



FLORIDA DEPARTMENT *of* STATE

RON DESANTIS
Governor

CORD BYRD
Secretary of State

December 12, 2023

Nikki Alvarez-Sowles, Esq.
Pasco County Clerk and Comptroller
The East Pasco Governmental Center
14236 6th Street, Suite 201
Dade City, Florida 33523

Dear Nikki Alvarez-Sowles:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy of Pasco County Ordinance No. 23-51, which was filed in this office on December 8, 2023.

Sincerely,

Anya Owens
Administrative Code and Register Director

ACO/wlh

BY BOARD OF COUNTY COMMISSIONERS

ORDINANCE NO. 23- 51

AN ORDINANCE BY THE BOARD OF COUNTY COMMISSIONERS OF PASCO COUNTY, FLORIDA, AMENDING CHAPTER 110, ARTICLE IV - COUNTY SEWER SYSTEM, DIVISION 2, INDUSTRIAL PRETREATMENT STANDARDS; ADDING DENTAL AMALGAM AND PHARMACEUTICAL HAZARDOUS WASTE REQUIREMENTS; PROVIDING FOR APPLICABILITY; PROVIDING FOR REPEALER; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING AN EFFECTIVE DATE.

WHEREAS, Pasco County operates the County's industrial pretreatment program ("IPP") and acts as a Control Authority on behalf of the State of Florida; and

WHEREAS, as the Control Authority, the County's IPP must comply with all pertinent rules set forth in the Florida Administrative Code ("F.A.C."), including the recently adopted federal rules relating to the sewerage of dental amalgam and pharmaceutical hazardous waste; and

WHEREAS, the IPP requirements are currently codified in Chapter 110, Article IV - County Sewer System, Division 2, Industrial Pretreatment Standards, of the Pasco County Code of Ordinances (PCC) and now must be amended to incorporate the new dental amalgam and pharmaceutical hazardous waste requirements; and

WHEREAS, this ordinance is exempt from the business impact estimate requirement pursuant to section 125.66 (3)(c)1., because this ordinance is required for compliance with federal and state law and regulation.

NOW, THEREFORE, BE IT ORDAINED by the Board of County Commissioners of Pasco County, Florida, as follows:

SECTION 1. AUTHORITY.

This Ordinance is enacted pursuant to Chapter 125, Florida Statutes, and under the home rule powers of the County.

SECTION 2. LEGISLATIVE FINDINGS OF FACT.

The foregoing WHEREAS clauses are hereby adopted as legislative findings of the Board of County Commissioners and are ratified and confirmed as being true and correct and are hereby made a specific part of this Ordinance upon adoption hereof.

SECTION 3. AMENDMENTS TO PCC CHAPTER 110, ARTICLE IV, DIVISION 2, INDUSTRIAL PRETREATMENT STANDARDS.

Sec. 110-151. Definitions.

The following definitions are given for the purpose of establishing standard interpretations of the terms as used in these rules and regulations and agreements and/or contracts. Definitions as provided in section 110-106 of this chapter are applicable to this division. If conflicting definitions for identical terms are provided in this section, for purposes of this division, definitions provided herein shall govern. Unless the contents specifically indicate otherwise, the meaning of the following terms wherever they are used in these rules and regulations shall be defined as follows:

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

Administrator; The person designated by the county to supervise the operation of the POTW, and who is charged with certain duties and responsibilities by this division. The term also means a duly authorized representative of the administrator.

Amalgam process wastewater shall have the same meaning as set forth in Title 40 Code of Federal Regulations section 441.20, as it may be amended from time to time.

Amalgam separator shall have the same meaning as set forth in Title 40 Code of Federal Regulations section 441.20, as it may be amended from time to time.

Applicant means a potential customer or authorized agent of a potential customer.

Approval authority means the Florida Department of Environmental Protection (FDEP) or its successor agencies.

