LOXAHATCHEE RIVER ENVIRONMENTAL CONTROL DISTRICT

CHAPTER 31-13 REGULATION OF SEWER USE

2500 Jupiter Park Drive
Jupiter, Florida 33458
Palm Beach County
Latitude: 26° 55’ 27.32” N Longitude: 80° 08’ 22.91” W

TABLE OF CONTENTS

SECTION 1 - GENERAL PROVISIONS 5
1.1. Purpose and Policy 5
1.2 Administration 5
1.3 Abbreviations 6
1.4 Definitions 6
SECTION 2 - GENERAL SEWER USE REQUIREMENTS 17
2.1 Prohibited Discharge Standards 17
2.2 National Categorical Pretreatment Standards 18
2.3 State Requirements 19
2.4 Local Limits 19
2.5 District's Right of Revision 20
2.6 Dilution 20
SECTION 3—PRETREATMENT OF WASTEWATER 20
3.1 Pretreatment Facilities 20
3.2 Additional Pretreatment Measures 20
3.3 Dental Facilities that Remove or Place Amalgam Fillings 25
3.4 Accidental Discharge / Slug Discharge Control Plans 27
3.5 Hauled Wastewater 27
SECTION 4 – INDIVIDUAL WASTEWATER DISCHARGE PERMITS 28
4.1 Wastewater Analysis 28
4.2 Individual Wastewater Discharge Permit Requirement 28
4.3 Individual Wastewater Discharge Permitting: Existing Connections 28
4.4 Individual Wastewater Discharge Permitting: New Connections 29
4.5 Individual Wastewater Discharge Permit Application Contents 29
4.6 Application Signatories and Certifications 30
4.7 Individual Wastewater Discharge Permit Decisions 30
SECTION 5—INDIVIDUAL WASTEWATER DISCHARGE PERMIT ISSUANCE 31
5.1 Individual Wastewater Discharge Permit Duration 31
5.2 Individual Wastewater Discharge Permit Contents 31
5.3 Individual Wastewater Discharge Permit Appeals 32

5.4 Individual Wastewater Discharge Permit Modification 32
5.5 Individual Wastewater Discharge Permit Transfer 33
5.6 Individual Wastewater Discharge Permit Revocation 33
5.7 Individual Wastewater Discharge Permit Reissuance 33
5.8 Regulation of Waste Received from Other Jurisdictions 34
SECTION 6 - REPORTING REQUIREMENTS 35
6.1 Baseline Monitoring Reports 35
6.2 Compliance Schedule Progress Reports 36
6.3 Reports on Compliance with Categorical Pretreatment Standard Deadline 36
6.4 Periodic Compliance Reports for Categorical Industrial Users 37
6.5 Periodic Compliance Reports for Industrial Users Not Subject to Categorical Pretreatment Standards 38
6.6 Reports of Changed Conditions 39
6.7 Reports of Potential Problems 39
6.8 Reports from Unpermitted Users 39
6.9 Notice of Violation/Repeat Sampling and Reporting 40
6.10 Notification of the Discharge of Hazardous Waste 40
6.11 Analytical Requirements 41
6.12 Sample Collection 41
6.13 Date of Receipt of Reports 42
6.14 Record Keeping 42
6.15 Certification Statement 43
SECTION 7 - COMPLIANCE MONITORING 44
7.1 Right of Entry: Inspection and Sampling 44
SECTION 8 - CONFIDENTIAL INFORMATION 45
SECTION 9 - PUBLICATION OF USERS IN SIGNIFICANT NON-COMPLIANCE 45
SECTION 10 - ADMINISTRATIVE ENFORCEMENT REMEDIES 46
10.1 Notification of Violation 46
10.2 Consent Orders 46
10.3 Show Cause Hearing 46
10.4 Compliance Orders 47
10.5 Cease and Desist Orders 47
10.6 Administrative Fines 47

10.7 Emergency Suspensions 48
10.8 Termination of Discharge (Non-Emergency) 48
SECTION 11 - JUDICIAL ENFORCEMENT REMEDIES 49
11.1 Injunctive Relief 49
11.2 Civil Penalties 49
11.3 Criminal Prosecution 49
11.4 Remedies Non-Exclusive 50
SECTION 12 - AFFIRMATIVE DEFENSES TO DISCHARGE VIOLATIONS 50
12.1 Upset 50
12.2 Prohibited Discharge Standards 50
12.3 Bypass 50
SECTION 13 - MISCELLANEOUS PROVISIONS 52
13.1 Pretreatment Charges and Fees 52
13.2 Severability 52
13.3 Conflicts 52
SECTION 14 - EFFECTIVE DATE 53

SECTION 1 - GENERAL PROVISIONS

1.1. Purpose and Policy

This Rule sets forth uniform requirements for Users of the Publicly Owned Treatment Works (POTW) for the area serviced by the Loxahatchee River Environmental Control District (DISTRICT, the District) and enables the District to comply with all applicable State and Federal laws, including (33 United States Code [U.S.C.] section 1251 et seq.), the General Pretreatment Regulations (Title 40 of the *Code of Federal Regulations* [CFR] Part 403 and Chapter 62-625 Florida Administrative Code [F.A.C.]). The objectives of this Rule are:

A. To prevent the introduction of pollutants into the POTW that will interfere with the operation of the POTW, including interference with its use or disposal of municipal biosolids [40 CFR 403.2(a)];

B. To prevent the introduction of pollutants into the POTW which will Pass Through the POTW, inadequately treated, into receiving waters or otherwise be incompatible with the POTW;

C. To ensure that the quality of the wastewater treatment plant biosolids is maintained at a level that allows its use and disposal in compliance with applicable statutes and regulations;

D. To protect POTW personnel who may be affected by wastewater and biosolids in the course of their employment and to protect the general public; and

E. To improve the opportunity to recycle and reclaim wastewater and biosolids from the POTW.

F. To provide for fees for the equitable distribution of the cost of operation, maintenance, and improvement of the POTW; and

G. To enable the District to comply with its National Pollutant Discharge Elimination System (NPDES) permit conditions, biosolids use, and disposal requirements, and any other Federal or State laws to which the (WWTF) is subject.

This Rule shall apply to all Users of the POTW, and requires compliance with Chapter 62-625, F.A.C. of all such Users. The Rule authorizes the issuance of wastewater discharge permits; authorizes monitoring, compliance, and enforcement remedies; establishes administrative review procedures; requires User reporting; and provides for the setting of fees for the equitable distribution of costs resulting from the program established herein.

1.2 Administration

Except as otherwise provided herein, the District's Executive Director shall administer, implement, and enforce the provisions of this Rule. Any powers granted to, or duties imposed upon, the Executive Director may be delegated to other duly authorized District personnel. Whenever the Executive Director is authorized to take any action or make any decisions pursuant to the District's Rules, the District's duly authorized representatives, agents and employees shall have similar authority in the Executive Director's stead.

It is anticipated this document will need periodic review and updating to keep current with changing regulations. However, the basic procedural information and methods of implementation should remain valid.

1.3 Abbreviations

The following abbreviations shall have the designated meanings:

- ASPP - Accidental Spill Prevention Plan
- BOD - Biochemical Oxygen Demand
- BMP – Baseline Monitoring Practice
- BMR – Baseline Monitoring Report
- CFR - Code of Federal Regulations
- CIU – Categorical Industrial User
- COD - Chemical Oxygen Demand
- DISTRICT - Loxahatchee River Environmental Control District
- EPA - U.S. Environmental Protection Agency
- ERP – Enforcement Response Plan
- F.A.C. – Florida Administrative Code
- FDEP – Florida Department of Environmental Protection
- FSE – Food Service Establishment
- F.S. – Florida Statutes
- GPD - gallons per day
- IU – Industrial User
- MDL – Method Detection Limit
- mg/l - milligrams per liter
- NAICS – North American Industry Classification Systems
- NPDES - National Pollutant Discharge Elimination System
- NSCIU – Non-Significant Categorical Industrial User
- O&M - Operation and Maintenance
- PFAS – Per-and Polyfluoroalkyl
- PFOA – Perfluorooctanoic Acid
- PFOS – Perfluorooctane Sulfonic Acid
- POTW - Publicly Owned Treatment Works
- RCRA - Resource Conservation and Recovery Act
- SIC - Standard Industrial Classifications (supplanted by NAICS)
- SIU – Significant Industrial User
- SWDA - Solid Waste Disposal Act (42 U.S.C. 6901, et seq.)
- TRC – Technical Review Criteria
- TSS - Total Suspended Solids
- USC or U.S.C. - United States Code
- WWF – Wastewater Facility

1.4 Definitions

Except as discussed below, the general definitions set forth in the enabling legislation of the District, Chapter 2021-249, Laws of Florida, and as set forth in Chapter 31, Florida Administrative Code shall apply to this Rule. Unless a provision explicitly states otherwise, the following terms and phrases, as used in this Rule, shall have the meanings hereinafter designated.

1. Act or "the Act". The Federal Water Pollution Control Act, also known as the Clean Water Act, as amended, 33 U.S.C. 1251 et seq.
2. Amalgam separator. A device that employs filtration, settlement, centrifugation, or ion exchange to remove amalgam and its metal constituents from a dental office vacuum system before it discharges to the POTW.
3. Amalgam waste. Non-contact amalgam (amalgam scrap that has not been in contact with the patient); contact amalgam (including, but not limited to, extracted teeth containing amalgam); amalgam sludge captured by chairside traps, vacuum pump filters, screens, and other amalgam trapping devices; used amalgam capsules; and leaking or unusable amalgam capsules.
4. ANSI/ADA Standard No. 108. The American National Standards Institute and American Dentistry association standard for amalgam separators.
5. Applicable Pretreatment Standards. For any specified pollutant, District prohibitive standards, District specific pretreatment standards (local limits), State of Florida pretreatment standards, or EPA's Categorical Pretreatment Standards (when effective), whichever standard is appropriate or most stringent.
6. Approval Authority. Designated as the State of Florida (due to Florida having an EPA approved pretreatment program)
7. Authorized Representative of the User.
    a. If the User is a corporation:
        i. A president, secretary, treasurer, or a vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation; or
        ii. The manager of one or more manufacturing, production, or operation facilities, provided, the manager is authorized to make management decisions which govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations and initiating and directing 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 control mechanism 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;
    c. 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 his/her designee.

d. The individuals described in paragraphs 1 through 3 above may designate another authorized representative if the authorization is in writing, the authorization specifies the individual or position responsible for the overall operation of the facility from which the discharge originates or having overall responsibility for environmental matters for the company, and the written authorization is submitted to the District.

8. Baseline Monitoring Report (BMR). Required from all industrial users of the POTW, 180 days after the effective date of an applicable categorical pretreatment standard. These reports, which are analogous to NPDES permit applications and are required by 40 CFR 403,12(b) of the General Pretreatment Regulations. All industrial users must provide information on their production processes, water usage, discharge, and compliance status.

9. Best Management Practices (BMPs). Means schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to implement the prohibitions listed in Rules 62-625.400(1)(a) and (2), F.A.C. BMP's 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.

10. Biochemical Oxygen Demand (BOD). The quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedures for five (5) days at 20-degrees Celsius, usually expressed as a concentration [milligrams per liter (mg/l)].

11. Bypass. The intentional diversion of wastewater streams from any portion of a User's treatment facility.

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

13. Chemical Oxygen Demand (COD). A measure of the oxygen required to oxidize all compounds, both organic and inorganic, in water.

14. Categorical User (CU) or Categorical Industrial User (CIU). A User regulated by one of EPA's Categorical Pretreatment Standards

15. Color. The optical density at the visual wave length of maximum absorption, relative to distilled water. One hundred percent (100%) transmittance is equivalent to zero (0.0) optical density.

16. Composite Sample. The sample resulting from the combination of individual wastewater samples taken at selected intervals based on an increment of either flow or time.

17. Control Authority. The Loxahatchee River Environmental Control District (District).

18. Cooling Water/Non-Contact Cooling Water. Water used for cooling which does not come into direct contact with any raw material, intermediate product, waste product, or finished product. Cooling water may be generated from any use, such as air conditioning, heat exchangers, cooling or refrigeration to which the only pollutant added is heat.

