certification statement in Section 6.14.

If the designation of an Authorized Representative is no longer accurate because a different individual or position has responsibility for the overall operation of the facility or overall responsibility for environmental matters for the company, a new written authorization satisfying the requirements of this Section must be submitted to the Director prior to or together with any reports to be signed by an Authorized Representative.

4.7 INDIVIDUAL WASTEWATER DISCHARGE PERMIT DECISIONS

The Director will evaluate the data furnished by the User and may require additional information. Within (30) days of receipt of a complete permit application, the Director will determine whether to issue an individual wastewater discharge permit. The Director may deny any application for an individual wastewater discharge permit.

5. INDIVIDUAL WASTEWATER DISCHARGE PERMIT ISSUANCE

5.1 PERMIT DURATION

An individual wastewater discharge permit shall be issued for a specified time period, not to exceed five (5) years from the effective date of the permit. An individual wastewater discharge permit may be issued for a period less than five (5) years, at the discretion of the Director. Each individual wastewater discharge permit will indicate a specific date upon which it will expire.

5.2 PERMIT CONTENTS

An individual wastewater discharge permit shall include such conditions as are deemed reasonably necessary by the Director to prevent Pass Through or Interference, protect the quality of the water body receiving the treatment plant's effluent, protect worker health and safety, facilitate sludge management and disposal, and protect against damage to the POTW.

Individual wastewater discharge permits must contain:

- (a) A statement that indicates the wastewater discharge permit issuance date, expiration date and effective date;
- (b) A statement that the wastewater discharge permit is nontransferable without prior notification to the City in accordance with Section 5.5 of this ordinance, and provisions for furnishing the new owner or operator with a copy of the existing wastewater discharge permit;
- (c) Effluent limits, including Best Management Practices, based on applicable Pretreatment Standards;
- (d) Self-monitoring, sampling, reporting, notification, and record-keeping requirements. These requirements shall include an identification of pollutants (or best management practice) to be monitored, sampling location, sampling frequency, and sample type based on Federal, State, and local law.
- (e) A statement of applicable civil and criminal penalties for violation of Pretreatment Standards and Requirements, and any applicable compliance schedule. Such schedule may not extend the time for compliance beyond that required by applicable Federal, State, or local law.
- (f) Requirements to control Slug Discharge, if determined by the Director to be necessary.

Individual wastewater discharge permits may contain, but need not be limited to, the following conditions:

- (a) Limits on the average and/or maximum rate of discharge, time of discharge, and/or requirements for flow regulation and equalization;
- (b) Requirements for the installation of pretreatment technology, pollution control, or construction of appropriate containment devices, designed to reduce, eliminate, or prevent the introduction of pollutants into the treatment works;
- (c) Requirements for the development and implementation of spill control plans or other special conditions including management practices necessary to adequately prevent accidental, unanticipated, or nonroutine discharges;
- (d) Development and implementation of waste minimization plans to reduce the amount of pollutants discharged to the POTW;

- (e) The unit charge or schedule of User charges and fees for the management of the wastewater discharged to the POTW;
- (f) Requirements for installation and maintenance of inspection and sampling facilities and equipment, including flow measurement devices;
- (g) A statement that compliance with the individual wastewater discharge permit does not relieve the permittee of responsibility for compliance with all applicable Federal and State Pretreatment Standards, including those which become effective during the term of the individual wastewater discharge permit; and
- (h) Other conditions as deemed appropriate by Director to ensure compliance with this ordinance, and State and Federal laws, rules, and regulations.

5.3 PERMIT APPEALS

The Director shall provide public notice of the issuance of an individual wastewater discharge permit. Any person, including the User, may petition the Director to reconsider the terms of an individual wastewater discharge permit within (30) days of notice of its issuance.

- (a) Failure to submit a timely petition for review shall be deemed to be a waiver of the administrative appeal.
- (b) In its petition, the appealing party must indicate the individual wastewater discharge permit provisions objected to, the reasons for this objection, and the alternative condition, if any, it seeks to place in the individual wastewater discharge permit.
- (c) The effectiveness of the individual wastewater discharge permit shall not be stayed pending the appeal.
- (d) If the Director fails to act within (30) days, a request for reconsideration shall be deemed to be denied. Decisions not to reconsider an individual wastewater discharge permit, not to issue an individual wastewater discharge permit, or not to modify an individual wastewater discharge permit be considered final administrative actions for purposes of judicial review.

5.4 PERMIT MODIFICATION

The Director may modify an individual wastewater discharge permit for good cause, including, but not limited to, the following reasons:

- (a) To incorporate any new or revised Federal, State, or local Pretreatment Standards or Requirements;
- (b) To address significant alterations or additions to the User's operation, processes, or wastewater volume or character since the time of the individual wastewater discharge permit issuance;
- (c) A change in the POTW that requires either a temporary or permanent reduction or elimination of the authorized discharge;
- (d) Information indicating that the permitted discharge poses a threat to the City's POTW, City personnel, or the receiving waters;
- (e) Violation of any terms or conditions of the individual wastewater discharge permit;

- (f) Misrepresentations or failure to fully disclose all relevant facts in the wastewater discharge permit application or in any required reporting;
- (g) Revision of or a grant of variance from categorical Pretreatment Standards pursuant to 40 CFR 403.13;
- (h) To correct typographical or other errors in the individual wastewater discharge permit; or
- (i) To reflect a transfer of the facility ownership or operation to a new owner or operator.

5.5 PERMIT TRANSFER

Individual wastewater discharge permits may be transferred to a new owner or operator only if the permittee gives at least (30) days advance notice to the Director and the Director approves the individual wastewater discharge permit transfer. The notice to the Director must include a written certification by the new owner or operator which:

- (a) States that the new owner and/or operator has no immediate intent to change the facility's operations and processes;
- (b) Identifies the specific date on which the transfer is to occur; and
- (c) Acknowledges full responsibility for complying with the existing individual wastewater discharge permit.

Failure to provide advance notice of a transfer renders the individual wastewater discharge permit void as of the date of facility transfer.

5.6 PERMIT REVOCATION

The Director may revoke an individual wastewater discharge permit for good cause, including, but not limited to, the following reasons:

- (a) Failure to notify the Director of significant changes to the wastewater prior to the changed discharge;
- (b) Failure to provide prior notification to the Director of changed conditions pursuant to Section 6.5 of this ordinance;
- (c) Misrepresentation or failure to fully disclose all relevant facts in the wastewater discharge permit application;
- (d) Falsifying self-monitoring reports and certification statements;
- (e) Tampering with monitoring equipment;
- (f) Refusing to allow the Director timely access to the facility premises and records;
- (g) Failure to meet effluent limitations;
- (h) Failure to pay fines;
- (i) Failure to pay sewer charges;
- (j) Failure to meet compliance schedules;

- (k) Failure to complete a wastewater survey or the wastewater discharge permit application;
- (l) Failure to provide advance notice of the transfer of business ownership of a permitted facility; or
- (m) Violation of any Pretreatment Standard or Requirement, or any terms of the wastewater discharge permit or this ordinance.

Individual wastewater discharge permits shall be voidable upon cessation of operations or transfer of business ownership. All individual wastewater discharge permits issued to a User are void upon the issuance of a new individual wastewater discharge permit to that User.

5.7 PERMIT REISSUANCE

A user with an expiring wastewater discharge permit shall apply for wastewater discharge permit re-issuance by submitting a complete permit application, in accordance with Section 4.5 of this ordinance, a minimum of ninety (90) days prior to the expiration of the user's existing wastewater discharge permit.

6. REPORTING REQUIREMENTS

6.1 BASELINE MONITORING REPORTS

Within either one hundred eighty (180) days after the effective date of a categorical Pretreatment Standard, or the final administrative decision on a category determination under 40 CFR 403.6(a)(4), whichever is later, existing Categorical Industrial Users currently discharging to or scheduled to discharge to the POTW shall submit to the Director a report which contains the information listed in the paragraph below. At least ninety (90) days prior to commencement of their discharge, New Sources, and sources that become Categorical Industrial Users subsequent to the promulgation of an applicable categorical Standard, shall submit to the Director a report which contains the information listed in the paragraph below. A New Source shall report the method of pretreatment it intends to use to meet applicable categorical Standards. A New Source also shall give estimates of its anticipated flow and quantity of pollutants to be discharged.

Users described above shall submit the information set forth below.