Authorized representative of the user means:

- (1) If the user is a corporation:
 - a. The president, secretary, treasurer, or a vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation; or
 - b. The manager of one or more manufacturing, production, or operation facilities employing more than 250 persons or having gross annual sales or expenditures exceeding \$25,000,000.00, if authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.
- (2) If the user is a partnership or sole proprietorship: a general partner or proprietor, respectively.

- (3) 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 designee.
- (4) The individuals described in subsections (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 county.

BOD means 5-day biochemical demand. The quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedures for five days at 20 degrees centigrade, usually expressed as a concentration (mg/l).

BMP means best management practice. Best management practices or BMPs means schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to implement the prohibitions listed in section 110-153 and 40 CFR 403.5(a)(1) and (b). BMPs include treatment requirements, operating procedures, and practices to control plant site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw materials storage.

BMR means baseline monitoring report.

Categorical standard means any regulation containing pollutant discharge limits promulgated by the EPA in accordance with Sections 307(b) and (c) of the Act (33 U.S.C. § 1317) which apply to a specific category of users and which appear in 40 CFR Chapter I, Subchapter N, Parts 405-471.

CFR means the Code of Federal Regulations.

CIU means categorical industrial user. An industrial user subject to a categorical pretreatment standard or categorical standard.

COD means chemical oxygen demand. A measure of the oxygen required to oxidize all compounds, both organic and inorganic, in water.

Control authority means Pasco County.

County means the governing body of the unincorporated areas of Pasco County, Florida.

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

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

Dental amalgam shall have the same meaning as set forth in Title 40 Code of Federal Regulations section 441.20, as it may be amended from time to time.

Dental Discharger shall have the same meaning as set forth in Title 40 Code of Federal Regulations section 441.20, as it may be amended from time to time.

Development means any proposed change in land use which alters the demands for water and/or wastewater services.

Director means the assistant county administrator for the Public Infrastructure Branch or designee

Discharge see definition of "Indirect Discharge".

Discharge Permit shall mean a regulatory document issued by the County to Industrial Users. The purpose of these permits is to control the discharge of pollutants and slug loads.

Environmental protection agency or *EPA* means the U.S. Environmental Protection Agency or, where appropriate, the regional water management division director, or other duly authorized official of such agency.

Equivalent residential connection (ERC) means one ERC is equal to the quantity of sewage contributed or reclaimed water used by a single-family residential customer on an annual average basis as established by the county administrator.

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

FDEP means Florida Department of Environmental Protection.

GPD means gallons per day.

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

Healthcare facility shall have the same meaning as set forth in Title 40 Code of Federal Regulations section 266.500, as it may be amended from time to time.

Indirect discharge or *discharge* means the introduction of pollutants into the POTW from any nondomestic source.

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

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

IU means industrial user.

Lateral sewer line means a branch sewer line connected to the main sewer line. A lateral sewer is normally eight inches in size or smaller.

Local limit means specific discharge limits developed, adopted by board resolution and enforced by the county upon industrial or commercial facilities to implement the general and specific discharge prohibitions listed in 40 CFR 403.5(a)(1) and (b).

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

Mg/l means milligrams per liter.

Mobile unit shall have the same meaning as set forth in Title 40 Code of Federal Regulations section 441.20, as it may be amended from time to time.

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

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

New source means:

- (1) Any building, structure, facility, or installation from which there is (or may be) a discharge of pollutants, the construction of which commenced after the publication of proposed pretreatment standards under Section 307(c) of the Act, which will be applicable to such source if such standards are thereafter promulgated in accordance with that section, provided that:
 - a. The building, structure, facility, or installation is constructed at a site at which no other source is located; or
 - b. The building, structure, facility, or installation totally replaces the process or production equipment that causes the discharge of pollutants at an existing source; or
 - c. The production or wastewater-generating processes of the building, structure, facility, or installation are substantially independent of an existing source at the same site. In determining whether there are substantially independent [processes], factors such as the extent to which the new facility is integrated with the existing plant and the extent to which the new facility is engaged in the same general type of activity as the existing source should be considered.
- (2) Construction on a site at which an existing source is located results in a modification rather than a new source if the construction does not create a new building, structure, facility, or installation meeting the criteria of subsection (1)b. or c., above, but otherwise alters, replaces, or adds to existing process or production equipment.
- (3) Construction of a new source as defined under this paragraph has commenced if the owner or operator has:
 - a. Begun, or caused to begin, as part of a continuous onsite 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
 - b. 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.