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

20. 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.

21. Disposal Facility. A permitted or certified waste management facility that is authorized to receive interceptor waste.

22. Discharge. The introduction of pollutants or other material or substance into the POTW from any nondomestic source regulated under Chapter 403, F.S.

23. Domestic User (Residential User). Any person who contributes, causes, or allows the contribution of wastewater into the District POTW that is of a similar volume and/or chemical make-up to that of a residential dwelling unit. Discharges from a residential dwelling unit typically include up to 100 gallons per capita per day, 0.17 pounds of BOD per capita per day, and 0.2 pounds of TSS per capita per day.

24. Environmental Protection Agency (EPA). The U.S. Environmental Protection Agency.

25. Executive Director. Serves as the District's Chief Executive Officer, and has overall responsibility for management of the District in accordance with the District's Enabling Legislation, Rules, policies and general direction as set by the Governing Board. Responsible for overseeing the current and long-range planning so that required services are provided efficiently as the characteristics of the area change, and coordinate with other political and administrative government entities.

26. Exemption. Exemptions to specific District requirements may be granted when specific criteria are met. Exemptions will be issued on a case-by-case basis by the District's Director of Engineering.

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

28. Existing User. Any non-categorical User which was discharging wastewater prior to the effective date of this Rule.

29. Food Service Establishment. A restaurant, cafeteria, lunchroom, food stand, saloon, tavern, bar, lounge, or other similar facility operated as an enterprise engaged in the business of selling food to the public.

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

31. Grease Interceptor. A control device that is designed to intercept fats, oil, and grease from wastewater discharged from specific establishments, until they can be removed and disposed of by a waste hauler. It is typically a large liquid retention box with a minimum of two compartments which are separated by baffles and which are installed underground.

32. Hauler. A company that removes and properly disposes of waste collected by any type of interceptor unit.

33. Hazardous Waste Pharmaceutical. A pharmaceutical that is a solid waste, as defined in Title 40 of the Code of Federal Regulations (40 CFR) section 261.2, and exhibits one or more characteristics identified in 40 CFR part 261 subpart C or is listed in 40 CFR part 261 subpart D.

34. Healthcare Facility. Any organization or person that is lawfully authorized to:

    a. Provide preventative, diagnostic, therapeutic, rehabilitative, maintenance or palliative care, and counseling, service, assessment or procedure with respect to the physical or

mental condition, or functional status, of a human or animal or that affects the structure or function of the human or animal body; or

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

35. Indirect Discharge or Discharge. The introduction of pollutants into the POTW from any non-domestic source.

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

37. Interference. A discharge which alone or in conjunction with a discharge or discharges from other sources, either:

    a. Inhibits or disrupts the POTW, its treatment processes or operations;

    b. Inhibits or disrupts its biosolids processes, use or disposal; or

    c. Is a cause of a violation of the District's NPDES permit or of the prevention of sewage biosolids use or disposal in compliance with any of the following statutory/ regulatory provisions or permits issued thereunder (or more stringent State or local regulations): Section 405 of the Clean Water Act; the Solid Waste Disposal Act (SWDA), including Title II commonly referred to as the Resource Conservation and Recovery Act (RCRA); any State regulations contained in any State biosolids management plan prepared pursuant to Subtitle D of the SWDA; the Clean Air Act; the Toxic Substances Control Act; and the Marine Protection, Research, and Sanctuaries Act.

38. ISO 11143. The International Organization for Standardization's standard for amalgam separators.

39. Lint Interceptor. A device designed and intended to capture and prevent lint and other debris from being discharged into the POTW.

40. Local Limit(s). Specific discharge limit(s) developed and enforced by the District upon industrial or commercial facilities to implement the general and specific discharge prohibitions listed in Rule 62-625.400(1)(a) and (2), F.A.C. Refer to Sections 2.1 A and B for a list of prohibitions.

41. Long Term Average. An average based on production over an extended period of time which captures a normal range of flow variation and constituent concentrations.

42. Medical Wastes. 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.

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

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

45. 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.

46. Narrative Standard. A standard or criterion expressed in words rather than numerically.

47. 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 categorical pretreatment standards under Section 307 of the Clean Water Act which will be applicable to such source if such standards are thereafter promulgated in accordance with that section, provided that:

        i. The building, structure, facility, or installation is constructed at a site at which no other source is located; or

        ii. The building, structure, facility, or installation totally replaces the process or production equipment that causes the discharge of pollutants at an existing source; or

        iii. The production or wastewater generating processes of the building, structure, facility, or installation are substantially independent of an existing source at the same site. In determining whether these are substantially independent, factors such as the extent to which the new facility is integrated with the existing plant, and the extent to which the new facility is engaged in the same general type of activity as the existing source, should be considered.

    b. Construction on a site at which an existing source is located results in a modification rather than a new source if the construction does not create a new building, structure, facility, or installation meeting the criteria of Section (1) (b) or (c) 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:

        i. Begun, or caused to begin as part of a continuous on-site construction program

            (1) Any placement, assembly, or installation of facilities or equipment; or

            (2) 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

        ii. Entered into a binding contractual obligation for the purchase of facilities or equipment which are intended to be used in its operation within a reasonable time. Options to purchase or contracts which can be terminated or modified without substantial loss, and contracts for feasibility, engineering, and design studies do not constitute a contractual obligation under this paragraph.

48. New User. A "New User" is a User that is not regulated under federal categorical pretreatment standards but that applies to the District for a new building permit or occupies an existing building

and plans to commence discharge of wastewater to the District's collection system after the effective date of this Rule. Any person that buys an existing facility that is discharging non-domestic wastewater will be considered an "existing User" if no significant changes are made in the manufacturing operation.

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

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

    a. Has consistently complied with all applicable categorical pretreatment standards and requirements;

    b. Annually submits the certification statement required in Rule 62-625.600(17), F.A.C., together with any additional information necessary to support the certification statement; and

    c. Never discharges any untreated categorical process wastewater.

51. North American Industry Classification System (NAICS). Groups together and identifies establishments that use the same or similar processes to produce goods or services. Developed jointly by the U.S., Canada, and Mexico to provide comparable statistics about business activity across North America. NAICS has replaced and supersedes the U.S. Standard Industrial Classification (SIC) system.

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

NAICS vs. SIC: Structure and Nomenclature

52. Oil/Sand Interceptors. A device designed and intended to separate and capture oil, sand, dirt and other debris from being discharged into the POTW

53. Originator. A facility that produces any type of products, byproducts, or pollutants other than domestic waste which are discharged into the POTW.

54. PFAS. Also known as "per-and polyfluoroalkyl" substances are made up of PFOS (perfluorooctane sulfonic acid) and PFOA (perfluorooctanoic acid). It is a group of chemicals used to make fluoropolymer coatings and products that resist heat, oil, stains, grease, and water.

55. PFOS. Also known as Perfluorooctane sulfonic acid make up perfluorinated alkylated substances (PFAS). This group of chemicals is commonly used in a wide range of industrial processes and is found in many consumer products. PFOS has been used in stain-resistant fabrics, fire-fighting foams, food packaging, and as a surfactant in industrial processes.

56. PFOA. Also known as perfluorooctanoic acid, is a man-made chemical usually found in products that resist sticking, heat, water, stains, and grease.

57. 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 District's NPDES permit (including an increase in the magnitude or duration of a violation).

58. Permittee. A person or User issued a wastewater discharge permit.

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

60. pH. A measure of the acidity or alkalinity of a substance, expressed in standard units.

61. Pharmaceutical. Any drug or dietary supplement for use by humans or other animals; any electronic nicotine delivery system (e.g., electronic cigarette or vaping pen); or any liquid nicotine (e-liquid) packaged for retail sale for use in electronic nicotine delivery systems (e.g., pre-filled cartridges or vials). This definition includes, but is not limited to, dietary supplements, as defined by the Federal Food, Drug and Cosmetic Act; prescription drugs, as defined by Title 21 of the Code of Federal Regulations part 203.3(y); over-the-counter drugs; homeopathic drugs; compounded drugs; investigational new drugs; pharmaceuticals remaining in non-empty containers; personal protective equipment contaminated with pharmaceuticals; and clean-up material from spills of pharmaceuticals. Pharmaceutical does not include dental amalgam or sharps.

62. Plant Manager. The person designated by the District to supervise the operation of the POTW, and who is charged with certain duties and responsibilities by this Rule**.** The term also means a Duly Authorized Representative of the District.

63. Pollutant. Any dredged spoil, solid waste, incinerator residue, sewage, garbage, sewage biosolids, munitions, medical wastes, chemical wastes, biological materials, radioactive materials, heat, wrecked or discharged equipment, rock, sand, cellar dirt, agricultural and industrial wastes, and the characteristics of the wastewater [i.e., pH, temperature, TSS, turbidity, color, BOD, Chemical Oxygen Demand (COD), toxicity, or odor].

64. 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).

65. Pretreatment Requirement. Any substantive or procedural requirement related to pretreatment imposed on a User, other than a pretreatment standard.

66. Pretreatment Standards or Standards. Prohibited discharge standards, categorical pretreatment standards, and local limits and/or BMPs established by the District.

67. Prohibited Discharge Standards or Prohibited Discharges. Absolute prohibitions against the discharge of certain substances, which appear in Sections 2.1 (A) and (B) of this Rule.

68. Publicly Owned Treatment Works (POTW). A "treatment works," as defined by Section 212 of the Act (33 U.S.C. 1292) which is owned by the District. 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.

69. Reclaimed Water. Water that has received at least secondary treatment and basic disinfection and is reused after flowing out of the wastewater treatment facility (FDEP Chapter 62-610 FAC).

70. Removal. A reduction in the amount of a pollutant in the POTW's effluent or alteration of the nature of a pollutant during treatment at the POTW. The reduction or alteration can be obtained by physical, chemical, or biological means and may be the result of specifically designed POTW capabilities or may be incidental to the dilution of a pollutant in the POTW.

71. Reverse Distributor. Any person that receives and accumulates prescription pharmaceuticals that are potentially creditable hazardous waste pharmaceuticals for the purpose of facilitating or verifying manufacturer credit. Any person, including forward distributors, third-party logistics providers, and pharmaceutical manufacturers, that processes prescription pharmaceuticals for the facilitation or verification of manufacturer credit is considered a reverse distributor.

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

73. Severe Property Damage. Substantial physical damage to property that causes the property to become inoperable, or substantial and permanent loss of natural resources. Severe property damage does not mean economic loss caused by delays in production.

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

75. Sewer. Any pipe, conduit, ditch, or other device used to collect and transport sewage from the generating source.

76. Sewer System. Any plant, facility, or property, and additions, extensions, and improvements thereto at any future time constructed or acquired as part thereof, useful or necessary, or having the present capacity for future use in connection with the collection, treatment, purification, or disposal of sewage of any nature or originating from any source, including industrial wastes resulting from any processes of industry, manufacture, trade, or business, or from the development of any natural resources; and without limiting the generality of the foregoing definition shall include treatment plants, pumping stations, lift stations, valves, force mains, intercepting sewers, laterals, pressure lines, mains, and all necessary appurtenances and equipment; all sewer mains and laterals for the reception and collection of sewage from premises connected therewith; and shall include all real and personal property and any interest therein, rights, easements, and franchises of nature whatsoever relating to any such sewer system and necessary or convenient for the operation thereof.

77. Shall, May, Will. "Shall" and "Will" are mandatory, "May" is permissive.

78. Significant Industrial User (SIU).

    a. A User subject to categorical pretreatment standards; or

    b. A User that:

i. Discharges an average of 25,000 GPD or more of process wastewater to the POTW (excluding sanitary, non-contact cooling, and boiler blowdown wastewater); or

ii. Contributes a process waste stream 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 District on the basis that it has a reasonable potential for adversely affecting the POTW's operation or for violating any pretreatment standard or requirement.

c. Upon a finding that a User meeting the criteria in Subsection (2) has no reasonable potential for adversely affecting the POTW's operation or for violating any applicable pretreatment standard or requirement, the District may at any time, on its own initiative or in response to a petition received from a User and in accordance with procedures in Rule 62-625.500(2)(e), F.A.C. determine that such User should not be considered a significant industrial User.