- (a) All information required in Section 4.5
- (b) Measurement of pollutants.
 - (1) The User shall provide the information required in Section 4.5 (g) (1) through (4).
 - (2) The User shall take a minimum of one representative sample to compile that data necessary to comply with the requirements of this paragraph.
 - (3) Samples should be taken immediately downstream from pretreatment facilities if such exist or immediately downstream from the regulated process if no pretreatment exists. If other wastewaters are mixed with the regulated wastewater prior to pretreatment the User should measure the flows and concentrations necessary to allow use of the combined wastestream formula in 40 CFR 403.6(e) to evaluate compliance with the Pretreatment Standards. Where an alternate concentration or mass limit has been calculated in accordance with 40 CFR 403.6(e) this adjusted limit along with supporting data shall be submitted to the Control Authority;
 - (4) Sampling and analysis shall be performed in accordance with Section 6.10;
 - (5) The Director may allow the submission of a baseline report which utilizes only historical data so long as the data provides information sufficient to determine the need for industrial pretreatment measures;
 - (6) The baseline report shall indicate the time, date and place of sampling and methods of analysis, and shall certify that such sampling and analysis is representative of normal work cycles and expected pollutant Discharges to the POTW.
- (c) Compliance Certification. A statement, reviewed by the User's Authorized Representative as defined in Section 1.4 and certified by a qualified professional, indicating whether Pretreatment Standards are being met on a consistent basis, and, if not, whether additional operation and maintenance (O&M) and/or additional pretreatment is required to meet the Pretreatment Standards and Requirements.
- (d) Compliance Schedule. If additional pretreatment and/or O&M will be required to meet the Pretreatment Standards, the shortest schedule by which the User will provide such additional pretreatment and/or O&M must be provided. The completion date in this schedule shall not be

later than the compliance date established for the applicable Pretreatment Standard. A compliance schedule pursuant to this Section must meet the requirements set out in Section 6.2 of this ordinance.

- (e) **Signature and Report Certification.** All baseline monitoring reports must be certified in accordance with Section 6.14 of this ordinance and signed by an Authorized Representative as defined in Section 1.4.

6.2 COMPLIANCE SCHEDULE PROGRESS REPORTS

The following conditions shall apply to the compliance schedule required by Section 6.1 of this ordinance:

- (a) The schedule shall contain progress increments in the form of dates for the commencement and completion of major events leading to the construction and operation of additional pretreatment required for the User to meet the applicable Pretreatment Standards (such events include, but are not limited to, hiring an engineer, completing preliminary and final plans, executing contracts for major components, commencing and completing construction, and beginning and conducting routine operation);
- (b) No increment referred to above shall exceed nine (9) months;
- (c) The User shall submit a progress report to the Director no later than fourteen (14) days following each date in the schedule and the final date of compliance including, as a minimum, whether or not it complied with the increment of progress, the reason for any delay, and, if appropriate, the steps being taken by the User to return to the established schedule; and
- (d) In no event shall more than nine (9) months elapse between such progress reports to the Director.

6.3 REPORTS ON COMPLIANCE WITH CATEGORICAL PRETREATMENT STANDARD DEADLINE

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 User subject to such Pretreatment Standards and Requirements shall submit to the Director a report containing the information described in Section 4.5 and 6.1 of this ordinance. For Users subject to equivalent mass or concentration limits established in accordance with the procedures in Section 2.2 [**Note: See 40 CFR 403.6(c)**], this report shall contain a reasonable measure of the User's long-term production rate. For all other Users subject to categorical Pretreatment Standards expressed in terms of allowable pollutant discharge per unit of production (or other measure of operation), this report shall include the User's actual production during the appropriate sampling period. All compliance reports must be signed and certified in accordance with Section 6.14 of this ordinance. All sampling will be done in conformance with Section 6.11.

6.4 PERIODIC COMPLIANCE REPORTS

Except as specified in Section 6.4 (c), all Significant Industrial Users must, at a frequency determined by the Director submit no less than twice per year (June and December) reports indicating the nature, concentration of pollutants in the discharge which are limited by Pretreatment Standards and the measured or estimated average and maximum daily flows for the reporting period. In cases where the Pretreatment Standard requires compliance with a Best Management Practice (BMP) or pollution prevention alternative, the User must submit documentation required by the Director or the Pretreatment Standard necessary to determine the compliance status of the User.

The City may authorize an Industrial User subject to a categorical Pretreatment Standard to forego sampling of a pollutant regulated by a categorical Pretreatment Standard if the Industrial User has demonstrated through sampling and other technical factors that the pollutant is neither present nor expected to be present in the Discharge, or is present only at background levels from intake water and without any increase in the pollutant due to activities of the Industrial User. [see 40 CFR 403.12(e)(2)] This authorization is subject to the following conditions:

- (a) The waiver may be authorized where a pollutant is determined to be present solely due to sanitary wastewater discharged from the facility provided that the sanitary wastewater is not regulated by an applicable categorical Standard and otherwise includes no process wastewater.
- (b) The monitoring waiver is valid only for the duration of the effective period of the individual wastewater discharge permit, but in no case longer than 5 years. The User must submit a new request for the waiver before the waiver can be granted for each subsequent individual wastewater discharge permit.
- (c) In making a demonstration that a pollutant is not present, the Industrial User must provide data from at least one sampling of the facility's process wastewater prior to any treatment present at the facility that is representative of all wastewater from all processes.
- (d) The request for a monitoring waiver must be signed in accordance with Section 1.4 and include the certification statement in 6.14 [see (40 CFR 403.6(a)(2)(ii))].
- (e) Non-detectable sample results may be used only as a demonstration that a pollutant is not present if the EPA approved method from 40 CFR Part 136 with the lowest minimum detection level for that pollutant was used in the analysis.
- (f) Any grant of the monitoring waiver by the Director must be included as a condition in the User's permit. The reasons supporting the waiver and any information submitted by the User in its request for the waiver must be maintained by the Director for 5 years after expiration of the waiver.
- (g) Upon approval of the monitoring waiver and revision of the User's permit by the Director, the Industrial User must certify on each report with the statement in Section 6.14 below, that there has been no increase in the pollutant in its wastestream due to activities of the Industrial User.
- (h) In the event that a waived pollutant is found to be present or is expected to be present because of changes that occur in the User's operations, the User must immediately: Comply with the monitoring requirements of Section 6.4, or other more frequent monitoring requirements imposed by the Director, and notify the Director.
- (i) This provision does not supersede certification processes and requirements established in categorical Pretreatment Standards, except as otherwise specified in the categorical Pretreatment Standard.

6.5 REPORTS OF CHANGED CONDITIONS

Each User must notify the Director of any significant changes to the User's operations or system which might alter the nature, quality, or volume of its wastewater at least (90) days before the change.

- (a) The Director may require the User to submit such information as may be deemed necessary to evaluate the changed condition, including the submission of a wastewater discharge permit application under Section 4.5 of this ordinance.

- (b) The Director may issue an individual wastewater discharge permit under Section 5.7 of this ordinance or modify an existing wastewater discharge permit under Section 5.4 of this ordinance in response to changed conditions or anticipated changed conditions.

6.6 REPORTS OF POTENTIAL PROBLEMS

- (a) In the case of any discharge, including, but not limited to, accidental discharges, discharges of a nonroutine, episodic nature, a noncustomary batch discharge, a Slug Discharge or Slug Load, that might cause potential problems for the POTW, the User shall immediately telephone and notify the Director of the incident. This notification shall include the location of the discharge, type of waste, concentration and volume, if known, and corrective actions taken by the User.
- (b) Within five (5) days following such discharge, the User shall, unless waived by the Director, submit a detailed written report describing the cause(s) of the discharge and the measures to be taken by the User to prevent similar future occurrences. Such notification shall not relieve the User of any expense, loss, damage, or other liability which might be incurred as a result of damage to the POTW, natural resources, or any other damage to person or property; nor shall such notification relieve the User of any fines, penalties, or other liability which may be imposed pursuant to this ordinance.
- (c) 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 a discharge described in paragraph A, above. Employers shall ensure that all employees, who could cause such a discharge to occur, are advised of the emergency notification procedure.
- (d) Significant Industrial Users are required to notify the Director immediately of any changes at its facility affecting the potential for a Slug Discharge.

6.7 REPORTS FROM UNPERMITTED USERS

All Users not required to obtain an individual wastewater discharge permit shall provide appropriate reports to the Director as required.

6.8 NOTICE OF VIOLATION/REPEAT SAMPLING REPORTING

If sampling performed by a User indicates a violation, the User must notify the Director within twenty-four (24) hours of becoming aware of the violation. The User shall also repeat the sampling and analysis and submit the results of the repeat analysis to the Director within thirty (30) days after becoming aware of the violation. Resampling by the Industrial User is not required if the City performs sampling at the User's facility at least once a month, or if the City performs sampling at the User between the time when the initial sampling was conducted and the time when the User or the City receives the results of this sampling, or if the City has performed the sampling and analysis in lieu of the Industrial User.