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

NPDES means National Pollutant Discharge Elimination System.

NSCIU means nonsignificant categorical industrial user.

Off-site sewers means sewer lines totally outside a development or the property of a user.

Non-creditable hazardous waste pharmaceutical shall have the same meaning as set forth in Title 40 Code of Federal Regulations section 266.500, as it may be amended from time to time.

Non-hazardous waste pharmaceutical shall have the same meaning as set forth in Title 40 Code of Federal Regulations section 266.500, as it may be amended from time to time.

Non-pharmaceutical hazardous waste shall have the same meaning as set forth in Title 40 Code of Federal Regulations section 266.500, as it may be amended from time to time.

Pass through means 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 county's permits, including an increase in the magnitude or duration of a violation.

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

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

Pharmaceutical shall have the same meaning as set forth in Title 40 Code of Federal Regulations section 266.500, as it may be amended from time to time.

Plumbing means all pipes, fittings, and appurtenances on the property owner's side of the property line or outside easement areas. This includes the property owner's extension from the sewer lateral up to and including the facility plumbing.

Point of connection means a point of entry given by the county to a customer/developer for the customer's/developer's point of utility connection into the county's collection or transmission system; the point at which the customer/developer receives service.

Pollutant means dredged spoil, solid waste, incinerator residue, filter backwash, sewage, garbage, sewage sludge, munitions, medical wastes, chemical wastes, biological materials, radioactive materials, heat, wrecked or discarded equipment, rock, sand, cellar dirt, municipal,

agricultural and industrial wastes, and certain characteristics of wastewater (e.g., pH, temperature, TSS, turbidity, color, BOD, COD, toxicity, or odor).

Potentially creditable hazardous waste pharmaceutical shall have the same meaning as set forth in Title 40 Code of Federal Regulations section 266.500, as it may be amended from time to time.

Pretreatment means the reduction of the amount of pollutants, the elimination of pollutants, or the alteration of the nature of pollutant properties in wastewater prior to, or in lieu of, introducing such pollutants into the POTW. This reduction or alteration can be obtained by physical, chemical, or biological processes; by process changes; or by other means, except by diluting the concentration of the pollutants unless allowed by an applicable pretreatment standard.

Pretreatment requirements means any substantive or procedural requirement related to pretreatment imposed on a user, other than a pretreatment standard.

Pretreatment standards or *standards* means prohibited discharge standards, categorical pretreatment standards, and local limits.

Prohibited discharge standards or *prohibited discharges* means absolute prohibitions against the discharge of certain substances; these prohibitions appear in section 110-153.

Publicly owned treatment works or *POTW* means a "treatment works," as defined by Section 212 of the Act (33 U.S.C. § 1292) which is owned by Pasco County. 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.

RCRA means Resource Conservation and Recovery Act.

Reuse means beneficial use of reclaimed water.

Reclaimed water means treated wastewater treatment plant effluent which meets the requirements of Rule 62-610, F.A.C. for public access reuse.

Reverse distributor shall have the same meaning as set forth in Title 40 Code of Federal Regulations section 266.500, as it may be amended from time to time.

Sampling means the periodic collection of waters or wastewaters for testing.

Septic tank waste means any sewage from holding tanks, such as vessels, chemical toilets, campers, trailers, and septic tanks.

Service commitment means the county's intent to provide service to a particular development or facility as expressed by the county's approval on a permit request to the Florida Department of Environmental Protection.

Service lateral means sewer connection extending from the point of connection to the collecting sewer in the street or easement to a customer's plumbing.

Sewage disposal plant means the physical facilities for the treatment of sewage before discharge into a percolation pond, stream, spray irrigation system, canal, ocean, lake, injection well or reclaimed water system.