79. Significant Non-Compliance ("SNC"). For the purposes of this provision, a User is in significant non-compliance if its violation meets the criteria specified in Section 9 of this Rule.

80. Slug Load. Any discharge at a flow rate or concentration which could cause a violation of the discharge standards in Section 2.1 through 2.4 of this Rule or any discharge of a non-routine, episodic nature, including but not limited to, an accidental spill or a non-customary batch discharge.

81. Standard Industrial Classification (SIC) Code (Supplanted by NAICS). A classification pursuant to the Standard Industrial Classification Manual issued by the United States Office of Management and Budget.

82. State. The State of Florida or an agency within the state government having relevant jurisdiction.

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

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

85. Treatment Plant Effluent. The discharge from the POTW into waters of the United States.

86. Upset. An exceptional incident in which there is unintentional and temporary non-compliance with applicable Pretreatment Standards because of factors beyond the reasonable control of the User.

87. User or Industrial User (IU). A non-domestic discharger introducing an industrial waste stream into the POTW.

88. 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.

89. Wastewater Discharge Permit. An authorization or equivalent control document issued by the District to Users discharging wastewater to the POTW. The permit may contain appropriate pretreatment standards and requirements as set forth in this Rule.

90. Wastewater Treatment Plant or Treatment Plant. That portion of the POTW which is designed to

provide treatment of municipal sewage and industrial waste. The use of the singular shall be construed to include the plural and the plural shall include the singular as indicated by the context of its use.

SECTION 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, waste streams with a closed-cup flash point of less than 140° F (60° C) using the test methods specified in Chapter 62-730, F.A.C;

(2) Wastewater having a pH less than 5.0 or more than 9.5, 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; such as, but not limited to, ashes, bones, cinders, sand, mud, grass clippings, straw, spent grains, spent lime, stone or marble dusts, shavings, metal, glass, rags, feathers, tar, plastics, wood, unground garbage, whole blood, paunch manure, hair, hide or fleshings, entrails, paper dishes, cups, milk containers, either whole or ground garbage grinders, tar asphalt residues, residues from refining or processing of fuel or lubricating oil, or glass grinding or polishing wastes;

(4) Pollutants, including biological 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 Pass Through or Interference with the POTW;

(5) Wastewater having a temperature which will inhibit biological activity in the treatment plant resulting in Interference, but in no case wastewater which causes the temperature at the introduction into the treatment plant to exceed 104° F (40° C);

(6) Petroleum oil, non-biodegradable 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) Any trucked or hauled pollutants, except at discharge points designated by the District in accordance with Section 3.5 of this Rule. All industrial or septic waste haulers shall have a discharge permit issued by the Palm Beach County Health Unit or Martin County Health Unit. No hauled load may be discharged without prior written consent from the District. Samples may be collected from each load to ensure compliance with applicable standards. The hauler may be required to provide waste analysis of any load prior to discharge. The hauler must provide a waste tracking form for every load. The form shall include, at a minimum, the name and address of the waste hauler, permit number, truck identification, names and addresses of

sources of waste, volume and characteristics of waste. This form shall identify the type of industry, known or suspected waste constituents, and whether any wastes are Resource Conservation and Recovery Act (RCRA) hazardous wastes;

(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 health, 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 District's NPDES 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, non-contact cooling water, and unpolluted wastewater, unless specifically authorized by the District;

(13) Any sludge, screenings, or other residues from the pretreatment of industrial wastes or from industrial processes;

(14) Medical wastes, except as specifically authorized by the District;

(15) Wastewater causing, alone or in conjunction with other sources, the treatment plant's effluent to fail a toxicity test;

(16) Detergents, surface-active agents, or other substances which may cause excessive foaming in the POTW;

(17) Fats, oils, or greases of animal or vegetable origin in concentrations greater than 100.0 mg/l;

(18) Any substance which will cause the POTW to violate its NPDES and/or other disposal system permits.

(19) Any hazardous wastes as defined in rules published by the State of Florida or in Chapter 62-730, F.A.C.

(20) Any hazardous waste pharmaceutical from a healthcare facility or reverse distributor.

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 District may impose equivalent concentration or mass limits in accordance with requirements specified in Rule 62-625.410(4), F.A.C.

B. When the limits in a categorical pretreatment standard are expressed only in terms of mass of pollutant per unit of production, the District 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 Users, in accordance with requirements specified in Rule 62-625.410(4), F.A.C..

C. When wastewater subject to a categorical pretreatment standard is mixed with wastewater not regulated by the same Standard, the District shall impose an alternate limit in accordance with Rule 62-625.410(6), F.A.C.

2.3 State Requirements

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

2.4 Local Limits

A. The District is authorized to establish Local Limits pursuant to Rule 62-625.400(3), F.A.C.

(1) No person shall discharge wastewater containing pollutants in excess of the local limits for those pollutants which have been established for the District's POTW using standard procedures, calculations and methods acceptable to FDEP to protect against Pass Through, Interference, protection of POTW employees, and adverse effects on wastewater residuals disposal. No User shall discharge process waste streams, unregulated waste streams, or dilute waste streams in excess of the concentrations set forth by the District. Local limits shall be included as permit conditions and attached to each SIU wastewater permit issued.

(2) Established local limits are subject to change and shall be modified as needed based on regulatory requirements and standards, POTW operation, performance and processes, the District's 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.

B. The following pollutant limits are established to protect against Pass Through and Interference. No User shall discharge wastewater containing in excess of the following Instantaneous Limits:

0.24 mg/l arsenic	1.94 mg/l nickel
400 mg/l BOD5	0.34 mg/l selenium
0.18 mg/l cadmium	4.44 mg/l silver
2.67 mg/l chromium	1.66 mg/l zinc
16.3 mg/l copper	400 mg/l total suspended solids
0.64 mg/l cyanide	100 mg/l fats, oils and grease
3.30 mg/l lead	< 5.5 pH
0.41 mg/l mercury	> 9.5 pH
0.27 mg/l molybdenum	150° F Temperature

The above 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. The District may impose mass limitations in addition to the concentration-based limitations above. Where a User is subject to a categorical pretreatment standard and a local limit for a given pollutant, the more stringent limit or applicable pretreatment standard shall apply.

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

2.5 District's Right of Revision

The District reserves the right to establish, by Rule or in industrial wastewater discharge permits, more stringent standards or requirements on discharges to the POTW consistent with the purpose of this Rule.

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 an applicable pretreatment standard or requirement unless expressly authorized by an applicable pretreatment standard or requirement. The District may impose mass limitations on Users which it believes may be using dilution to meet applicable pretreatment standards or requirements or in other cases when the imposition of mass limitations is appropriate.

SECTION 3—PRETREATMENT OF WASTEWATER

3.1 Pretreatment Facilities

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

3.2 Additional Pretreatment Measures

A. Whenever deemed necessary, the District may require Users to restrict their discharge during peak flow periods, designate that certain wastewater be discharged only into specific sewers, relocate and/or consolidate points of discharge, separate sewage waste streams from industrial waste streams, and such other conditions as may be necessary to protect the POTW and determine the User's compliance with the requirements of this Rule.

B. The District may require any person discharging into the POTW to install and maintain, on their property and at their expense, a suitable storage and flow control facility to ensure equalization of flow. An individual wastewater discharge permit may be issued solely for flow equalization.

C. Fats, Oils and Grease Compliance Monitoring Program

1. Grease, oil/sand and lint interceptors shall be provided when, in the opinion of the District, they are necessary for the proper handling of wastewater containing excessive amounts of grease, oil/sand, and lint, except that such interceptors shall not be required for residential users. All Interceptors construction shall be in accordance with the District's Minimum Construction Standards, Section 122 and shall meet all applicable standards in Chapter 64E-6, Florida Administrative Code and in compliance with the 2020 Florida Building Code Plumbing, Chapter 10 Traps, Interceptors and Separators, Section 1003.3.5. All interceptors must be approved by the District Engineer.

    (a) Grease Interceptors shall be located outside the building with a minimum capacity of 750 gallons and shall be installed in series when multiple tanks are required and shall not be shared. All equipment and kitchen plumbing fixtures in any Food Service Establishment shall be connected to a common drain line which routes all wastewater flow through the grease interceptor, including but not limited to scullery sinks, pots and pan sinks, floor drains, pre-wash sinks, dishwashers, automatic hood wash units, indoor garbage can washes. Under the counter grease traps are not allowed under any circumstance.

    (b) Oil/Sand Interceptors are required for all car washes and establishments with facilities for servicing vehicles/mechanical equipment. All plumbing (other than restrooms) from the area where repairs and maintenance are performed shall be connected to an oil/sand interceptor; this includes but is not limited to floor drains and hand wash sinks. Engine oil, transmission oil, coolant, solvents, additives, brake fluid or any other fluid collected in the process of servicing vehicles/mechanical equipment shall not be discharged into the interceptor or any other plumbing fixture; the handling and disposal of these fluids shall be in compliance with the FDEP and District rules and regulations.

    (c) Lint Interceptors are required for all laundromats and establishments with a central laundry room with five (5) washing machines or more. Interceptors shall be equipped with a wire basket or similar device which is removable for cleaning and prevents the passage of solids ½" or larger in size, strings, rags, buttons or other materials detrimental to the wastewater facilities. Lint interceptors shall be sized based on the following formula: Number of washers x 2 cycles per hour x 20 gallons per cycle flow rate x 2.0 hours retention time x 1.5 storage factor.

2. All interceptors shall be inspected on a semi-annual basis, at a minimum. Additionally, all interceptors will have a structural inspection performed by District staff on a 5-year basis pending no change in ownership or operational modifications. The structural inspection will require the interceptor to be pumped out, pressure washed and cleaned of all contents at the Owner's expense, in advance of the scheduled inspection date. If any facility that has a interceptor installed, submits for change of ownership or operation, then a structural inspection will be required (if not already completed within the past 6 months) as part of the District's review and approval process.

3. The maintenance of all interceptors shall be the sole responsibility of the Owner. Maintenance shall include the proper removal and disposal, by appropriate means, of the captured material and the maintenance of records of the dates and the means of disposal. All maintenance records shall be subject to review by the District. Any removal and hauling of the collected materials must be performed by a licensed waste disposal firm in

accordance with Federal, State and local regulatory requirements.

(a) If inspection of the interceptor(s) performed by the District's Industrial Pretreatment Coordinator is found to be out of compliance and the User is notified by letter, the User shall have all deficiencies outlined in the notice of non-compliance letter corrected within thirty (30) days from the date of the letter and a copy of the invoice for all work completed must be submitted to the District's Industrial Pretreatment Coordinator for verification and recordkeeping purposes.

(b) Senate Bill 1110 (Grease Waste Removal and Disposal) requires grease waste haulers to dispose of grease waste, including grease waste from grease interceptors, traps and graywater, at registered disposal facilities and to document grease waste removal and disposal with a service manifest. The manifest shall provide a cradle to grave record of the production, transport and proper disposal of all interceptor contents.

Upon completion of grease removal, the *Originator* must:

i. Sign the manifest verifying that the information is accurate and

ii. Retain a copy of the service manifest onsite for a minimum of one year.

Upon completion of grease removal, the *Hauler* must:

i. Document the removal and disposal of the grease waste in the service manifest

ii. Verify the information is accurate with the Originator and the disposal facility operator and sign the service manifest.

iii. Provide a copy of the signed service manifest to the Originator.

iv. Sign the service manifest, verifying that the information is accurate.

v. Provide the Originator and the county and municipality in which the Originator is located with a copy of the completed service manifest showing the signatures of the Originator, the Hauler and the disposal facility operator within 30 days after the date of the disposal

Upon completion of grease waste disposal, the disposal facility must:

i. Sign the service manifest verifying that the information is accurate.