6.9 NOTIFICATION OF THE DISCHARGE OF HAZARDOUS WASTE

- (a) Any User who commences the discharge of hazardous waste shall notify the POTW, the EPA Regional Waste Management Division Director, and State hazardous waste authorities, in writing, of any discharge into the POTW of a substance which, if otherwise disposed of, would be a hazardous waste under 40 CFR Part 261. Such notification must include the name of the hazardous waste as set forth in 40 CFR Part 261, the EPA hazardous waste number, and the type of discharge (continuous, batch, or other). If the User discharges more than one hundred (100) kilograms of such waste per calendar month to the POTW, the notification also shall contain the following information to the extent such information is known and readily available to the User: an

identification of the hazardous constituents contained in the wastes, an estimation of the mass and concentration of such constituents in the wastestream discharged during that calendar month, and an estimation of the mass of constituents in the wastestream expected to be discharged during the following twelve (12) months. All notifications must take place no later than one hundred and eighty (180) days after the discharge commences. Any notification under this paragraph need be submitted only once for each hazardous waste discharged. However, notifications of changed conditions must be submitted under Section 6.5 of this ordinance. The notification requirement in this Section does not apply to pollutants already reported by Users subject to categorical Pretreatment Standards under the self-monitoring requirements of Sections 6.1, 6.3, and 6.4 of this ordinance.

- (b) Dischargers are exempt from the requirements of paragraph (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 40 CFR 261.30(d) and 261.33(e). Discharge of more than fifteen (15) kilograms of nonacute hazardous wastes in a calendar month, or of any quantity of acute hazardous wastes as specified in 40 CFR 261.30(d) and 261.33(e), requires a one-time notification. Subsequent months during which the User discharges more than such quantities of any hazardous waste do not require additional notification.
- (c) In the case of any new regulations under section 3001 of RCRA identifying additional characteristics of hazardous waste or listing any additional substance as a hazardous waste, the User must notify the Director of Public Services, the EPA Regional Waste Management Waste Division Director, and State hazardous waste authorities of the discharge of such substance within ninety (90) days of the effective date of such regulations.
- (d) In the case of any notification made under this Section, the User shall certify that it has a program in place to reduce the volume and toxicity of hazardous wastes generated to the degree it has determined to be economically practical.
- (e) This provision does not create a right to discharge any substance not otherwise permitted to be discharged by this ordinance, a permit issued thereunder, or any applicable Federal or State law.

6.10 ANALYTICAL REQUIREMENTS

All activities related to sampling and analysis shall comply with Chapter 62-160, F.A.C., and shall be conducted under the requirements of Rule 62-160.300(5), F.A.C., which is Category 2A.

- (a) All activities related to sampling and analysis shall be performed in accordance with Chapter 62-160, F.A.C. and 40 CFR 136 as appropriate. Sample collection methods shall be consistent with the standard operating procedures defined in the most recent revisions of DEP-SOP-001/01. Analyses must be performed by a laboratory certified by the state of Florida Department of Health Bureau of Laboratories, to be in compliance with the NELAC (National Environmental Laboratory Accreditation Conference) Standards and F.A.C. Rule 64E-1 regulations for the examination of environmental samples in the appropriate category.
- (b) To the extent possible, analytical tests shall be performed in accordance with the techniques prescribed in Chapter 62-160, F.A.C. If a test for a specific component is not available in Chapter 62-160, F.A.C., the testing laboratory shall select an alternative method from those listed in DER-QA-001/92 and propose its use to the Quality assurance Section of the Department. The Department shall determine if the proposed method is appropriate and applicable for use by the laboratory in accordance with Rule 62-160.530, F.A.C.

- (c) Where sampling or analytical techniques for the pollutant in question are not available or approved, or where the Department 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 procedures suggested by the control authority or other parties, for which method validation information has been submitted and approved by the Department in accordance with Rules 62-160.430, 62-160.520 and 62-160.530, F.A.C.

6.11 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.

- (a) Except as indicated in Section (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 Director. Where time-proportional composite sampling or grab sampling is authorized by the City, the samples must be representative of the discharge. Using protocols (including 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 the 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 City, 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 obtained using grab collection techniques.
- (c) For sampling required in support of baseline monitoring and 90-day compliance reports required in Section 6.1 and 6.3 [40 CFR 403.12(b) and (d)], 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 Director may authorize a lower minimum. For the reports required by paragraphs Section 6.4 (40 CFR 403.12(e) and 403.12(h)), the Industrial User is required to collect the number of grab samples necessary to assess and assure compliance by with applicable Pretreatment Standards and Requirements.
- (d) The Control Authority reserves the right to require sampling on specified dates.

6.12 DATE OF RECEIPT OF REPORTS

Written reports will be deemed to have been submitted on the date postmarked. For reports, which are not mailed, postage prepaid, into a mail facility serviced by the United States Postal Service, the date of receipt of the report shall govern.

6.13 RECORDKEEPING

Users subject to the reporting requirements of this ordinance shall retain, and make available for inspection and copying, all records of information obtained pursuant to any monitoring activities required by this ordinance, any additional records of information obtained pursuant to monitoring activities undertaken by the User independent of such requirements, and documentation associated with Best Management Practices

established under Section 2.4. 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 five (5) years. This period shall be automatically extended for the duration of any litigation concerning the User or the City, or where the User has been specifically notified of a longer retention period by the Director.

6.14 CERTIFICATION STATEMENTS

Certification of Permit Applications, User Reports and Initial Monitoring Waiver— The following certification statement is required to be signed and submitted by Users submitting permit applications in accordance with Section 4.7; Users submitting baseline monitoring reports under Section 6.1 [**Note: See 40 CFR 403.12 (l)**]; Users submitting reports on compliance with the categorical Pretreatment Standard deadlines under Section 6.3 [**Note: See 40 CFR 403.12(d)**]; Users submitting periodic compliance reports required by Section 6.4 [**Note: See 40 CFR 403.12(e) and (h)**], and Users submitting an initial request to forego sampling of a pollutant on the basis of Section 6.4 [**Note: See 40 CFR 403.12(e)(2)(iii)**]. The following certification statement must be signed by an Authorized Representative as defined in Section 1.4:

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

Users that have an approved monitoring waiver based on Section 6.4 (b) must certify on each report with the following statement that there has been no increase in the pollutant in its wastestream due to activities of the User. [**Note: See 40 CFR 403.12(e)(2)(v)**]

Based on my inquiry of the person or persons directly responsible for managing compliance with the Pretreatment Standard for 40 CFR _____ [specify applicable National Pretreatment Standard part(s)], I certify that, to the best of my knowledge and belief, there has been no increase in the level of _____ [list pollutant(s)] in the wastewaters due to the activities at the facility since filing of the last periodic report under Section 6.4.

7. COMPLIANCE MONITORING

7.1 RIGHT OF ENTRY: INSPECTION AND SAMPLING

The Director shall have the right to enter the premises of any User to determine whether the User is complying with all requirements of this ordinance and any individual wastewater discharge permit or order issued hereunder. Users shall allow the Director ready access to all parts of the premises for the purposes of inspection, sampling, records examination and copying, and the performance of any additional duties.

- (a) Where a User has security measures in force which require proper identification and clearance before entry into its premises, the User shall make necessary arrangements with its security guards so that, upon presentation of suitable identification, the Director shall be permitted to enter without delay for the purposes of performing specific responsibilities.
- (b) The Director shall have the right to set up on the User's property, or require installation of, such devices as are necessary to conduct sampling and/or metering of the User's operations.
- (c) The Director may require the User to install monitoring equipment as necessary. The facility's sampling and monitoring equipment shall be maintained at all times in a safe and proper operating condition by the User at its own expense. All devices used to measure wastewater flow and quality shall be calibrated regularly to ensure their accuracy.
- (d) Any temporary or permanent obstruction to safe and easy access to the facility to be inspected and/or sampled shall be promptly removed by the User at the written or verbal request of the Director and shall not be replaced. The costs of clearing such access shall be paid by the User.
- (e) Unreasonable delays in allowing the Director access to the User's premises shall be a violation of this ordinance.

7.2 SEARCH WARRANTS

If the Director has been refused access to a building, structure, or property, or any part thereof, and is able to demonstrate probable cause to believe that there may be a violation of this ordinance, or that there is a need to inspect and/or sample as part of a routine inspection and sampling program of the City, designed to verify compliance with this ordinance or any permit or order issued hereunder, or to protect the overall public health, safety and welfare of the community, then the Director may seek issuance of a search warrant from the 5th circuit judicial court of Florida.

8. CONFIDENTIAL INFORMATION

Information and data on a User obtained from reports, surveys, wastewater discharge permit applications, individual wastewater discharge permits, and monitoring programs, and from the Director's inspection and sampling activities, shall be available to the public without restriction, unless the User specifically requests, and is able to demonstrate to the satisfaction of the Director, that the release of such information would divulge information, processes, or methods of production entitled to protection as trade secrets under applicable State law. Any such request must be asserted at the time of submission of the information or data. 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 at 40 CFR 2.302 shall not be recognized as confidential information and shall be available to the public without restriction.

9. PUBLICATION OF USERS IN SIGNIFICANT NONCOMPLIANCE

The Director shall publish annually, in the largest daily newspaper published in the municipality where the POTW is located, a list of the users which, during the previous twelve (12) months, were in significant noncompliance with applicable pretreatment standards and requirements.