Sewage disposal system means all facilities required to transport sewage to a treatment plant for treatment and effluent disposal, including gravity sanitary sewers, interceptors, force mains, pumping stations, treatment plants, outfalls, disposal wells, and any land application facilities.

Sewer system of the county means the sanitary sewer collection system within the incorporated and unincorporated limits of Pasco County that is operated by or on behalf of the county, or any sanitary collection system which discharges into the sanitary sewer system operated by or on behalf of the county.

SIC means Standard Industrial Classification.

Significant industrial user (SIU) means, except as provided in paragraphs (3) and (4) of this subsection:

- (1) An industrial user subject to categorical pretreatment standards; or
- (2) An industrial user that:
 - a. Discharges an average of 25,000 gpd or more of process wastewater to the POTW (excluding sanitary, noncontact cooling, and boiler blowdown wastewater);
 - b. Contributes a process waste stream which makes up five percent or more of the average dry weather hydraulic or organic capacity of the POTW treatment plant; or
 - c. Is designated as such by the county on the basis that it has a reasonable potential for adversely affecting the POTW's operation or for violating any pretreatment standard or requirement.
- (3) The county may determine that an industrial user subject to categorical pretreatment standards is a nonsignificant categorical industrial user rather than a significant industrial user on a finding that the industrial user never discharges more than 100 gallons per day (gpd) of total categorical wastewater (excluding sanitary, noncontact cooling and boiler blowdown wastewater, unless specifically included in the pretreatment standard) and the following conditions are met:
 - a. The industrial user, prior to county's finding, has consistently complied with all applicable categorical pretreatment standards and requirements;
 - b. The industrial user annually submits the certification statement together with any additional information necessary to support the certification statement; and
 - c. The industrial user never discharges any untreated concentrated wastewater.
- (4) 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 pretreatment standard or requirement, the county may at any time, on its own initiative or in response to a petition received from a user, and in accordance with procedures in 62-625.500(2)(e), F.A.C., determine that such user should not be considered a significant industrial user.

Slug load or *slug discharge* means any discharge at a flow rate or concentration, which could cause a violation of the prohibited discharge standards in section 110-153 of this article. A slug discharge is any discharge of a nonroutine, episodic nature, including, but not limited to, an

accidental spill or a noncustomary batch discharge, which has a reasonable potential to cause interference or pass through, or in any other way violate the POTW's regulations, local limits or permit conditions.

SNC means significant noncompliance.

Standard industrial classification (SIC) code means a classification pursuant to the Standard Industrial Classification Manual issued by the United States Office of Management and Budget.

Stormwater means any flow occurring during or following any form of natural precipitation, and resulting from such precipitation, including snowmelt.

System means the entire sewerage system of Pasco County and all treatment, disposal, reuse facilities and interceptor sewers owned or operated by the county and all sewage collection systems connected thereto.

Testing means the analysis of samples of sewage, effluent or reclaimed water.

TSS or *total suspended solids* means the total suspended matter that floats on the surface of, or is suspended in, water, wastewater, or other liquid, and that is removable by laboratory filtering.

Toxic substance means any substance, whether gaseous, liquid, or solid, which, when discharged to the sewer system in sufficient quantities, may tend to interfere with any sewage treatment process, or constitute a hazard to human beings or animals, or inhibit aquatic life, or create a hazard for reuse or to recreation in the receiving water of the effluent from the sewage treatment plant.

U.S.C. means United States Code.

User or *industrial user* means a source of indirect discharge.

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

Wastewater treatment plant or *treatment plant* means that portion of the POTW which is designed to provide treatment of municipal sewage and industrial waste.

Sec. 110-152. Purpose and intent; administration; jurisdiction; rules of construction.