(c) Grease Interceptor Exemption. An Exemption from the installation and/or use of a grease interceptor will only be given to those facilities that are reasonably expected not to discharge to the District's POTW fats, oils, grease, or food waste in quantities that may cause or contribute to a blockage, obstruction, interference, pass-through, or other adverse impacts to the District's POTW. Upon receipt and review of a complete application, the District may approve a site-specific Exemption from the requirement to install and maintain a grease interceptor for food service establishments that meet the minimum eligibility requirements stipulated herein.

i. Minimum Eligibility Criteria. To qualify for an Exemption, a food service establishment must meet all of the following conditions:

(1) No on-site food preparation of raw food ingredients is permitted. Food

preparation includes cooking, mixing, combining, marinating, breading, battering, or otherwise processing raw and/or uncooked food ingredients. This prohibition includes, but is not limited to raw meat, poultry, seafood, eggs, dough, batter, dairy products, oil-based foods, sauces, gravies, dressings, and similar ingredients.

(2) Permitted activities are limited to unpackaging, reheating, portioning, and serving food prepared and/or cooked off-site.

(3) The following equipment, or equivalent devices, are prohibited from being on-site under any circumstance: food waste disposer, dishwasher, oil-based fryer, soft serve dispenser, appliances which utilize liquified petroleum (LP) or natural gas (NG).

(4) Food-service appliances must be limited to the equipment documented in the written Exemption approval. Exempt food service establishments are permitted to have up to three (3), 120-volt food-service appliances, each with a maximum rated capacity of 2,000 watts. The total cumulative wattage rating of all appliances on-site must be less than 6,000-watts. Refrigeration equipment is excluded from the cumulative wattage calculation.

(5) All food and beverages must be served using single-use, disposable service-ware, including disposable utensils when utensils are provided or required for consumption.

(6) Bulk preparation, mixing, or on-site production of condiments including: dressings, sauces, dairy-based and oil-based products is prohibited. All condiments must be stored in single-use, disposable containers. Condiments must be served in individual, disposable serving containers.

ii. Best Management Practices. An Exempt food service establishment must implement and adhere to the following Best Management Practices:

(1) Fats, oils, grease and all food waste must be captured and disposed of as solid waste.

(2) All sink drains, except bathroom sinks, must be equipped with a removable screen with a maximum screen opening size of 3/16-inch. All captured solids must be disposed of as solid waste.

(3) Cookware, kitchen utensils, warming pans, trays, serving utensils, and appliance surfaces must be scraped and dry-wiped before washing. Used wipes, scrapings, and captured solids must be disposed of as solid waste.

(4) The use of additives including hot water, detergents, enzymes, bacteria, surfactants, solvents and emulsifiers which are intended to dissolve, neutralize or emulsify fats, oils and grease prior to discharge to the District's POTW is prohibited.

(5) All buffet serving basins, warming basins, chafing dishes, or similar reusable containers must be lined with single use, disposable liners.

(6) Signage shall be posted and maintained at all sink locations which clearly prohibit the discharge of fats, oils, and grease to the plumbing system. Signage language shall be in English, Spanish, and Creole.

(7) All Staff must be provided appropriate training on these Best Management Practices for preventing fats, oils and grease from entering the plumbing system. A training log must be maintained onsite and must always be available for inspection. Training must be performed at the time of hire and at least annually, thereafter.

iii. Approval, Inspection, and Revocation. Exemptions will be issued only upon written approval by the District and will be site-specific and non-transferable. Exempt food service establishments must notify the District in writing before any change in menu, food service practices, equipment/appliances, seating, plumbing, ownership, tenancy, and/or operations are implemented. The District will periodically, at its discretion, inspect all Exempt establishments to verify continued compliance with the Exemption criteria. In accordance with Section 10, Administrative Enforcement Remedies, the District will modify, suspend, or revoke an Exemption if the establishment no longer meets the Exemption criteria or if the establishment is not adhering to Best Management Practices. Upon revocation of an Exemption, the installation of a grease interceptor will be required within six (6) months.

D. Users with the potential to discharge flammable substances may be required to install and maintain an approved combustible gas detection meter(s).

E. When a property's discharge may be injurious to the District's systems or may violate the Rules of the District, the Owner of any property serviced by a building sewer carrying wastes shall, at the request of the District, install a suitable structure together with such necessary meters and other appurtenances in the building sewer to facilitate observation, sampling, and measurement of the wastes. Such structures when required, shall be accessible and safely located and shall be constructed in accordance with plans approved by the District. The structure shall be installed by the Owner at the Owner’s expense and shall be maintained by the Owner so as to be safe and accessible at all times.

F. The District will have the right to require a User or an Owner to provide access for inspection of all services including making copies thereof, and to provide information needed to determine compliance with this Rule. These requirements may include:

1. Wastewaters discharge peak rate and volume over a specified time period;
2. Chemical analyses of wastewaters;
3. Information on raw materials, processes, and products affecting wastewater volume and quality;
4. Quantity and disposition of specific liquid, sludge, oil, solvent, or other materials important to sewer use control;
5. A plot plan of sewers on the User's or Owner's property showing sewer and pretreatment facility locations;
6. Details of wastewater pretreatment facilities;

7. Details of systems to prevent and control the losses of materials through spills to any District sewer.

G. Per-and-Polyfluorinated Substances (PFAS)

1. PFAS compounds are used in industries such as aerospace, automotive, construction, and electronics. PFAS compounds are also applied in a variety of industrial, agricultural, military and commercial products, including firefighting foams, stain-or water-repellant, fabric coating and non-stick cookware. Henceforth, the District may require all IUs to sample their effluent for PFAS using the limits established for drinking water standards and as outlined under the health advisory level, provided by the Florida Health Department, as a not to exceed limit. The purpose of this is to ensure that the reclaimed water produced by the District for irrigation purposes, the biosolids produced from de-water sludge, and the disposal of wastewater by underground injection wells does not add additional contamination of PFAS compounds to the soil and/or groundwater with the primary objective of protecting public health and welfare.

2. Perfluorooctane Sulfonate (PFOS) and Perfluorooctanoic Acid (PFOA) are part of a group of chemicals called perfluoroalkyl substances (PFASs). These are a family of man-made compounds that do not occur naturally. They break down very slowly and may also get into drinking water wells. PFAS are found in the blood of people, animals and in the environment (groundwater, air, soil), as well as produce products, such as vegetables and fruits.

3. While there are currently no wastewater standards for PFAS, as of June 2022, EPA has set a health advisory (HA) level of 0.004 part per trillion (ppt) for PFOA and 0.02 part per trillion (ppt) for PFOS. The HA level is stipulated for combined concentrations of PFOS and PFOA. This level is set to be protective for both cancer and non-cancer effects over a lifetime. All discharges to the District's POTW shall be less than 150% of any defined regulatory limit and/or HA level for drinking water. Analytical analysis of PFAS samples shall be performed using EPA Method 1633.

H. Publicly Owned Water and/or Wastewater Treatment Byproduct Waste Limits

1. When deemed appropriate for the benefit of one or more publicly owned utility and their respective rate payers, and when it is determined to be in the best interest of public health and welfare and the environment, the District may elect to enter into an Interlocal Agreement with another publicly owned water and/or wastewater utility. When executing these types of agreements it is essential for the District to set numerical limits for specific constituents to ensure that the quality of the treated secondary effluent, irrigation quality (i.e., reclaimed) water and dewatered biosolids are relatively unaffected by the introduction and incorporation of any byproduct waste stream.

2. All byproduct waste streams to be received by the District from any publicly owned utility shall be less than or equal to the following numerical limits as measured on a monthly average basis.

Quantitative Criteria for Byproduct Waste Streams	
Parameter	**Numerical Limit**
TDS	2,000 mg/l
Chloride	272 mg/l
Calcium	588 mg/l
Magnesium	29 mg/l
Potassium	11 mg/l
Sodium	98 mg/l
Sulfate	600 mg/l
Ph	7.7

3.3 Dental Facilities that Remove or Place Amalgam Fillings

A. All Owners and operators of dental facilities that remove or place amalgam fillings shall comply with the following reporting and waste management practices:

1. For dental facilities whose first discharge to the POTW occurred on or before January 16, 2020, the One-Time Compliance Report is due no later than October 12, 2020, or no later than 90 days after transfer of ownership.
2. For dental facilities whose first discharge to the POTW occurred after January 16, 2020, the One-Time Compliance Report is due within 90 days of the start of discharge to the sewer collection system.
3. No person shall rinse chairside traps, vacuum screens, or amalgam separators equipment in a sink or other connection to the sanitary sewer.
4. Owners and operators of dental facilities shall ensure that all staff members who handle amalgam waste are trained in the proper handling, management and disposal of mercury-containing material and fixer-containing solutions and shall maintain training records that shall be available for inspection by the District during normal business hours.
5. Amalgam waste shall be stored and managed in accordance with the instructions of the recycler or hauler of such materials.
6. Bleach and other chlorine-containing disinfectants shall not be used to disinfect the vacuum line system.
7. The use of bulk mercury is prohibited. Only pre-capsulated dental amalgam is permitted.

B. All Owners and operators of dental vacuum suction systems, except as set forth in subsections (C) and (D) of this Section, shall comply with the following:

1. An ISO 11143 or ANSI/ADA Standard No. 108 certified amalgam separator or equivalent

device shall be installed for each dental vacuum suction system on or before July 14, 2020; provided, however, that all dental facilities that are newly constructed on and after the effective date of this Rule shall include an installed ISO 11143 or ANSI/ADA Standard No. 108 certified amalgam separator device. The installed device must be ISO 11143 or ANSI/ADA Standard No. 108 certified as capable of removing a minimum of 95 percent of amalgam. The amalgam separator system shall be certified at flow rates comparable to the flow rate of the actual vacuum suction system operation. Neither the separator device nor the related plumbing shall include an automatic flow bypass. For facilities that require an amalgam separator that exceeds the practical capacity of ISO 11143 test methodology, a non-certified separator will be accepted, provided that smaller units from the same manufacturer and of the same technology are ISO-certified.

2. Proof of certification and installation records shall be submitted to the District within 30 days of installation.

3. Amalgam separators shall be maintained in accordance with manufacturer recommendations. Installation, certification, and maintenance records shall be available for immediate inspection upon request therefor by the District during normal business hours. Records shall be maintained for a minimum of three years.

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

1. The system is a dry vacuum pump system with an air-water separator.

2. The sedimentation tank is non-bottom draining, with the drain above the anticipated maximum level of accumulated sludge.

3. Evidence of regular pump outs by a licensed hauler (a minimum of once a year, or more often if either directed by the manufacturer or necessary to keep solids from exiting through the drain) is maintained and available for audit by the District during normal business hours.

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

An Owner or operator whose facility meets conditions (1) through (4) may apply for this exemption by written letter to the District. The District will review the system and, if the exemption is approved, shall provide a written letter of exemption. An exemption obtained pursuant to this subsection (C) shall expire upon installation of a new vacuum system. Upon expiration of the exemption, the facility shall comply with subsection (B) of this Section before commencing further operation.

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

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

1. Submits the following statement to the District, signed by a responsible corporate officer, general partner, proprietor, or a duly authorized representative by the applicable

compliance deadline identified in Section 3.3A:

> *"This facility is a dental discharger subject to this rule and does not place or remove dental amalgam except in limited emergency or unplanned, unanticipated circumstances. I am a responsible corporate officer, a general partner or proprietor (if the facility is a partnership or sole proprietorship), or a duly authorized representative in accordance with the requirements of § 403.12(l) of the above named dental facility, and certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."*

2. Removes dental amalgam for limited emergency or unplanned, unanticipated circumstances, less than 48 times per year and as no more than 5% of dental procedures; and
3. The dental practice notifies the District of any changes affecting the applicability of this certification.

F. Disposal of hauled wastewater from dental facilities to the sanitary sewer must be in accordance with Section 2 General Sewer Use Requirements and Section 3.5 Hauled Wastewater and may be subject to industrial Pretreatment Requirements.

G. Dental dischargers that fail to comply with this Section will be considered a SIU, and will be subject to the requirements herein, including Section 6 Reporting Requirements, Section 7 Compliance Monitoring, Section 10 Administrative Enforcement Remedies, and/or Section 11 Judicial Enforcement Remedies.