10. ADMINISTRATIVE ENFORCEMENT REMEDIES

10.1 NOTICE OF VIOLATION

When the Director finds that a user has violated, or continues to violate, any provision of this ordinance, a wastewater discharge permit or order issued hereunder, or any other pretreatment standard or requirement, the Director may serve upon that user a written Notice of Violation (NOV). Within ten (10) days of receipt of this notice, an explanation of the violation and a plan for the satisfactory correction and prevention thereof, to include specific required actions, shall be submitted by the user to the Director. Submission of this plan in no way relieves the user of liability for any violations occurring before or after receipt of the NOV. Nothing in this Section shall limit the authority of the Director to take any action, including emergency actions or any other enforcement action, without first issuing a NOV.

10.2 CONSENT ORDERS

The Director may enter into Consent Orders, assurances of voluntary compliance, or other similar documents establishing an agreement with any user responsible for noncompliance. Such documents will include specific action to be taken by the user to correct the noncompliance within a time period specified by the document.

10.3 SHOW CAUSE HEARING

The Director may order a User which has violated, or continues to violate, any provision of this ordinance, an individual wastewater discharge permit, or order issued hereunder, or any other Pretreatment Standard or Requirement, to appear before the Director and show cause why the proposed enforcement action should not be taken. Notice shall be served on the User specifying the time and place for the meeting, the proposed enforcement action, the reasons for such action, and a request that the User show cause why the proposed enforcement action should not be taken. The notice of the meeting shall be served personally or by registered or certified mail (return receipt requested) at least (10) days prior to the hearing. Such notice may be served on any Authorized Representative of the User as defined in Section 1.4 and required by Section 4.6. A show cause hearing shall not be a bar against, or prerequisite for, taking any other action against the User.

10.4 EMERGENCY SUSPENSIONS

The City and/or Director may deem it necessary to take emergency action, which includes, but is not limited to, interruption or termination of service without notice, to stop or prevent any discharge which presents or may present, an imminent threat to the health or welfare of humans, which reasonably appears to threaten environment, which threatens to cause interference, pass through, or sludge contamination and/or which presents substantial endangerment to the POTW or the City's treatment works.

10.5 COMPLIANCE ORDERS

When the Director finds that a User has violated, or continues to violate, any provision of this ordinance, an individual wastewater discharge permit, or order issued hereunder, or any other Pretreatment Standard or Requirement, the Director may issue an order to the User responsible for the discharge directing that the User come into compliance within a specified time. If the User does not come into compliance within the time provided, sewer service may be discontinued unless adequate treatment facilities, devices, or other related appurtenances are installed and properly operated. Compliance orders also may contain other requirements to address the noncompliance, including additional self-monitoring and management practices designed to minimize the amount of pollutants discharged to the sewer. A compliance order may not extend the deadline for compliance established for a Pretreatment Standard or Requirement, nor does a

compliance order relieve the User of liability for any violation, including any continuing violation. Issuance of a compliance order shall not be a bar against, or a prerequisite for, taking any other action against the User.

10.6 CEASE AND DESIST ORDERS

When the Director finds that a User has violated, or continues to violate, any provision of this ordinance, an individual wastewater discharge permit, or order issued hereunder, or any other Pretreatment Standard or Requirement, or that the User's past violations are likely to recur, the Director may issue an order to the User directing it to cease and desist all such violations and directing the User to:

- (a) Immediately comply with all requirements; and
- (b) Take such appropriate remedial or preventive action as may be needed to properly address a continuing or threatened violation, including halting operations and/or terminating the discharge. Issuance of a cease and desist order shall not be a bar against, or a prerequisite for, taking any other action against the User.

10.7 ADMINISTRATIVE FINES

- (a) When the Director finds that a User has violated, or continues to violate, any provision of this ordinance, an individual wastewater discharge permit, or order issued hereunder, or any other Pretreatment Standard or Requirement, the Director may fine such User in an amount consistent with the following violation table. Such fines shall be assessed on a per-violation, per-day basis up to a maximum period of (30) days. In the case of monthly or other long-term average discharge limits, fines shall be assessed for each day during the period of violation. Specific guidance on extents of deviation and environmental harm can be found under FDEP Directive 923. Administrative fines are separate from any surcharges which may also be applied for discharges above individual wastewater discharge permit limits.

Environmental Harm	Extent of Deviation from Requirement			
		Major	Moderate	Minor
	Major	\$8,000 to \$10,000	\$6,000 to \$7,999	\$4,600 to \$5,999
	Moderate	\$3,200 to \$4,599	\$2,000 to \$3,199	\$1,200 to \$1,999
	Minor	\$500 to \$1,199	\$500*	\$500*

*Environmental education may be an acceptable substitute

- (b) Unpaid charges, fines, and penalties shall, after (30) calendar days, be assessed an additional penalty of ten percent (10%) of the unpaid balance, and interest shall accrue thereafter at a rate of ten percent (10%) per month. A lien against the User's property shall be sought for unpaid charges, fines, and penalties.
- (c) Users desiring to dispute such fines must file a written request for the Director to reconsider the fine along with full payment of the fine amount within (30) days of being notified of the fine. Where a request has merit, the Director may convene a hearing on the matter. In the event the User's appeal is successful, the payment, together with any interest accruing thereto, shall be returned to the User. The Director may add the costs of preparing administrative enforcement actions, such as notices and orders, to the fine.
- (d) Issuance of an administrative fine shall not be a bar against, or a prerequisite for, taking any other action against the User.

10.8 TERMINATION OF DISCHARGE

In addition to the provisions in Section 5.6 of this ordinance, any User who violates the following conditions is subject to discharge termination:

- (a) Violation of individual wastewater discharge permit;
- (b) Failure to accurately report the wastewater constituents and characteristics of its discharge;
- (c) Failure to report significant changes in operations or wastewater volume, constituents, and characteristics prior to discharge;
- (d) Refusal of reasonable access to the User's premises for the purpose of inspection, monitoring, or sampling; or
- (e) Violation of the Pretreatment Standards in Section 2 of this ordinance.

Such User will be notified of the proposed termination of its discharge and be offered an opportunity to show cause under Section 10.3 of this ordinance why the proposed action should not be taken. Exercise of this option by the Director shall not be a bar to, or a prerequisite for, taking any other action against the User.

11. JUDICIAL ENFORCEMENT REMEDIES

11.1 PETITION FOR COUNTY, STATE, OR FEDERAL ENFORCEMENT

In addition to other remedies for enforcement provided herein, the Director, through the City Attorney, may petition Lake County, the state of Florida, the United States Department of Justice, or any other tribunal as appropriate, to exercise such methods or remedies as shall be available to such government entities to seek criminal or civil penalties, injunctive relief, or such other remedies as may be provided by applicable county, state or federal laws to ensure compliance by industrial users of applicable pretreatment standards, to prevent the introduction of toxic pollutants or other regulated pollutants into the POTW, or to prevent such other water pollution as may be regulated by county, state or federal law.

11.2 INJUNCTIVE AND OTHER RELIEF

- (a) The Director, through the City Attorney, may file a petition in the name of the City of Groveland in the 5th Judicial Circuit Court in and for the state of Florida or such other courts as may have jurisdiction seeking the issuance of an injunction, damages, or other appropriate relief to enforce the provisions of this ordinance or other applicable law or regulation. Suit may be brought to recover any and all damages suffered by the City as a result of any action or inaction of any industrial user or other person who cause or suffers damage to occur to the POTW or for any other expense, loss or damage of any kind or nature suffered by the City.
- (b) The City shall be able to have authority to seek or assess civil or criminal penalties in at least the amount of one thousand dollars (\$1000.00) a day for each violation by industrial users of pretreatment standards and requirements in accordance with Section 403.061(31) Florida Statutes, 40 CFR 403.8(f) (6)(vi)(A), and Rule 62-625.500(2)(a) 5a., F.A.C.

11.3 CRIMINAL MISCHIEF

No person shall maliciously, willfully, or deliberately break, damage, destroy, uncover, deface, or tamper with any structure, appurtenance, or equipment which is part of the City of Groveland sanitary sewer system. Any person violating this provision shall be subject to immediate arrest under charge of destruction of public property in accordance with local law.

11.4 CIVIL PENALTIES

- (a) A User who has violated, or continues to violate, any provision of this ordinance, an individual wastewater discharge permit, or order issued hereunder, or any other Pretreatment Standard or Requirement shall be liable to the City for a maximum civil penalty of one-thousand dollars (\$1,000) per violation, per day. In the case of a monthly or other long-term average discharge limit, penalties shall accrue for each day during the period of the violation.
- (b) The Director may recover reasonable attorneys' fees, court costs, and other expenses associated with enforcement activities, including sampling and monitoring expenses, and the cost of any actual damages incurred by the City.
- (c) In determining the amount of civil liability, the Court shall take into account all relevant circumstances, including, but not limited to, the extent of harm caused by the violation, the magnitude and duration of the violation, any economic benefit gained through the User's violation, corrective actions by the User, the compliance history of the User, and any other factor as justice requires.