- (a) *Purpose and intent.* The board of county commissioners has determined that establishing industrial pretreatment requirements is necessary and is in the best interest of the citizens of the county. This division sets forth uniform requirements for users of the publicly owned treatment works for the county and enables the county to comply with all applicable state and federal laws, including the Clean Water Act (33 United States Code § 1251 et seq.), the General Pretreatment Regulations (40 Code of Federal Regulations Part 403) and the Florida Administrative Code (62-625, F.A.C.). The objectives of this division are:
- (1) To prevent the introduction of pollutants into the publicly owned treatment works that will interfere with its operation;
 - (2) To prevent the introduction of pollutants into the publicly owned treatment works that will pass through the publicly owned treatment works, inadequately treated, into

receiving waters, or otherwise be incompatible with the publicly owned treatment works;

- (3) To protect both publicly owned treatment works personnel who may be affected by wastewater and sludge in the course of their employment and the general public;
- (4) To promote reuse and recycling of industrial wastewater and sludge from the publicly owned treatment works;
- (5) To provide for fees for the equitable distribution of the cost of operation, maintenance, and improvement of the publicly owned treatment works;
- (6) To enable the county to comply with its various permit conditions, sludge use and disposal requirements, and any other federal or state laws to which the publicly owned treatment works is subject; and
- (7) To comply with standards set forth in the Code of Federal Regulations and Florida Administrative Code.

This division shall apply to all users of the publicly owned treatment works. The division authorizes the issuance of wastewater discharge permits; provides for monitoring, compliance, and enforcement activities; establishes administrative review procedures; requires user reporting; and provides for the setting of fees for the equitable distribution of costs resulting from the program established herein.

This division shall not be deemed as alleviating compliance with applicable state and federal regulations. Specific user charge and industrial cost recovery requirements, promulgated by resolution passed by the board of county commissioners or by law, shall be considered as a part of this division upon official adoption.

- (b) *Administration.* This division shall be administered by the county administrator. The county administrator is responsible for the development and promulgation of the necessary rules and regulations for the administration and enforcement of the division. Any powers granted to or duties imposed upon the administrator may be delegated by the administrator to a duly authorized county employee.
- (c) *Jurisdiction.* Unless otherwise provided herein, this division shall apply only to unincorporated areas of the county where the county provides or plans to provide wastewater service in accordance with the provisions of the county comprehensive plan and to areas of the county which discharge wastewater to the county wastewater system through a multijurisdictional agreement.
- (d) *Rules of construction.* For the purposes of administration and enforcement of this division, unless otherwise stated in this division, the following rules of construction shall apply to the text of this division:
 - (1) The word "shall" is always mandatory and not discretionary. The word "may" is permissive.
 - (2) Words used in the present tense shall include the future, and words used in the singular shall include the plural, and plural the singular, unless the context clearly indicates the contrary.

Sec. 110-153. Discharge standards.

(a) *Prohibited standards.*

- (1) *General prohibitions.* No user shall introduce or cause to be introduced into the POTW, or any connected system, 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.
- (2) *Specific prohibitions.* No user shall introduce or cause to be introduced into the POTW, or any connected system, the following pollutants, substances, or wastewater:
 - a. Toxic or poisonous substances, chemical elements or compounds, phenols or other taste- or odor-producing substances, or any other substances which are not amenable to treatment or reduction by the wastewater treatment processes employed by the county, or which are amenable to treatment only to such degree that the substance may interfere with the biological processes or efficiency of the treatment plants, or that may pass through a treatment plant and cause the effluent therefrom, or any other product from the plant, or the water or groundwater into which it is discharged, to fail to meet applicable state or federal standards. In no case shall a substance discharged to the POTW cause the POTW to be in noncompliance with sludge use or disposal criteria, guidelines or regulations developed under Section 405 of the Act; any criteria, guidelines or regulations affecting sludge use or disposal developed pursuant to the SWDA, the Clean Air Act, the Toxic Substances Control Act, or the Marine Protection, Research and Sanctuaries Act; or state or federal criteria applicable to the sludge management method being used.
 - b. Toxic, noxious, or malodorous solids, liquids, or gases, which either singly or by interaction with other waste or wastewater:
 1. Are capable of creating a public nuisance or hazard to human or animal life;
 2. Are or may be sufficient to prevent entry into a sewer for its maintenance, inspection, or repair; or
 3. May create any hazard in the receiving waters of the POTW.
 - c. Liquids, solids, or gases which by reason of their nature or quantity are sufficient to cause fire or explosion or to be injurious in any other way to the POTW or to its operation, including, but not limited to, waste streams with a closed cap flashpoint of less than 140 degrees Fahrenheit or 60 degrees Celsius using the test methods specified in 40 CFR 261.21. Materials of concern include, but are not limited to, gasoline, kerosene, fuel oil, naphtha, benzene, toluene, xylene, ethers, alcohols, ketones, aldehydes, peroxides, chlorates, perchlorates, bromates, carbides, hydrides, and sulfides, or any other substance which the county, the state or any