3.4 Accidental Discharge / Slug Discharge Control Plans

The District shall evaluate whether each SIU needs an accidental discharge/slug discharge control plan or other action plan to control Slug Discharges. The District may require an SIU to develop, submit for approval, and implement such a plan or take such other action that may be necessary to control Slug Discharges. Alternatively, the District may develop such a plan for any SIU. An accidental discharge/slug discharge control plan shall address, at a minimum, the following:

A. Description of discharge practices, including non-routine batch discharges;

B. Description of stored chemicals;

C. Procedures for immediately notifying the District of any accidental or Slug Discharge, as required by Section 4.5 of this Rule; 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.

3.5 Hauled Wastewater

Hauled industrial waste may not be introduced to the POTW.

Septic tank waste may be introduced into the POTW only at a designated receiving structure within the treatment plant area, and at such times as are established by the District. Such wastes shall not violate Section 2 of this Rule or any other requirements established or adopted by the District. Discharge permits for individual vehicles to use such facilities are required and shall be issued by the Plant Manager.

A. Septic tank waste haulers may only discharge loads at locations specifically designated by the District. No load may be discharged without prior consent of the Plant Manager. The on-duty Operator shall collect samples of each hauled load to ensure compliance with applicable pretreatment standards. The District may require the hauler to provide a waste analysis of any load prior to discharge.

B. Septic tank waste haulers will be provided, by the Plant Manager, with a waste tracking form for every load. This form shall include, at a minimum, the name and address of the waste hauler, permit number, truck identification, sources of waste, and volume and characteristics of waste.

C. Fees for dumping hauled wastes are established as part of the District's Rule Chapter 31-10 Schedule of Rates, Fees, and Charges for the Users of the Regional Wastewater System.

SECTION 4 – INDIVIDUAL WASTEWATER DISCHARGE PERMITS

4.1 Wastewater Analysis

When requested by the District, a User must submit information on the nature and characteristics of its wastewater within 30 days of the request. The Plant Manager 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 District, except that a Significant Industrial User that has filed a timely application pursuant to Section 4.3 of this Rule may continue to discharge for the time period specified therein.

B. The District may require other Users, including liquid waste haulers, to obtain individual wastewater discharge permits as necessary to carry out the purposes of this Rule.

C. Any violation of the terms and conditions of an individual wastewater discharge permit shall be deemed a violation of this Rule and subjects the wastewater discharge permittee to the sanctions set out in Sections 10 through 12 of this Rule which are enforced in accordance with the procedures outlined in the District's Enforcement Response Plan (ERP). 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 Rule and that wishes to continue such discharges in the future shall, within forty-five (45) days after notification by the District, submit a permit application to

the District in accordance with Section 4.5 of this Rule and shall not cause or allow discharges to the POTW to continue after ninety (90) days after the effective date of this Rule except in accordance with an individual wastewater discharge permit issued by the District.

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 Rule, must be filed at least 90 days prior to the date upon which any discharge will begin or recommence.

4.5 Individual Wastewater Discharge Permit Application Contents

A. All Users required to obtain an individual wastewater discharge permit must submit a permit application. The District uses the State of Florida, Individual Industrial User Survey Application, from its Pretreatment Guidance Manual as a permit application. Categorical Users submitting the following information shall have complied with Rule 62-625.600(1),

F.A.C. The District may require Users to submit all or some of the following information as part of a permit application:

1. Identifying Information.
    (a) The name and address of the facility, including the name of the operator and Owner.
    (b) Contact information, description of activities, facilities, and plant production processes on the premises;
2. Environmental Permits. A list of any environmental control permits held by or for the facility.
3. Description of Operations.
    (a) 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.
    (b) 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;
    (c) Number and type of employees, hours of operation, and proposed or actual hours of operation;
    (d) Type and amount of raw materials processed (average and maximum per day);
    (e) 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;
4. Time and duration of discharges;
5. The location for monitoring all wastes covered by the permit;

6. 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 waste stream formula set out in Section 2.2C of this Rule (and Rule 62-625.410(6), F.A.C.).
7. Measurement of Pollutants.
    (a) The categorical pretreatment standards applicable to each regulated process and any new categorically regulated processes for existing sources.
    (b) The results of sampling and analysis identifying the nature and concentration, and/or mass, where required by the Standard or by the District, of regulated pollutants in the discharge from each regulated process.
    (c) Instantaneous, Daily Maximum, and long-term average concentrations, or mass, where required, shall be reported.
    (d) The sample shall be representative of daily operations and shall be analyzed in accordance with procedures set out in Section 6.10 of this Rule. Where the Standard requires compliance with a Best Management Practice or pollution prevention alternative, the User shall submit documentation as required by the District or the applicable Standards to determine compliance with the Standard.
    (e) Sampling must be performed in accordance with procedures set out in Section
    (f) 6.11 of this Rule.
8. If appropriate, Users shall submit a request for a monitoring waiver (or a renewal of an approved monitoring waiver) for a pollutant neither present nor expected to be present in the discharge based on Section 6.4 B of this Rule [and Rule 62- 625.600(4)(c)1, F.A.C.].
9. Any other information as may be deemed necessary by the District to evaluate the permit application.

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

4.6 Application Signatories and Certifications

A. 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 6.15 A of this Rule.

B. 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 District prior to or together with any reports to be signed by an Authorized Representative.

C. A facility determined to be a Non-Significant Categorical Industrial User by the District pursuant to Section 1.4 (40) of this Rule must annually submit the signed certification statement in Section 6.15 B of this Rule [Note: See Rule 62-625.200(25)(c), F.A.C.].

4.7 Individual Wastewater Discharge Permit Decisions

The District will evaluate the data furnished by the User and may require additional information. Within

forty-five (45) days of receipt of a complete individual wastewater discharge permit application, the District will determine whether or not to issue a discharge permit. The District may deny any application for any individual wastewater discharge permit.

SECTION 5—INDIVIDUAL WASTEWATER DISCHARGE PERMIT ISSUANCE

5.1 Individual Wastewater Discharge 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 District. Each individual wastewater discharge permit will indicate a specific date upon which it will be effective as well as the date it will expire.

5.2 Individual Wastewater Discharge Permit Contents

An individual wastewater discharge permit shall include such conditions as are deemed reasonably necessary by the District 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 biosolids management and disposal, and protect against damage to the POTW.

A. Industrial wastewater discharge permits must contain:

1. A statement that indicates the wastewater discharge permit issuance date, effective date, and expiration date (in no case more than 5 years);
2. A statement that the wastewater discharge permit is non-transferable without prior notification to the District in accordance with Section 5.5 of this Rule, and provisions for furnishing the new Owner or operator with a copy of the existing wastewater discharge permit;
3. Effluent limits, including Best Management Practices, based on applicable Pretreatment Standards;
4. 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 the applicable general pretreatment standards in Sections 2.4 and 6.12 of this Rule and Rule 62-625.500(2)(a)(2)(d), F.A.C., categorical pretreatment standards, local limits, and State and Local laws and;
5. The process for seeking a waiver from monitoring for a pollutant neither present nor expected to be present in the Discharge in accordance with Section 6.4B of this Rule.
6. 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.
7. Requirements to control Slug Discharge, if determined by the District to be necessary.
8. Any grant of the monitoring waiver by the District must be included as a condition in the User's permit (Section 6.4B of this Rule).

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

1. Limits on the average and/or maximum rate of discharge, time of discharge, and/or requirements for flow regulation and equalization;
2. 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;
3. 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;
4. Development and implementation of waste minimization plans to reduce the amount of pollutants discharged to the POTW;
5. The unit charge or schedule of User charges and fees for the management of the wastewater discharged to the POTW;
6. Requirements for installation and maintenance of inspection and sampling facilities and equipment, including flow measurement devices;
7. 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
8. Other conditions as deemed appropriate by the District to ensure compliance with this Rule, and State and Federal laws, rules, and regulations.

5.3 Individual Wastewater Discharge Permit Appeals

Any person wishing to appeal a decision of the District may do so to the District's Governing Board.

5.4 Individual Wastewater Discharge Permit Modification

User requests for permit modifications shall be made in writing and include the facts or reasons which support the request. When modifying a permit, the District shall allow a reasonable time frame for the User to comply with the new or changed conditions if the User cannot meet them at the time of modification and if permitted by law. If the new or changed conditions are the result of new or changed pretreatment regulations, those regulations will stipulate the compliance period. The filing of a request by the permittee for an industrial wastewater discharge permit modification does not stay any wastewater discharge permit condition.

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

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 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 District's POTW, personnel, beneficial reuse of biosolids or reclaimed water, 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 report;

G. Revision of or a grant of variance from categorical pretreatment standards pursuant to Rule 62-625.700, F.A.C.;

H. To correct typographical or other errors in the wastewater discharge permit;

I. To reflect a transfer of the facility ownership and/or operation to a new Owner or operator where requested in accordance with Section 5.5 of this Rule; or

J. Upon request of the permittee, provided such request does not create a violation of any applicable requirements, standards, laws, or rules and regulations.

5.5 Individual Wastewater Discharge Permit Transfer

Wastewater discharge permits may be reassigned or transferred to a new Owner and/or operator only if the permittee gives at least ninety (90) days advance notice to the District and the District approves the individual wastewater discharge permit transfer. The notice to the District must include a written certification by the new Owner and/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 and all requirements therein.

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

5.6 Individual Wastewater Discharge Permit Revocation

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

A. Failure to provide prior notification to the District of changed conditions pursuant to Section 6.6 of this Rule;

B. Misrepresentation or failure to fully disclose all relevant facts in the wastewater discharge permit application;

C. Falsifying self-monitoring reports;

D. Tampering with monitoring equipment;

E. Refusing to allow the District timely access to the facility premises and records;

F. Failure to meet effluent limitations;

G. Failure to pay fines;

H. Failure to pay sewer charges;

I. Failure to meet compliance schedules;

J. Failure to complete a wastewater survey or the wastewater discharge permit application;

K. Failure to provide advance notice of the transfer of business ownership of a permitted facility; or;

L. Violation of any Pretreatment Standard or Requirement, or any terms of the individual wastewater discharge permit or this Rule.

5.7 Individual Wastewater Discharge Permit Reissuance

A User with an expiring individual wastewater discharge permit shall apply for an individual wastewater discharge permit reissuance by submitting a completed individual wastewater discharge permit application, in accordance with Section 4.5 of this Rule, a minimum of ninety (90) days prior to the expiration of the User's existing individual wastewater discharge permit.

5.8 Regulation of Waste Received from Other Jurisdictions

The District must ensure that discharges received from entities outside its jurisdictional boundaries are regulated to the same extent as are discharges from within its jurisdictional boundaries.

A. If another Special District or Municipality, or User located within another Special District or Municipality, contributes wastewater to the POTW, the District Governing Board shall authorize execution of an interlocal agreement with the contributing Special District or Municipality.

B. Prior to entering into an agreement required by Section 5.8 A. of this Rule, the District shall request the following information from the contributing Special District or Municipality:

1. A description of the quality and volume of wastewater discharged to the POTW by the contributing Special District or Municipality;

2. An inventory of all Users located within the contributing Special District or Municipality that are discharging to the POTW; and

3. Such other information as the District may deem necessary.

C. An interlocal agreement, as required by Section 5.8 A. of this Rule, shall contain the following conditions:

1. A requirement for the contributing Special District or Municipality to adopt a sewer use ordinance which is at least as stringent as this Rule and Local Limits, including required Baseline Monitoring Reports (BMRs) which are at least as stringent as those set out in Section 2.4 of this Rule. The requirement shall specify that such ordinance and limits must be revised as necessary to reflect changes made to the District's Rule or Local Limits;

2. A requirement for the contributing Special District or Municipality to submit a revised User inventory on at least an annual basis;

3. A provision specifying which pretreatment implementation activities, including individual wastewater discharge permit issuance, inspection and sampling, and enforcement, will be conducted by the contributing Special District or Municipality; which of these activities will be conducted by the District; and which of these activities will be conducted jointly by the contributing Special District or Municipality and the District;

4. A requirement for the contributing Special District or Municipality to provide the District with access to all information that the contributing Special District or Municipality obtains as part of its pretreatment activities;

5. Limits on the nature, quality, and volume of the contributing Special District or Municipality's wastewater at the point where it discharges to the POTW;
6. Requirements for monitoring the contributing Special District or Municipality's discharge;
7. A provision ensuring the District access to the facilities of Users located within the contributing Special District or municipality's jurisdictional boundaries for the purpose of inspection, sampling, and any other duties deemed necessary by the District; and
8. A provision specifying remedies available for breach of the terms of the interlocal agreement.