- (d) Filing a suit for civil penalties shall not be a bar against, or a prerequisite for, taking any other action against a User.

11.5 CRIMINAL PROSECUTION

- (a) A User who willfully or negligently violates any provision of this ordinance, an individual wastewater discharge permit, or order issued hereunder, or any other Pretreatment Standard or Requirement shall, upon conviction, be guilty of a misdemeanor, punishable by a fine of not more than one-thousand dollars (\$1,000) per violation, per day, or imprisonment for not more than (60) days, or both.
- (b) A User who willfully or negligently introduces any substance into the POTW which causes personal injury or property damage shall, upon conviction, be guilty of a misdemeanor and be subject to a penalty of at least one-thousand dollars (\$1,000), or be subject to imprisonment for not more than (60) days, or both. This penalty shall be in addition to any other cause of action for personal injury or property damage available under State law.
- (c) A 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 this ordinance, individual wastewater discharge permit, or order issued hereunder, or who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required under this ordinance shall, upon conviction, be punished by a fine of not more than one-thousand dollars (\$1,000) per violation, per day, or imprisonment for not more than (60) days, or both.

11.6 REMEDIES NONEXCLUSIVE

The remedies provided for in this ordinance are not exclusive. The Director may take any, all, or any combination of these actions against a noncompliant User. Enforcement of pretreatment violations will generally be in accordance with the City's enforcement response plan. However, the Director may take other action against any User when the circumstances warrant. Further, the Director is empowered to take more than one enforcement action against any noncompliant User.

12. SUPPLEMENTAL ENFORCEMENT ACTION

12.1 PENALTIES FOR LATE REPORTING

A penalty of thirty dollars (\$30) may be assessed to any User for each day that a report required by this ordinance, a permit or order issued hereunder is late, beginning five days after the date the report is due. Actions taken by the Director to collect late reporting penalties shall not limit the Director's authority to initiate other enforcement actions that may include penalties for late reporting violations.

12.2 PERFORMANCE BONDS

The Director may decline to issue or reissue an individual wastewater discharge permit to any User who has failed to comply with any provision of this ordinance, a previous individual wastewater discharge permit, or order issued hereunder, or any other Pretreatment Standard or Requirement, unless such User first files a satisfactory bond, payable to the City, in a sum not to exceed a value determined by the Director to be necessary to achieve consistent compliance.

12.3 LIABILITY INSURANCE

The Director may decline to issue or reissue an individual wastewater discharge permit to any User who has failed to pay any outstanding fees, fines or penalties incurred as a result of any provision of this ordinance, a previous individual wastewater discharge permit, or order issued hereunder.

12.4 PAYMENT OF OUTSTANDING FEES AND PENALTIES

The Director may decline to issue or reissue an individual wastewater discharge permit to any User who has failed to pay any outstanding fees, fines or penalties incurred as a result of any provision of this ordinance, a previous individual wastewater discharge permit, or order issued hereunder.

12.5 WATER SUPPLY SEVERANCE

Whenever a User has violated or continues to violate any provision of this ordinance, an individual wastewater discharge permit, or order issued hereunder, or any other Pretreatment Standard or Requirement, water service to the User may be severed. Service will recommence, at the User's expense, only after the User has satisfactorily demonstrated its ability to comply.

12.6 PUBLIC NUISANCES

A violation of any provision of this ordinance, an individual wastewater discharge permit, or order issued hereunder, or any other Pretreatment Standard or Requirement is hereby declared a public nuisance and shall be corrected or abated as directed by the Director. Any person(s) creating a public nuisance shall be subject to local ordinances governing such nuisances, including reimbursing the City for any costs incurred in removing, abating, or remedying said nuisance.

12.7 INFORMANT REWARDS

The Director may pay up to five-hundred dollars (\$500) for information leading to the discovery of noncompliance by a User. In the event that the information provided results in a civil penalty or an administrative fine levied against the User, the Director may disperse up to five percent (5%) of the collected fine or penalty to the informant. However, a single reward payment may not exceed one-thousand dollars (\$1,000).

12.8 CONTRACTOR LISTING

Users which have not achieved compliance with applicable Pretreatment Standards and Requirements are not eligible to receive a contractual award for the sale of goods or services to the City. Existing contracts for the sale of goods or services to the City held by a User found to be in Significant Noncompliance with Pretreatment Standards or Requirements may be terminated at the discretion of the Director.

13. AFFIRMATIVE DEFENSES TO DISCHARGE VIOLATIONS

13.1 UPSET

- (a) For the purposes of this Section, "upset" means an exceptional incident in which there is unintentional and temporary noncompliance with categorical pretreatment standards, because of factors beyond the reasonable control of the user. An upset does not include noncompliance to the extent caused by operational error, improperly designed facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation.
- (b) An upset shall constitute an affirmative defense to an action brought for noncompliance with categorical pretreatment standards if the requirements of paragraph (3), below, are met.
- (c) A user who wishes to establish the affirmative defense of upset shall demonstrate, through properly signed, contemporaneous operating logs, or other relevant evidence that:
 - (1) An upset occurred and the user can identify the cause(s) of the upset;
 - (2) The facility was at the time being operated in a prudent and workman-like manner and in compliance with applicable operation and maintenance procedures; and
 - (3) The user has submitted the following information to the Director within twenty-four (24) hours of becoming aware of the upset. If this information is provided orally, a written submission must be provided within five (5) days.
 - (i) A description of the indirect discharge and cause of noncompliance;
 - (ii) The period of noncompliance, including exact dates and times or, if not corrected, the anticipated time the noncompliance is expected to continue; and
 - (iii) Steps being taken and/or planned to reduce, eliminate, and prevent recurrence of the noncompliance.
- (d) In any enforcement proceeding, the user seeking to establish the occurrence of an upset shall have the burden of proof.
- (e) Users will have the opportunity for a judicial determination on any claim of upset only in an enforcement action brought for noncompliance with categorical pretreatment standards.
- (f) Users shall control production of all discharges to the extent necessary to maintain compliance with categorical pretreatment standards upon reduction, loss, or failure of its treatment facility until the facility is restored or an alternative method of treatment is provided. This requirement applies in the situation where, among other things, the primary source of power of the treatment facility is reduced, lost, or fails.

13.2 PROHIBITED DISCHARGE STANDARDS

A user shall have an affirmative defense to an enforcement action brought against it for noncompliance with the general prohibitions in Section 2.1(a) of this ordinance or the specific prohibitions in Sections 2.1(b) through 2.5 of this ordinance if it can prove that it did not know, or have reason to know, that its discharge, alone or in conjunction with discharges from other sources, would cause pass through or interference and that either:

- (a) A local limit exists for each pollutant discharged and the user was in compliance with each limit directly prior to, and during, the pass through or interference; or
- (b) No local limit exists, but the discharge did not change substantially in nature or constituents from the user's prior discharge when the City was regularly in compliance with its permit, and in the case of interference, was in compliance with applicable sludge use or disposal requirements.

13.3 BYPASS

- (a) For the purposes of this Section,
 - (1) "Bypass" means the intentional diversion of wastestreams from any portion of a user's treatment facility.
 - (2) "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.
- (b) A user may allow any bypass to occur which does not cause pretreatment standards or requirements to be violated, but only if it also is for essential maintenance to assure efficient operation. These bypasses are not subject to the provisions of paragraphs (c) through (e) of this Section.
- (c) If a user knows in advance of the need for a bypass, it shall submit prior notice to the Director, at least ten (10) days before the date of the bypass, if possible.
- (d) A user shall submit oral notice to the Director of an unanticipated bypass that exceeds applicable pretreatment standards within twenty-four (24) hours from the time it becomes aware of the bypass. A written submission shall also be provided within five (5) days of the time the user becomes aware of the bypass. The written submission shall contain a description of the bypass and its cause; the duration of the bypass, including exact dates and times, and, if the bypass has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent reoccurrence of this bypass. The Director may waive the written report on a case-by-case basis if the oral report has been received within twenty-four (24) hours.
- (e) Bypass is prohibited, and the Director may take an enforcement action against a user for bypass, unless:
 - (1) Bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;
 - (2) There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods 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 preventive maintenance; and
 - (3) The user submitted notices as required under paragraph (c) of this Section.
- (f) The Director may approve an anticipated bypass, after considering its adverse effects, if the Director determines that it will meet the three conditions listed in paragraph (e) of this Section.

14. SEVERABILITY

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

15. EFFECTIVE DATE

This ordinance shall be in full force and effect immediately following its passage, approval, and publication, as provided by law.

APPENDIX A: NONRESIDENTIAL USER SURVEY

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Nonresidential User Survey

The City of Groveland requires that all non-residential users discharging to the publicly owned treatment works (POTW) complete the following survey outlining the type and quantity of their discharges. This information is used to ensure that these discharges do not pose a threat to the POTW, the community, or the environment. Specific guidance can be found in the City of Groveland Sewer Use Ordinance.

Company Name: _____ Telephone: (____) _____
Mailing Address: _____ Facility Address: _____
_____ (if different) _____

Name of authorized company representative: _____
Telephone: (____) _____ Email: _____

Type of Business: _____
Describe the types of operations conducted and identify any activities from which wastewater is produced:

- 1.) This facility uses approximately _____ gallons/day (gpd) of water from: (check all that apply)
 Reclaim City Water Supply Private Well Surface Water
- 2.) The estimated amount of water used for each of the following is: (check all that apply)
 Noncommercial domestic uses (restrooms, showers, kitchen, laundry) _____ gpd
 Boilers, cooling, or any other unpolluted wastewaters _____ gpd
 Non-domestic activities (other flows not listed above) _____ gpd
- 3.) Wastewater from this facility goes to the: (check all that apply)
 Sanitary Sewer Ground (septic tank, drain fields) Waste haulers Other
- 4.) Chemicals used and/or stored on the premises are stored in: Drums Small Containers N/A
- 5.) This facility (does; does not) generate hazardous wastes: (EPA ID # (if assigned): _____)
- 6.) Materials, chemicals, products, equipment, or wastes (are; are not) stores in outside areas.
- 7.) The facility (does; does not) have an oil-water separator.
- 8.) The facility (does; does not) collect and store oils and greases for separate collection.

9.) Vehicles or equipment (are; are not) washed on premises (if so, wash water goes to _____)

I have personally examined and am familiar with the information submitted in this document and attachments. Based upon my inquiry of those individuals immediately responsible for obtaining the information reported herein, I believe that the submitted information is true, accurate and complete.

Signature of representative: _____ Date: _____

Name: _____

DISCLOSURE: Title 40 of the Code of Federal Regulations Part 403 Section 403.14 requires information provided in this questionnaire identifying the nature and frequency of discharge to be available to the public without restriction. Requests for confidential treatment of other information shall be governed by procedures specified in 40 CFR part 2 and applicable State Law. Should a discharge permit be required for your facility, the information in this questionnaire may be used to issue the permit.

If you wish to provide additional details or considerations, please do so here:

INTERNAL USE: Form Sent on _____ Form Received on _____

APPENDIX B: INDUSTRIAL USER SURVEY

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1198 Sampey Road
Groveland, FL 34736
Phone: 352-429-2141
Fax: 352-429-8246

Industrial User Survey

Federal regulations [40 CFR 403.8(f)(2)(i)] require the City of Groveland to identify and locate all possible Industrial Users (IUs) that might be subject to the federally mandated Industrial Pretreatment Program. This request for information is made in accordance with Federal regulations [40 CFR §403.8(f)(2)(I)] which requires Control Authorities to identify and locate all industrial users that might be subject to the pretreatment program as part of program development and maintenance.

All items must be answered. If a field does not apply, please indicate N/A.

Section A: General Information

Company Name: _____ Telephone: (____) _____
Mailing Address: _____ Facility Address: _____
_____ (if different) _____

Name of authorized company representative: _____
Telephone: (____) _____ Email: _____
Emergency No: (____) _____ Fax No: (____) _____

Type of Business: _____
Type of Products or Services: _____
SIC Codes: Primary _____ Secondary _____ Others _____

Average total water usage (from previous 12 months water bill): _____ gpd
Average water usage for manufacturing/industrial processes: _____ gpd

Describe step-by-step the manufacturing/industrial processes at the facility (starting from raw material to end product): _____

Existing Permits: Agency: _____ Permit Number: _____

Number of employees: _____ Days of operation: _____
Number of shifts: _____ Hours of shifts: _____

Section B: Water Supply

- 1.) Water Source: Private Well
 Surface Water
 City Water
 Other (Specify: _____)
- 2.) Water Service Account Number(s): _____

Section C: Sewer Information

- 1.) For existing businesses:
Is the facility presently connected to the public sanitary sewer system? Yes No
- 2.) New businesses:
Will you be occupying an existing vacant building? Yes No
Have you applied for a building permit if a new facility will be built? Yes No
Do you plan to connect to the public sanitary sewer system? Yes No

Section D: Wastewater Discharge Information

- 1.) Does (or will) the facility discharge any wastewater other than domestic wastewater (restrooms, showers, laundry)? Yes No
- 2.) Indicate the types of wastes your facility discharges (or plans to discharge) to the sewer system:
- | | |
|--|--|
| <input type="checkbox"/> Cooling water | <input type="checkbox"/> Boiler blow down |
| <input type="checkbox"/> Chemicals (attach SDS) | <input type="checkbox"/> Oils and/or grease |
| <input type="checkbox"/> Pesticides | <input type="checkbox"/> Solvents |
| <input type="checkbox"/> Equipment/vehicle/tank wash water | <input type="checkbox"/> Commercial laundry wastes |
| <input type="checkbox"/> Food processing | <input type="checkbox"/> Photo finishing wastes |
| <input type="checkbox"/> Acids or bases | <input type="checkbox"/> Medical wastes |
| <input type="checkbox"/> Radioactive wastes | <input type="checkbox"/> Other: _____ |
- 3.) Does the facility have existing wastewater treatment/pretreatment? Yes No
Describe, if any: _____

Section E: Pollution Prevention Information

- 1.) Does the facility have a waste or pollution prevention plan? Yes No
- 2.) Does the facility have a spill control plan? Yes No
- 3.) Does the facility have an emergency/contingency plan? Yes No

4.) Chemical Storage:

Will the facility store bulk chemicals on-site? (> 55 gal. drums) Yes No
Are any chemicals considered Extremely Hazardous Substances? Yes No
Does the facility have above-ground chemical storage tanks? Yes No
Tank Description: _____ Storage capacity: _____ gal.
_____ gal.
_____ gal.
_____ gal.
Secondary containment or overfill protection? Yes No
Corrosion protection? Yes No

5.) Waste Disposal:

Does this facility generate hazardous wastes? Yes No
What, if any, hazardous wastes are generated: _____

EPA ID# (if applicable): _____
Does the facility store waste of any type on-site? Yes No
Type of waste storage: _____
Storage location: _____
Does the facility have any grease traps, grit/sand traps, or similar? Yes No
Trap type and capacity: _____

Frequency of clean out: _____
Transporter Name: _____
Are transport logs kept on-site? Yes No
List all sources of industrial waste and means of disposal: _____

Does the facility have a stormwater permit? Yes No
Is there a Stormwater pollution prevention plan? Yes No
Are there uncovered compactors/dumpsters on site? Yes No
Are there drums, chemicals, or other activities outside? Yes No

APPENDIX C: EXAMPLE PERMIT

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Wastewater Permit Application

Section A: General Information

1.)	Facility Name: a.) Operator Name: b.) Is the operator identified in 1.a., the owner of the facility? <input type="checkbox"/> Yes <input type="checkbox"/> No If no, provide the name and address of the operator and submit a copy of the contract and/or other documents indicating the operator's scope of responsibility for the facility.
2.)	Facility Address: Street: City: _____ State: _____ Zip: _____
3.)	Business Mailing Address: Street or P.O. Box: City: _____ State: _____ Zip: _____
4.)	Authorized Signatory of This Facility: Name: _____ Title: _____ Address: _____ City: _____ State: _____ Zip: _____ Phone: _____
5.)	Designated Facility Contact: Name: _____ Title: _____ Phone: _____ Email: _____

Section B: Business Activity

1.)	Give a brief description of all operations at this facility including primary products or services (attach additional sheets if necessary):	
2.)	Indicate applicable Standard Industry Classification (SIC) codes for all processes:	
	a.	
	b.	
	c.	
	d.	
	e.	
3.)	If your facility employs or will be employing processes in any of the industrial categories or business activities listed below (regardless of whether they generate wastewater, waste sludge, or hazardous wastes), place a check beside the category of business activity (check all that apply).	
	<input type="checkbox"/> Aluminum Forming	<input type="checkbox"/> Hospital
	<input type="checkbox"/> Asbestos Manufacturing	<input type="checkbox"/> Ink/Paint Formulation
	<input type="checkbox"/> Aquatic Animal Farming	<input type="checkbox"/> Inorganic Chemical Manufacturing
	<input type="checkbox"/> Battery Manufacturing	<input type="checkbox"/> Iron and Steel
	<input type="checkbox"/> Can Making	<input type="checkbox"/> Landfill
	<input type="checkbox"/> Canned/Preserved Food Processing	<input type="checkbox"/> Leather Tanning
	<input type="checkbox"/> Canned/Preserved Seafood	<input type="checkbox"/> Meat and Poultry Processing
	<input type="checkbox"/> Carbon Black Manufacturing	<input type="checkbox"/> Metal Forming/Finishing
	<input type="checkbox"/> Cement Manufacturing	<input type="checkbox"/> Mineral/Ore Mining
	<input type="checkbox"/> Coal Mining	<input type="checkbox"/> Oil and Gas Extraction
	<input type="checkbox"/> Coil Coating	<input type="checkbox"/> Organic Chemical Manufacturing
	<input type="checkbox"/> Concentrated Animal Feedlots	<input type="checkbox"/> Paving/Roofing Products
	<input type="checkbox"/> Concentrated Aquatic Farming	<input type="checkbox"/> Pesticides Manufacturing/Packaging
	<input type="checkbox"/> Copper Forming	<input type="checkbox"/> Petroleum Refining
	<input type="checkbox"/> Dairy Processing	<input type="checkbox"/> Plastics Manufacturing
	<input type="checkbox"/> Electronic Component Manufacturing	<input type="checkbox"/> Pulp/Paper Manufacturing
	<input type="checkbox"/> Electroplating	<input type="checkbox"/> Soap/Detergent Manufacturing
	<input type="checkbox"/> Explosives Manufacturing	<input type="checkbox"/> Steam Power Generation
	<input type="checkbox"/> Fertilizer Manufacturing	<input type="checkbox"/> Sugar Processing
	<input type="checkbox"/> Ferroalloy Manufacturing	<input type="checkbox"/> Textile Products
	<input type="checkbox"/> Foundries (Metal Molding and Casting)	<input type="checkbox"/> Timber Processing
	<input type="checkbox"/> Glass Manufacturing	<input type="checkbox"/> Transportation Equipment Cleaning
	<input type="checkbox"/> Grain Mills	<input type="checkbox"/> Waste Combustion
	<input type="checkbox"/> Gum and Wood Chemicals Manufacturing	<input type="checkbox"/> Other (describe)