Nothing in this Section shall impair existing Interlocal Agreements.

SECTION 6 - REPORTING REQUIREMENTS

6.1 Baseline Monitoring Reports

Users that become subject to new or revised categorical Pretreatment Standards are required to comply with following reporting requirements even if they have been designated as Non-Significant Categorical Industrial Users.

A. 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 Rule 62-625.410(2)(d), F.A.C., whichever is later, existing Categorical Industrial Users currently discharging to or scheduled to discharge to the POTW shall submit to the District, a report which contains the information listed in Section 6.1 B. of this Rule, 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 District a report which contains the information listed in Section 6.1 B. of this Rule below. Each New Source shall report the method of pretreatment it intends to use to meet applicable categorical Standards. Each New Source shall give estimates of the information requested in Section 6.1 B. (below) of this Rule.

B. Users described above shall submit the information set forth below.
    1. All information required in Section 4.5A (1) (a), Section 4.5A (2), Section 4.5A (3) (a), and Section 4.5A (6) of this Rule.
    2. Measurement of pollutants.
        (a) The User shall provide the information required in Section 4.5 A (7) (a) through
        (b) of this Rule.
        (c) The User shall take a minimum of four (4) representative samples to compile the data necessary to comply with the requirements of this paragraph.
        (d) Samples should be taken immediately downstream from pretreatment facilities if such exist or immediately downstream of the regulated process if no pretreatment exists. If other wastewaters are mixed with the regulated wastewater prior to pretreatment, the User shall measure the flows and concentrations necessary to allow the use of the combined waste stream formula in Rule 62-625.410(6), F.A.C.

to evaluate compliance with the Pretreatment Standards. Where an alternate concentration or mass limit has been calculated in accordance with Rule 62-625.410(6), F.A.C. this adjusted limit along with supporting data shall be submitted to the District;

(e) Sampling and analysis shall be performed in accordance with Sections 6.11 and

(f) 6.12 of this Rule;

(g) The District 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;

(h) 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.

3. Compliance Certification. A statement, reviewed by the User's Authorized Representative as defined in Section 1.4(7) of this Rule 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.

4. 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 Rule.

5. Signature and Report Certification. All baseline monitoring reports must be certified in accordance with Section 6.15(A) of this Rule and signed by an Authorized Representative of the User as defined in Section 1.4(7) of this Rule.

6.2 Compliance Schedule Progress Reports

The following conditions shall apply to the compliance schedule required by Section 6.1(B)(4) of this Rule.

A. The schedule shall contain increments of progress in the form of dates for the commencement and completion of major events leading to the construction and operation of additional pretreatment required for the User to meet the applicable Pretreatment Standards (e.g., hiring an engineer, completing preliminary plans, completing final plans, executing contract for major components, commencing construction, completing construction, etc.).

B. No progress increment referred to in Section 6.2 (A) of this Rule shall exceed nine (9) months.

C. The User shall submit a progress report to the District no later than fourteen (14) days following each progress milestone date in the schedule and the final date for compliance, including, as a minimum, whether or not it complied with the increment of progress, the reason for delay, and, if appropriate, the steps being taken by the User to return to the established schedule.

D. In no event shall more than nine (9) months elapse between such progress reports.

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 District, a report containing the information described in Sections 4.5 and 6.1(B)(2) of this Rule.

For Users subject to equivalent mass or concentration limits established in accordance with the procedures in Sections 4.5 and 6.1(B)(2) of this Rule, 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 6.15(A) of this Rule. All sampling will be done in conformance with Section 6.12 of this Rule.

6.4 Periodic Compliance Reports for Categorical Industrial Users

All SIUs are required to submit periodic compliance reports even if they have been designated a Non-Significant Categorical Industrial User (NSCIU).

A. Any CIU, except an NSCIU, after the compliance date of such pretreatment standard, or, in the case of a new source, after the commencement of the discharge into the POTW, shall submit to the District during the months of June and December, annually, unless required more frequently in the pretreatment standard or by the District in accordance with Section 6.4 D of this Rule, a report indicating the nature and concentration of pollutants in the effluent which are limited by such categorical pretreatment standards. In addition, this report shall include a record of measured or estimated average and maximum daily flows for the reporting period for the discharge reported. In cases where the pretreatment standard requires compliance with a best management practice (BMP) or pollution prevention alternative, the Industrial User (IU) shall submit documentation required by the District or the pretreatment standard necessary to determine the compliance status of the IU. The IU may request submission of this report in months other than June and December, if based on such factors as local high or low flow rates, holidays, or budget cycles, the alternate dates more accurately represent actual operating conditions.

B. The District may authorize a CIU to waive sampling of a pollutant regulated by a categorical pretreatment standard if the CIU demonstrates the following through sampling and other technical factors:

    1. The pollutant is neither present nor expected to be present in the discharge, or the pollutant is present only at background levels from intake water and without any increase in the pollutant due to activities of the CIU; and

    2. The pollutant is determined to be present solely due to sanitary wastewater discharged from the facility provided that the sanitary wastewater is not regulated by an applicable categorical standard and otherwise includes no process wastewater.

C. This authorization of the monitoring waiver is subject to the following conditions and does not supersede certification processes and requirements established in categorical pretreatment standards, except as specified in the categorical pretreatment standard:

    1. The monitoring waiver is valid only for the duration for the effective period of the individual wastewater discharge permit, but in no case longer than five (5) years. The CIU must submit a new request for the waiver before the waiver can be granted for each subsequent wastewater discharge permit.

2. In making a demonstration that a pollutant is not present, the CIU must provide data from at least four (4) samplings of the facility's process wastewater prior to any treatment present at the facility that is representative of all wastewater from all processes. Non-detectable sample results may only be used as a demonstration that a pollutant is not present if FDEP's approved method from Rule 62-4.246, F.A.C., with the lowest method detection limit (MDL) for that pollutant was used in the analysis;
3. The request for a monitoring waiver must be signed in accordance with Section 1.4(7) and include the certification statement in Section 6.15A of this Rule.
4. The authorization must be included as a condition in the CIU's permit. The reasons supporting the waiver and any information submitted by the CIU in its request for the waiver must be maintained by the District for three (3) years after expiration of the waiver.
5. Upon approval of the monitoring waiver and revision of the CIU's individual wastewater discharge permit by the District, the CIU must certify each report with the statement in Section 6.15(C) of this Rule.
6. 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 CIU's operations, the CIU must immediately notify the District and comply with the monitoring requirements of Section 6.4A of this Rule or other more frequent monitoring requirements imposed by the District.

D. All periodic compliance reports must be signed and certified in accordance with Section 6.15A of this Rule and signed by an authorized representative of the user as defined in Section 1.4(7) of this Rule.

E. Sampling and analysis shall be performed in accordance with Sections 6.11 and 6.12 of this Rule.

F. For this report, the IU will be required to collect the number of grab samples necessary to assess and assure compliance with applicable pretreatment standards and pretreatment requirements.

G. If a User subject to the reporting requirement in this Section monitors any regulated pollutant at the appropriate sampling location more frequently than required by the District, using the procedures prescribed in Section 6.12 of this Rule, the results of this monitoring shall be included in the report.

6.5 Periodic Compliance Reports for Industrial Users Not Subject to Categorical Pretreatment Standards

A. Industrial users with discharges that are not subject to categorical pretreatment standards shall submit to the District during the months of June and December annually, unless required more frequently in the pretreatment standard or by the District in accordance with Section 6.4 of this Rule, a report indicating the nature and concentration of pollutants in the effluent which are limited by such categorical pretreatment standards. In addition, this report shall include a record of measured or estimated average and maximum daily flows for the reporting period for the discharge reported in Section 6.1 B(2) of this Rule. In cases where the pretreatment standard requires compliance with a BMP or pollution prevention alternative, the IU shall submit documentation required by the District or the pretreatment standard necessary to determine the compliance status of the IU. The IU may request submission of this report in months other than June and December, if based on such factors as local high or low flow rates, holidays, or budget cycles, the alternate dates more accurately represent actual operating conditions.

B. All periodic compliance reports must be certified in accordance with Section 6.15 A of this Rule

and signed by an authorized representative of the user as defined in Section 1.4(7) of this Rule.

C. Sampling and analysis shall be performed in accordance with Sections 6.11 and 6.12 of this Rule.

D. For this report, the IU will be required to collect the number of grab samples necessary to assess and assure compliance with applicable pretreatment standards and requirements.

E. If an IU subject to the reporting requirement in this Section monitors any regulated pollutant at the appropriate sampling location more frequently than required by the District, using the procedures prescribed in Section 6.12 of this Rule, the results of this monitoring shall be included in the report.

6.6 Reports of Changed Conditions

Each User must notify the District of any significant changes to the User's operations or system which might alter the nature, quality, or volume of its wastewater at least thirty (30) days before the change (Rule 62-625.600(9), F.A.C.).

A. The District 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 Rule.

B. The District may issue an individual wastewater discharge permit under Section 5.7 (Individual Wastewater Discharge Permit Reissuance) of this Rule or modify an existing wastewater discharge permit under Section 5.4 (Individual Wastewater Discharge Permit Modification) of this Rule in response to changed conditions or anticipated changed conditions.

C. Users are not permitted to implement any changes to their operations and/or system(s) which would alter the nature, quality or volume of the wastewater to be discharged to the POTW without prior written approval from the District to do so.

6.7 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 District 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 District, 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 Rule.

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 Section 6.7 A. of this Rule, above. Employers shall ensure that all employees, who could cause such a discharge to occur, are advised of the emergency notification procedure.

D. All Users are required to notify the District immediately of any changes at its facility affecting the potential for a Slug Discharge.

6.8 Reports from Unpermitted Users

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

6.9 Notice of Violation/Repeat Sampling and Reporting

If sampling performed by a User indicates a violation, the User shall notify the District 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 District within thirty (30) days after becoming aware of the violation. Where the District has performed the sampling and analysis in lieu of the User, the District will perform the repeat sampling and analysis unless the User is notified and required to perform the repeat analysis. Re-sampling is not required if the District performs sampling at the Industrial User at a frequency of at least once per month, or the District performs sampling at the User's sampling location between the time when the initial sampling was conducted and the time when the User or the District receives the results of this sampling.

6.10 Notification of the Discharge of Hazardous Waste

A. Discharge of hazardous waste, as defined in rules published by the State of Florida or in Chapter 62-730, F.A.C., to the POTW is prohibited. The discharge of hazardous waste to the POTW shall be considered a violation of this rule.

B. Users shall notify the District and FDEP's hazardous waste and pretreatment 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, 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 shall also contain the following information to the extent such information is known and readily available to the IU: (1) An identification of the hazardous constituents contained in the wastes, (2) An estimation of the mass and concentration of such constituents in the waste stream discharged during that calendar month, and (3) An estimation of the mass of constituents in the waste stream expected to be discharged during the following twelve (12) months. Users shall provide notification no later than thirty (30) days after the discharge of the listed or characteristic hazardous waste. 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

   6.6 (Reports of Changed Conditions) of this Rule. 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 Rule.

C. In the case of any new FDEP regulations identifying additional characteristics of hazardous waste or listing any additional substance as a hazardous waste, the IU must notify the District and the FDEP's hazardous waste and pretreatment 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 IU shall certify that it has a program in place to reduce the volume and toxicity of hazardous wastes generated to the degree it has determined to be economically practical.

E. This provision does not create a right to discharge any substance not otherwise permitted to be discharged by this Rule, a permit issued thereunder, or any applicable Federal or State law.