Section C: Water Supply

1.)	Water Sources: (Check as many as are applicable.)		
	<input type="checkbox"/>	Private Well	
	<input type="checkbox"/>	Surface Water	
	<input type="checkbox"/>	City Water	
	<input type="checkbox"/>	Other (Specify)	
2.)	Name (as listed on the water bill):		
	Street:		
	City:	State:	Zip:
3.)	Water Service Account Number:		
4.)	List average water usage on premises: [new facilities may estimate]		
	Type	Average Water Usage (GPD)	Indicate Estimated (E) or Measured (M)
a.	Contact cooling water		
b.	Non-contact cooling water		
c.	Boiler feeding		
d.	Process		
e.	Sanitary		
f.	Air pollution control		
g.	Contained in product		
h.	Plant and equipment washdown		
i.	Irrigation and lawn watering		
j.	Other		
k.	Total of a. through j.		

Section E: Wastewater Discharge Information

1.)	Does (or will) this facility discharge any wastewater other than from restrooms to the City sewer?							
	Yes	If the answer to this question is "yes," complete the remainder of the application.						
	No	If the answer to this question is "no," skip to Section I.						
2.)	Provide the following information on wastewater flow rate. [New facilities may estimate.]							
	a. Hours/day discharged (e.g., 8 hours/day)							
	MON	TUE	WED	THUR	FRI	SAT	SUN	
	b. Hours of discharge (e.g., 9 a.m. to 5 p.m.)							
	MON	TUE	WED	THUR	FRI	SAT	SUN	
	c. Peak hourly flow rate:			(GPD)				
	d. Maximum daily flow rate			(GPD)				
	e. Annual daily average			(GPD)				
	3.)	If batch discharge occurs or will occur, indicate: [New facilities may estimate.]						
		a. Number of batch discharges			(per day)			
b. Average discharge per batch			(GPD)					
c. Time of batch discharges			(days of week)		(hours of day)			
d. Flow rate			(gallons per minute)					
e. Percent of total discharge								

5.) List average wastewater discharge, maximum discharge, and type of discharge (batch, continuous, or both), for each plant process. Include the reference number from the process schematic that corresponds to each process. [New faculties should provide estimates for each discharge].

No.	Process Description	Average Flow (GPD)	Maximum Flow (GPD)	Type of Discharge (batch, continuous, none)

6.) List the average wastewater discharge, maximum discharge, and type of discharge (batch, continuous, or both) for each of non-process wastewater flows (i.e., cooling tower blowdown, boiler blowdown)

No.	Process Description	Average Flow (GPD)	Maximum Flow (GPD)	Type of Discharge (batch, continuous, none)

7.) Do you have, or plan to have, automatic sampling equipment or continuous wastewater flow equipment at this facility?

		Yes	No	N/A
Current	Flow Monitoring			
	Sampling Equipment			
Planned	Flow Metering			
	Sampling Equipment			

If so, please indicate the present or future location of this equipment on the sewer schematic and describe the equipment below:

8.) Are any process changes or expansions planned during the next five years that could alter wastewater volumes or characteristics? Consider production processes as well as air or water pollution treatment processes that may affect the discharge.

<input type="checkbox"/>	Yes
<input type="checkbox"/>	No, (skip to Question 10)

9.)	Briefly describe these changes and their effects on the wastewater volume and characteristics: (attach additional sheets if needed). <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/>
10.)	Are any recycling or reclamation system in use or planned? <input type="checkbox"/> Yes <input type="checkbox"/> No (skip to Question 12)
11.)	Briefly describe recovery process, substance recovered, percent recovered, and the concentration in the spent solution. Submit a flow diagram for each process (attach additional sheets if needed): <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/>

Section G: Treatment

1.)	Is any form of wastewater treatment (see list below) practiced at this facility?
	<input type="checkbox"/> Yes
	<input type="checkbox"/> No
2.)	Is any form of wastewater treatment (or changes to an existing wastewater treatment) planned for this facility within the next five years?
	<input type="checkbox"/> Yes, describe:
	<input type="checkbox"/> No
3.)	Treatment devices or processes used or proposed for treating wastewater or sludge (check as many as appropriate).
	<input type="checkbox"/> Air flotation
	<input type="checkbox"/> Centrifuge
	<input type="checkbox"/> Chemical precipitation
	<input type="checkbox"/> Chlorination
	<input type="checkbox"/> Cyclone
	<input type="checkbox"/> Filtration
	<input type="checkbox"/> Flow equalization
	<input type="checkbox"/> Grease or oil separation, type:
	<input type="checkbox"/> Grease trap
	<input type="checkbox"/> Grinding filter
	<input type="checkbox"/> Grit removal
	<input type="checkbox"/> Ion exchange
	<input type="checkbox"/> Neutralization, pH correction
	<input type="checkbox"/> Ozonation
	<input type="checkbox"/> Reverse osmosis
	<input type="checkbox"/> Screening
	<input type="checkbox"/> Sedimentation
	<input type="checkbox"/> Septic tank
	<input type="checkbox"/> Solvent separation
	<input type="checkbox"/> Spill protection
	<input type="checkbox"/> Sump
	<input type="checkbox"/> Rainwater diversion or storage
4.)	Is process wastewater mixed with non-process wastewater prior to the sampling point?
	<input type="checkbox"/> Yes, describe:
	<input type="checkbox"/> No
5.)	Describe the pollutant loadings, flow rates, design capacity, physical size, and operating procedures of each treatment facility checked above
6.)	Attach a process flow diagram for each existing treatment system. Include process equipment, by-products, by-product disposal method, waste and by-product volumes, and design and operating conditions.

7.)	Describe any changes in treatment or disposal methods planned or under construction for the wastewater discharge to the sanitary sewer. Please include estimated completion dates.		
8.)	Do you have a treatment operator?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
(If Yes)	Name:		
	Title:		
	Phone:		
	Full-time (specify hours):		
	Part-time (specify hours):		
9.)	Do you have a manual on the correct operation of your treatment equipment?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
10.)	Do you have written maintenance schedule for your treatment equipment?	<input type="checkbox"/> Yes	<input type="checkbox"/> No

Section I: Spill Prevention

1.)	Do you have chemical storage containers, bins, or ponds at your facility?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
If yes, please give a description of their location, contents, size, type, and frequency and method of cleaning. Also indicate in a diagram or comment on the proximity of these containers to a sewer or storm drain. Indicate if buried metal containers have cathodic protection.			
2.)	Do you have floor drains in your manufacturing or chemical storage area(s)?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
If yes where do, they discharge to?			
3.)	If you have chemical storage containers, bins, or ponds in manufacturing area, could an accidental spill lead to a discharge to (check all that apply):		
<input type="checkbox"/> an onsite disposal system			
<input type="checkbox"/> public sanitary sewer system (e.g., through a floor drain)			
<input type="checkbox"/> storm drain			
<input type="checkbox"/> to ground			
<input type="checkbox"/> other, specify:			
<input type="checkbox"/> not applicable, no possible discharge to any of the above routes			
4.)	Do you have an accidental spill prevention plan to prevent spills of chemicals or slug discharges from entering the POTW collection systems?		
<input type="checkbox"/> Yes, please include a copy with the application			
<input type="checkbox"/> No			
<input type="checkbox"/> N/A, not applicable since there are no floor drains and/or the facility discharge(s) only domestic wastes.			
5.)	Please describe below any previous spill events and remedial measures taken to prevent their reoccurrence.		