6.11 Analytical Requirements

Analytical tests shall be performed in accordance with the techniques prescribed in 40 CFR Part 136, as of August 28, 2017, hereby adopted and incorporated by reference. If a test for a specific component is not listed in 40 CFR Part 136, or if the test procedure has been determined to be inappropriate for the analyte in question (e.g., insufficient sensitivity) the laboratory, with the approval of the IU and the District, shall identify and propose a method for use in accordance with Rules 62-160.300 and 62-160.330, F.A.C. If a sampling procedure is not available or none of the approved procedures are appropriate for collecting the samples, the sampling organization, with the approval of the IU and the District, shall identify and propose a method for use in accordance with Rule 62-160.220, F.A.C.

6.12 Sample Collection

Samples collected to satisfy reporting requirements must be based on data obtained through appropriate quarterly sampling and analysis performed during the period covered by the report, based on data that is representative of conditions occurring during the quarterly reporting period.

A. Except in the case of NSCIUs, the reports required in Sections 6.1, 6.3, 6.4, and 6.5 of this Rule shall contain the results of sampling and analysis of the discharge, including the flow and the nature and concentration, or production and mass where requested by the District, of pollutants contained therein which are limited by the applicable pretreatment standards. This sampling and analysis may be performed by the District in lieu of the IU. Where the District performs the required sampling and analysis in lieu of the IU, the IU is not required to submit the compliance certification required in Sections 6.1, 6.3, 6.4 and 6.5 of this Rule. In addition, where the District collects all the information required for the report, including flow data, the IU is not required to submit the report. All laboratory analytical reports prepared by the IU or the District shall comply with Rule 62-160.340, F.A.C.

B. The reports required in Sections 6.1, 6.3, 6.4 and 6.5 of this Rule shall be based upon data obtained through sampling and analysis performed during the period covered by the report. These data shall be representative of conditions occurring during the reporting period. The District will indicate the frequency of monitoring necessary to assess and assure compliance by the IU with applicable Pretreatment Standards and Requirements.

C. For all sampling required by this ordinance, grab samples must be used for pH, cyanide, total phenols, oil and grease, sulfide, and volatile organic compounds. For all other pollutants, 24- hour composite samples must be obtained through flow-proportional composite sampling techniques, unless time-proportional composite sampling or grab sampling is authorized by the District. Where time-proportional composite sampling or grab sampling is authorized by the District, the sample must be representative of the discharge and the decision to allow the alternative sampling will be documented in the IU's file. Using protocols (including appropriate preservation) specified in Chapter 62-160, F.A.C., and DEP-SOP-001/01, multiple grabs collected during a 24-hour period may be composited prior to analysis as follows:

    1. Samples for cyanide, total phenols, and sulfides may be composited in the laboratory or in the field;
    2. Samples for volatile organics and oil and grease may be composited in the laboratory; and
    3. Composite samples for other parameters unaffected by the compositing procedures as allowed in FDEP's approved sampling procedures and laboratory methodologies may be

authorized by the District, as appropriate.

D. Oil and grease samples shall be collected in accordance with Section 6.12 C of this Rule above, unless the sampling location or point cannot be physically accessed to perform a direct collection of a grab sample. In these instances, the sample shall be pumped from the sampling location or point into the sample container using a peristaltic-type pump. All pump tubing used for sample collection must be new or pre-cleaned and must be changed between sample containers and sample points. The pump tubing shall not be pre-rinsed or flushed with sample prior to collecting the sample. The report of analysis shall indicate that a peristaltic pump was used to collect the oil and grease sample. Samples for oil and grease, temperature, pH, cyanide, total phenols, sulfides, and volatile organic compounds must be obtained using grab collection techniques.

E. Sampling required in support of baseline monitoring reporting and 90-day compliance reporting required in Section 6.1 and 6.2 of this Rule shall be conducted as follows:

1. For Users where historical sampling does not exist, a minimum of four (4) grab samples must be used for pH, cyanide, total phenols, oil and grease, sulfide and volatile organic compounds.

2. For Users where historical sampling data is available, the District may authorize a reduced sample quantity.

6.13 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 by the District shall govern.

6.14 Record Keeping

A. Any IU subject to the reporting requirements of this ordinance shall:

1. Maintain records of all information resulting from any monitoring activities required by this ordinance, including documentation associated with BMPs. All sampling and analysis activities shall be subject to the record-keeping requirements specified in Chapter 62-160, F.A.C.; and

2. Maintain for a minimum of three (3) years all records of monitoring results (whether or not such monitoring activities are required by this ordinance), including documentation associated with BMPs and shall make such records available for inspection and copying by the District and FDEP. This period of retention shall be extended during the course of any unresolved litigation regarding the IU or the District, where the IU has been specifically notified of a longer retention period by the District.

B. 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.

6.15 Certification Statement

A. 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 4.6 of this Rule; Users submitting baseline monitoring reports under Section 6.1 [Note: See Rule 62-625.600(1)(a) F.A.C.]; Users submitting reports on compliance with the categorical Pretreatment Standard deadlines under Section 6.3 of

this Rule [Note: See Rule 62-625.600(3) F.A.C.]; Users submitting periodic compliance reports required by Section 6.4 A–D of this Rule [Note: See Rule 62-625.600(4) and (7) F.A.C.], and Users submitting an initial request to forego sampling of a pollutant on the basis of Section 6.4C(3) of this Rule [Note: See Rule 62-625.600(4)(c)(2) F.A.C.]. The following certification statement must be signed by an Authorized Representative as defined in Section 1.4(7) of this Rule:

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.

B. Annual Certification for Non-Significant Categorical Industrial Users (NSCIU) - A facility determined to be a NSCIU by the District, pursuant to Section 1.4(40) and Section 4.6C of this Rule, must annually submit the following certification statement signed in accordance with the signatory requirements in Section 1.4(7) of this Rule. This certification must accompany an alternative report required by the District:

Based on my inquiry of the person or persons directly responsible for managing compliance with the categorical Pretreatment Standards under 40 CFR ___, I certify that, to the best of my knowledge and belief that during the period from _____ *,*

_____ *to* _____, _____ *[months, days, year]:*

(a) The facility described as _____ *[facility name] met the definition of a Non-Significant Categorical Industrial User as described in Section 1.4(40) of this Rule.*

(b) The facility complied with all applicable Pretreatment Standards and requirements during this reporting period; and (c) the facility never discharged more than 100 gallons of total categorical wastewater on any given day during this reporting period.

This compliance certification is based on the following information.

_____

_____

C. Certification of Pollutants Not Present

Users that have an approved monitoring waiver based on Section 6.4 B of this Rule must certify on each report with the following statement that there has been no increase in the pollutant in its waste stream due to activities of the User.

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.A of this Rule.

SECTION 7 - COMPLIANCE MONITORING

7.1 Right of Entry: Inspection and Sampling

The District shall have the right to enter the premises of any User to verify whether the User is complying with all requirements of this Rule and any individual wastewater discharge permit or order issued hereunder. Users shall allow District personnel 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 site security personnel so that, upon presentation of suitable identification, District personnel shall be permitted to enter without delay for the purposes of performing specific responsibilities.

B. District personnel 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 District 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 monitoring facilities shall be constructed and maintained in accordance with all applicable local construction standards and specifications and approved by the District. All devices used to measure wastewater flow and quality shall be calibrated annually 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 District and shall not be replaced. The costs of clearing such access shall be borne by the User.

E. . Unreasonable delays in allowing District personnel access to the User's premises shall be a violation of this Rule.

7.2 Search Warrants

The District may seek issuance of a search warrant(s) from any court of competent jurisdiction for any of the following reasons:

A. Refusal of access to a building, structure or property or any part thereof.

B. If the District is able to demonstrate probable cause to believe that there may be a violation of this Rule.

C. If there is a need to inspect and sample as part of a routine inspection and sampling program of the District.

D. To protect public health, safety and welfare within the District.

SECTION 8 - CONFIDENTIAL INFORMATION

In accordance with Chapter 119, F.S., all information, documents, and data submitted to the District are considered to be public information, and as such shall be available to the public. However, in accordance

with Section 403.111, F.S., any information submitted to the District in accordance with this Rule may be claimed as confidential by the submitter. Any such claim must be asserted at the time of submission in the manner prescribed on the application form or instructions, or, in the case of other submissions, by stamping the words “confidential business information” on each page containing such information. If no claim is made at the time of submission, the District shall make the information available to the public without further notice. If a claim is asserted, the information will be treated in accordance with the procedures in Section 403.111, F.S. Wastewater constituents and characteristics and other "effluent data" as defined by 40 CFR 2.302 shall not be recognized as confidential information and shall be available to the public without restriction.

SECTION 9 - PUBLICATION OF USERS IN SIGNIFICANT NON-COMPLIANCE

The District shall publish annually, in a newspaper(s) of general circulation that provides meaningful public notice within the jurisdiction(s) served by the District, a list of the Users which, during the previous twelve (12) months, were in Significant Noncompliance with applicable Pretreatment Standards and Requirements. The term Significant Noncompliance shall be applicable to all Significant Industrial Users (SIU) or any other Industrial User that violates one (1) or more of the following criteria:

A. Chronic violations of wastewater discharge limits defined here as those in which sixty six percent (66%) or more of all the measurements taken for the same pollutant parameter taken during a six (6) month period exceed (by any magnitude) a numeric Pretreatment Standard or Requirement, including Instantaneous Limits as defined in Section 2.4 of this Rule;

B. Technical Review Criteria (TRC) violations, defined here as those in which thirty three percent (33%) or more of wastewater measurements taken for each pollutant parameter during a six (6) month period equals or exceeds the product of the numeric Pretreatment Standard or Requirement including Instantaneous Limits, multiplied by the applicable TRC (1.4 for BOD, TSS, fats, oils and grease, and 1.2 for all other pollutants except pH);

C. Any other violation of a Pretreatment Standard or Requirement (Daily Maximum, Long Term Average, Instantaneous Limit, or Narrative Standard) that the District determines has caused, alone or in combination with other discharges, Interference or Pass Through (including endangering the health of POTW personnel or the general public);

D. Any discharge that has resulted in the District’s exercise of its emergency authority to halt or prevent such a discharge;

E. Failure to meet, within ninety (90) days of the scheduled date, a compliance schedule milestone contained in an individual wastewater discharge permit or enforcement order for starting construction, completing construction, or attaining final compliance;

F. Failure to provide, within forty-five (45) days after the due date, any required reports, including baseline monitoring reports, reports on compliance with categorical Pretreatment Standard deadlines, periodic self-monitoring reports, and reports on compliance with compliance schedules;

G. Failure to accurately report noncompliance; or

H. Any other violation(s), which may include a violation of Best Management Practices, which the District determines will adversely affect the operation or implementation of the local pretreatment program.

SECTION 10 - ADMINISTRATIVE ENFORCEMENT REMEDIES

10.1 Notification of Violation

When the District finds that a User has violated, or continues to violate, any provision of this Rule, an individual wastewater discharge permit or order issued hereunder, or any other Pretreatment Standard or Requirement, the District may serve upon that User a written Notice of Violation. Within ten (10) days of the 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 District. Submission of this plan in no way relieves the User of liability for any violations occurring before or after receipt of the Notice of Violation. Nothing in this Section shall limit the authority of the District to take any action, including emergency actions or any other enforcement action, prior to issuing a Notice of Violation.

10.2 Consent Orders

The District may enter into Consent Orders or other similar documents establishing an agreement with any User responsible for non-compliance. Such documents shall include specific action to be taken by the User to correct the non-compliance within a time period specified by the document. Such documents shall have the same force and effect as the administrative orders issued pursuant to Sections 10.4 and 10.5 of this Rule and shall be judicially enforceable.

10.3 Show Cause Hearing

The District may order, via a certified letter or registered mail, a User which has violated or continues to violate any provision of this Rule, an individual wastewater discharge permit or order issued hereunder, or any other Pretreatment Standard or Requirement, to appear before the District 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 ten (10) days prior to the hearing. Such notice may be served on any authorized representative of the User. A show cause hearing shall not be a bar against, or prerequisite for, taking any other action against the User.