Section K: Non-Discharged Wastes

1.)	Are any waste liquids or sludges generated and not disposed of in the sanitary sewer system?		
	<input type="checkbox"/>	Yes, please describe below:	
	<input type="checkbox"/>	No, skip the remainder of section K	
	Waste Generated	Quantity (per year)	Disposal Method
2.)	Indicate which wastes identified above are disposed of at an off-site treatment facility and which are disposed of on-site:		
3.)	If any of your wastes are sent to an off-site centralized waste treatment facility, identify the waste and the facility:		
4.)	If an outside firm removes any of the above checked wastes, state the name(s) and address(es) of all waste haulers:		
	a.		b.
		Permit No. (if applicable):	Permit No. (if applicable):
5.)	Have you been issued any Federal, State, or local environmental permits?		
	<input type="checkbox"/>	Yes	
	<input type="checkbox"/>	No	
	If yes, please list the permit(s):		
6.)	Describe where and how waste liquids and sludges are stored:		

APPENDIX D: ENFORCEMENT DOCUMENTS

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NOTICE OF VIOLATION

[Insert Date]

[Username]

[Address]

Legal Authority

Pursuant to the legal authority vested in the Director of Public Services of the City of Groveland, under the provisions of the City's Sewer Use Ordinance, the following findings are made, and formal notice of violation is hereby issued.

Findings

1. In order for the City of Groveland to comply with all state and federal laws and regulations as required by the Clean Water Act of 1977 as amended, and the general Pretreatment Regulations as defined in 40 CFR, Part 403, the City enacted by ordinance "Sewer Use Ordinance", and through the City of Groveland administers those regulations.
2. The ordinance sets forth uniform requirements for all direct and indirect contributors to the wastewater collection and treatment system.
3. The ordinance sets forth specific requirements for Industrial Users by requiring an approved Industrial User Permit under an established Pretreatment Program meeting the requirements of 40 CFR, Part 403.
4. In accordance with the requirements of the Sewer Use Ordinance, [Username] was issued an Industrial User Permit and is required to perform routine sampling and monitoring to assure compliance with specific requirements of the permit and all other conditions of the Sewer Use Ordinance.
5. The Industrial User Permit issued to [Username] contains specific numeric limits on the quantity of certain types of pollutants which [Username] may discharge. The approved Industrial User Permit contains limits for [Insert permit limits in violation, e.g. copper at 0.45 mg/l, FOG at 150 mg/l].
6. Compliance monitoring performed [Date] at [Username] and submitted to the City indicates the following results: [Insert compliance report values for violations, e.g. copper at 8.30 mg/l, FOG at 290 mg/l].
7. Each of the above results exceeds the numeric limits established in the [Username] approved Industrial User Permit and are considered to be in violation of the Sewer Use Ordinance and your permit.

BASED ON THE ABOVE FINDINGS, NOTICE OF VIOLATION IS HEREBY GIVEN:

Notice

1. [Username], located at [Address] has exceeded their individual Industrial User Permit limits per [Site specific permit section].
2. In order to remain compliant with the City of Groveland's Sewer Use Ordinance and the approved Industrial User Permit, [User Name] must within ten (10) calendar days of the receipt of this Notice of Violation (NOV) submit to the City of Groveland's Director of Public Services an explanation of the violation(s) and a plan with specific actions (the corrective action plan) for the satisfactory correction and prevention thereof.
3. Submission of this explanation and corrective action plan in no way relieves the User of the potential liability for a violation occurring before or after receipt of this notice of violation.
4. The corrective action plan shall be submitted to:

Steve Guba

Director of Public Services

City of Groveland - Public Works Department

1198 Sampey Rd

Groveland, FL 34736

352-429-0227 x2603

steve.guba@groveland-fl.gov



ADMINISTRATIVE COMPLIANCE ORDER

[Date]

[Username]

[Address]

Legal Authority

Pursuant to the legal authority vested in the Director of Public Services of the City of Groveland, under the provisions of the City's Sewer Use Ordinance, the following findings are made and this Order is hereby issued based on findings of violation of the conditions of the Industrial User Permit issued under the provisions of the City's Sewer Use Ordinance.

Findings

1. The City of Groveland owns and, through the Groveland Public Works Department, operates a Wastewater Treatment Plant which can be adversely impacted by discharges from Industrial Users, including [Username], and implements a Pretreatment Program to control such discharges into the sanitary sewer system of the City of Groveland.
2. [Username] discharges nondomestic wastewater containing pollutants into the sanitary sewer system of the City of Groveland and is a "Significant Industrial User" as defined by the provisions of the City of Groveland's Sewer Use Ordinance.
3. [Username] was issued an Industrial User Permit on [Date] which contains prohibitions, restrictions and numerical limitations on the quality of the wastewater it discharges to the sanitary sewer system of the City of Groveland.
4. Pursuant to the Sewer Use Ordinance and the above referenced permit, data is routinely collected and submitted on the compliance status of [Username].
5. This data shows that [Username] has violated its Industrial User Permit in the following manner:
 - a. [Username] has violated its permit limits for [Name of Pollutant] in each sample collected between [Date] and [Date], for a total of [Number of Violations] separate violations of the permit.
 - b. [Username] has failed to submit a periodic compliance report due on [Date].
 - c. These violations satisfy the City of Groveland's definition of Significant Noncompliance.

Order

BASED ON THE ABOVE FINDINGS, [Username] IS HEREBY ORDERED TO:

1. Appear at a meeting with the Director of Public Services to be held on [Date] at [Time], at the [Address].
2. At this meeting, [Username] must demonstrate why the City of Groveland Public Works Department should not pursue a judicial enforcement action, or other escalated enforcement action, against [Username] at this time.
3. This meeting will be closed to the public.
4. Representatives of [Username] may be accompanied by legal counsel if they so choose. If [Username] chooses to be accompanied by legal counsel, City of Groveland legal counsel will also attend.
5. Failure to comply with this order shall also constitute a further violation of the Groveland Sewer Use Ordinance and may subject [Username] to civil or criminal penalties or such other enforcement responses as may be necessary and appropriate.
6. This order entered this _____ day of _____, 20____, shall be effective upon receipt by [Username].

Signed: _____

Steve Guba
Director of Public Services
City of Groveland - Public Works Department
1198 Sampey Rd
Groveland, FL 34736
352-429-0227 x2603
steve.guba@groveland-fl.gov



CEASE AND DESIST ORDER

[Date]

[Username]

[Address]

Legal Authority

Pursuant to the legal authority vested in the Director of Public Services of the City of Groveland, under the provisions of the City's Sewer Use Ordinance, the following findings are made, and formal notice of violation is hereby issued.

Findings

1. In order for the City of Groveland to comply with all state and federal laws and regulations as required by the Clean Water Act or 1977 as amended, and the general pretreatment regulations as defined in 40 CFR, Part 403, the City enacted by ordinance "Sewer Use Ordinance", and through the City of Groveland administers those regulations.
2. The ordinance sets forth uniform requirements for all direct and indirect contributors to the wastewater collection and treatment system.
3. The ordinance sets forth specific requirements for Industrial Users by requiring an approved Industrial User Permit under an established Pretreatment Program meeting the requirements of 40 CFR, Part 403.
4. In accordance with the requirements of the Sewer Use Ordinance, [Username] was issued an Industrial User Permit and is required to perform routine sampling and monitoring to assure compliance with specific requirements of the permit and all other conditions of the Sewer Use Ordinance.
5. This data shows that [Username] has violated its Industrial User Permit and the City of Groveland Sewer Use Ordinance in the following manner:
 - a. [Username] has violated its permit limits for [Name of Pollutant] in each sample collected between [Date] and [Date], for a total of [Number of Violations] separate violations of the permit.
 - b. [Username] has failed to comply with an Administrative Compliance Order requiring [procedures required by Compliance Schedule] by [Compliance Date].
 - c. [Username] has failed to appear at a show cause hearing pursuant to an order requiring said attendance.

BASED ON THE ABOVE FINDINGS, [Username] IS HEREBY NOTIFIED THAT:

1. Within 24 hours of receiving this order, cease all nondomestic discharges into the City of Groveland's sanitary sewer system. Such discharges shall not recommence until such time as [Username] is able to demonstrate that it will comply with its current Industrial User Permit and any limitations therein and the City of Groveland Sewer Use Ordinance.
2. Failure to comply with this order may subject [User name] to having its connection to the sanitary sewer system sealed by Groveland Public Works and assessed the costs for such work.
3. Failure to comply with the requirements of this order shall constitute a further violation of the City of Groveland Sewer Use Ordinance and may subject [User name] to civil or criminal penalties or such other enforcement responses as may be deemed necessary by the Director of Public Services.
4. This order, entered this _____ day of _____, 20____ shall be effective upon receipt by [User name].

Signed: _____

Steve Guba
Director of Public Services
City of Groveland - Public Works Department
1198 Sampey Rd
Groveland, FL 34736
352-429-0227 x2603
steve.guba@groveland-fl.gov