10.4 Compliance Orders

When the District finds that a User has violated, or continues to violate any provision of this Rule, an individual wastewater discharge permit, or order issued hereunder, or any other Pretreatment Standard or Requirement, the District 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 specified in the order, sewer service may be discontinued unless adequate treatment facilities, devices, or other related appurtenances are installed and properly operated. Compliance orders may also contain other requirements to address the non-compliance, 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 by 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.

10.5 Cease and Desist Orders

When the District finds that a User has violated, or continues to violate, any provision of this Rule, 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 District 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.

10.6 Administrative Fines

A. When the District finds that a User has violated or continues to violate any provision of this Rule, an industrial wastewater discharge permit or order issued hereunder, or any other Pretreatment Standard or Requirement, the District may fine such User in at least the amount of one-thousand dollars ($1,000) a day for each violation. Such fines shall be assessed on a per violation, per day basis. In the case of monthly or other long term average discharge limits, fines shall be assessed for each day during the period of violation. The District may add the costs of preparing administrative enforcement actions, such as notices and orders, to the fine.

B. Unpaid charges, fines, and penalties shall, after ninety (90) calendar days, be assessed an additional penalty of two percent (2%) of the unpaid balance, and interest shall accrue thereafter at a rate of one and one-half percent (1.5%) per month. A lien against the User's property will be sought for unpaid charges, fines, and penalties.

C. Users desiring to dispute such fines must file a written request for the District to reconsider the fine along with full payment of the fine amount within thirty (30) days of being notified of the fine. Where a request has merit, the District shall convene a hearing on the matter within forty-five (45) days of receiving the request from the User. In the event the User's appeal is successful, the payment, together with any interest accruing thereto, shall be returned to the User. The District will also return any costs previously added to the fine which were assessed to cover the District's cost of preparing administrative enforcement actions.

D. Issuance of an administrative fine shall not be a bar against, or be a prerequisite for, taking any other action against the User.

10.7 Emergency Suspensions

The District may immediately suspend a User's discharge, after informal notice to the User, whenever such suspension is necessary to stop an actual or threatened discharge which reasonably appears to present or cause an imminent or substantial endangerment to the health or welfare of persons. The District may also immediately suspend a User's discharge, after notice and opportunity to respond, that threatens to interfere with the operation of the POTW or which presents, or may present, an endangerment to the environment.

A. Any User notified of a suspension of its discharge shall immediately stop or eliminate its contribution. In the event of a User's failure to immediately comply voluntarily with the suspension order, the District shall take such steps as deemed necessary, including immediate severance of the sewer connection, to prevent or minimize damage to the POTW, its receiving stream, or endangerment to any individuals. The District shall allow the User to recommence its discharge when the User has demonstrated to the satisfaction of the District that the period of

endangerment has passed, unless the termination proceedings in Section 10.8 of this Rule are initiated against the User.

B. A User that is responsible, in whole or in part, for any discharge presenting imminent endangerment shall submit a detailed written statement, describing the causes of the harmful contribution and the measures taken to prevent any future occurrence, to the District prior to the date of any show cause or termination hearing under Sections 10.3 and 10.8 of this Rule.

Nothing in this Section shall be interpreted as requiring a hearing prior to any emergency suspension under this Rule.

10.8 Termination of Discharge (Non-Emergency)

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

A. Violation of individual wastewater discharge permit conditions;

B. Failure to accurately report the wastewater constituents and characteristics of its discharge;

C. Failure to report significant changes in operations or wastewater volume, constituents and characteristics prior to discharge;

D. Refusal of reasonable access to the User's premises for the purpose of inspection, monitoring or sampling; or

E. Violation of the Pretreatment Standards defined in Section 2 of this Rule.

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 Rule why the proposed action should not be taken. Exercise of this option by the District shall not be a bar to, or a prerequisite for, taking any other action against the User.

Cross Reference: Rules 31-3.008, 31-3.009 and Chapter 31-10 provide violations thereof are subject to the penalties provided in Chapter 31-13, Sections 10 and 11.

SECTION 11 - JUDICIAL ENFORCEMENT REMEDIES

11.1 Injunctive Relief

When the District finds that a User has violated, or continues to violate, any provision of this Rule, an industrial wastewater discharge permit, or order issued hereunder, or any other pretreatment standard or Requirement, the District may seek injunctive, civil and criminal remedies in at least the amount of one thousand dollars ($1,000.00) a day for each violation in the court(s) of applicable jurisdiction. The District may also seek such other action as is appropriate for legal and/or equitable relief, including a requirement for the User to conduct environmental remediation. A petition for injunctive relief shall not be a bar against, or a prerequisite for, taking any other action against a User.

11.2 Civil Penalties

The District may seek civil penalties against a User by the appropriate State attorney with jurisdiction.

A. A User which has violated or continues to violate any provision of this Rule, an industrial wastewater discharge permit, or order issued hereunder, or any other Pretreatment Standard or Requirement shall be liable to the District for a maximum civil penalty of not less than

$1,000.00 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 District 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 District.

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, 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.

11.3 Criminal Prosecution

The District may seek criminal prosecution of Users by the appropriate State attorney with jurisdiction.

A. A User which has willfully or negligently violated any provision of this Rule, an industrial 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 less than one-thousand dollars ($1,000) per day, or imprisonment in accordance with State sentencing guidelines, or both.

B. A User which has willfully or negligently introduced 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) per violation per day and/or be subject to imprisonment in accordance with State sentencing guidelines, or both. This penalty shall be in addition to any other cause of action for personal injury or property damage available under law.

C. A User which knowingly makes false statements, representations, or certifications in any application, record, report, plan, or other documentation filed, or required to be maintained, pursuant to this Rule, wastewater discharge permit, or order issued hereunder, or who falsified, tampered with, or knowingly rendered inaccurate any monitoring device or method required under this Rule shall, upon conviction, be punished by a fine of not less than $1,000 per violation per day, or imprisonment in accordance with State sentencing guidelines, or both.

D. In the event of a second conviction, an IU shall be punished by a fine of not less than one thousand dollars ($1,000) per violation per day, or imprisonment in accordance with State sentencing guidelines, or both.

11.4 Remedies Non-Exclusive

The remedies provided for in this Rule are not exclusive. The District reserves the right to take any, all, or any combination of these actions against a non-compliant User. Enforcement in response to pretreatment violations will generally be in accordance with this Rule. However, the District reserves the right to take other action against any User when the circumstances warrant. Further, the District is empowered to take more than one enforcement action against any non-compliant User. These actions may be taken concurrently.

Cross Reference: Rules 31-3.008, 31-3.009 and Chapter 31-10 provide violations thereof are subject to the penalties provided in Chapter 31-13, Sections 10 and 11.

SECTION 12 - AFFIRMATIVE DEFENSES TO DISCHARGE VIOLATIONS

12.1 Upset

A. For the purposes of this Section, upset means an exceptional incident in which there is unintentional and temporary non-compliance with applicable Pretreatment Standards because of factors beyond the reasonable control of the User. An upset does not include non- compliance to the extent caused by operational error, improperly designed treatment 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 non-compliance with applicable Pretreatment Standards if the requirements of paragraph C of this Section 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 root cause cause(s) of the upset; and
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 District and Plant Manager within twenty-four (24) hours of becoming aware of the upset. Note: If this information is provided orally, a written submission must be provided within five (5) days and include at a minimum the following information:
   (a) A description of the indirect discharge and cause of non-compliance;
   (b) The period of non-compliance, including exact dates and times or, if not corrected, the anticipated time the non-compliance is expected to continue; and
   (c) Steps being taken and/or planned to reduce, eliminate, and prevent recurrence of non-compliance.

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 non-compliance with applicable pretreatment standards.

F. Users shall control production of all discharges to the extent necessary to maintain compliance with applicable pretreatment standards upon reduction, loss, or failure of their 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.

12.2 Prohibited Discharge Standards

A User shall have an affirmative defense to an enforcement action brought against it for non-compliance with the prohibitions in Section 2.1(A) and Section 2.1(B)(3 through 7 and 9 through 18) of this Rule 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:

1. 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

2. No Local Limit exists, but the discharge did not change substantially in nature or constituents from the User's prior discharge when the District was regularly in compliance with its NPDES permit, and in the case of Interference, was in compliance with applicable effluent and/or biosolids use or disposal requirements.

12.3 Bypass

A. A User may allow a temporary bypass to occur in order to perform simple maintenance to ensure efficient operation, as long as the bypass does not result in a violation of the applicable Pretreatment Standards or Requirements. These bypasses are not subject to the provision of paragraphs (B) and (C) of this Section.

B. Bypass Notification

1. If a User knows in advance of the need for a bypass, it shall submit prior notice to the District at least ten (10) days before the date of the bypass, if possible. If a User does not know of the need for a bypass ten (10) days prior to the bypass then the User shall notify the District immediately upon knowledge of the need for the bypass.

2. A User shall submit oral notice to the District 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 recurrence of the bypass. The District may waive the written report on a case-by-case basis if the oral report has been received within twenty-four (24) hours.

3. In the event further information is requested, the User shall provide the information within forty-eight (48) hours of the request. If the event occurs during a holiday period or weekend, the written notification shall be the first working day following the holiday period or weekend. Such notification shall not relieve the User of any expense, loss, damage, or other liability which may be incurred as a result of damage to the POTW, natural resources, or any other damage to person or property; nor shall notification relieve the User of any fines, civil penalties, or other liability which may be imposed by this Rule or other applicable law.

C. Prohibition of Bypass

1. Any bypass that will result in an exceedance of any applicable Pretreatment Standard is prohibited, and the District may take an enforcement action against a User for a bypass, unless:

(a) The bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;

(b) There were no technically feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate back-up equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass which occurred during normal periods of equipment downtime or preventive maintenance; and

(c) The User submitted notices as required under Section 12.3B (above) of this Rule.

2. The District may approve an anticipated bypass, after considering its adverse effects, if the District determines that it will meet the three (3) conditions listed in Section 12.3C(1)(above), of this Rule.

SECTION 13 - MISCELLANEOUS PROVISIONS

13.1 Pretreatment Charges and Fees

The District may adopt reasonable fees for reimbursement of costs of setting up and operating the District's Pretreatment Program which may include:

A. Fees for wastewater discharge permit applications including the cost of processing such applications;

B. Fees for monitoring, inspection, and surveillance procedures including the cost of collection and analyzing a User's discharge, and reviewing monitoring reports submitted by Users;

C. Fees for reviewing and responding to accidental discharge procedures and construction;

D. Fees for filing appeals; and

E. Fees to recover administrative and legal costs associated with an enforcement activity taken by the District to address noncompliance by a User; and

F. Other fees as the District may deem necessary to carry out the requirements contained herein.

These fees relate solely to the matters covered by this Rule and are separate from all other fees, fines, and penalties chargeable by the District.

13.2 Severability

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

13.3 Conflicts

All other District Rules and parts of other District Rules inconsistent or conflicting with any part of this Rule are hereby repealed to the extent of the inconsistency or conflict.

SECTION 14 - EFFECTIVE DATE

This Rule shall be in full force and effect on October 19, 2026.

Note: Chapter 31-13 was amended and restated in its entirety based upon the EPA Model Rule and approved in its entirety by the Governing Board on October 15, 2026. The former version is available in the District archives. The Specific Authority for the entire Chapter 31-13 is from the District's enabling Legislation, Chapter 2021-249, Laws of Florida, including but not limited to Section (6), subsections (13), (14), (19) and (24).

History: New 5-5-85, Amended 5-15-92, 8-19-99, 10-20-2011, 1-16-2020, 3-16-2023, 9-19-2024, 10-15-26

_____ LRD Governing Board Chairman, Stephen B. Rockoff

_____ LRD General Counsel, Curtis Shenkman, P.A.

_____ LRD Executive Director, D. Albrey Arrington, Ph.D.

_____ LRD Plant Manager, Jason Pugsley, P.E.

_____ LRD Industrial Pretreatment Coordinator, Vincent Beatrice