federal agency has determined is a fire hazard or a hazard to the POTW when discharged to the POTW in sufficient quantity.

- d. Radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by regulations within the Florida Administrative Code issued by the state department of health and rehabilitative services and which will or may cause damage or hazards to the POTW or its operating personnel.
- e. Stormwater, surface water, groundwater, artesian well water, roof runoff, subsurface drainage, swimming pool discharges, condensate deionized water, unpolluted industrial process water, or noncontact cooling water, unless specifically approved by the administrator; however, if the user was discharging noncontact cooling water or condensate deionized water to the POTW or a connected system prior to the effective date of this division, then such user may continue to discharge noncontact cooling water or condensate deionized water in amounts that are not harmful to the operation of the POTW. Whenever any such unpolluted water is found to be discharged to a sanitary sewer, the administrator may require such discharges to be connected to the storm sewer at the expense of the user, provided that the user shall obtain all required regulatory permits.
- f. Domestic wastes from septic tanks, portable toilets, or other similar facilities, unless approved by the administrator in writing. Such discharges shall only be made at a site approved by the administrator in writing.
- g. Petroleum oil, nonbiodegradable cutting oil, or products of mineral oil origin in excess of 50 mg/l or animal/vegetable fats, wax, grease, or oils in excess of 100 mg/l, whether emulsified or not; or substances which may solidify or become viscous at temperatures lower than or equal to 150 degrees Fahrenheit (65.5 degrees Celsius) or in any amount that will cause interference in the POTW.
- h. Food waste that has not been ground or comminuted to such a degree that all particles will be carried freely in suspension under flow conditions normally prevailing in public sewers, with no particle greater than one-half inch in any dimension. At no time shall the concentration or properly ground food waste exceed a level that would prevent the POTW treatment plants from maintaining the required efficiency or cause operational difficulties.
- i. Inert suspended solids, such as, but not limited to, fuller's earth, lime slurries, and lime residues, or dissolved solids, such as, but not limited to, sodium chloride and sodium sulfate, in such concentrations as to pass through or interfere with the operations of the POTW.
- j. Any waste or wastewater having a pH lower than 5.5, exhibiting any corrosive property which, either singly or by interaction with other wastes, is capable of causing damage or hazard to structures, equipment, or personnel of the POTW.

- k. Any waste or wastewater having a pH higher than 9.5 which, either singly or by interaction with other wastes, is capable of causing damage or hazard to structures, equipment, or personnel of the POTW.
- l. BOD, COD, or chlorine in such concentration and/or flow as to constitute a significant load on, or shock or interference to, the POTW.
- m. Volume of flow or concentrations of wastes constituting slugs as defined in this division.
- n. Any liquid or vapor having a temperature higher than 140 degrees Fahrenheit (60.0 degrees Celsius), which will inhibit biological activity in the treatment plant resulting in interference, except where higher temperatures are required by law; or any liquid or vapor having a temperature at such a level that the temperature at the introduction into the treatment plant exceeds 104 degrees Fahrenheit or 40 degrees Celsius.
- o. Solid or viscous substances in such quantities or of such size as to be capable of causing obstruction to the flow in a sewer, or other interference with the proper operation or any connected system, such as, but not limited to, grease, uncomminuted food wastes, animal entrails or tissues, paunch manure, bones, hair, hides or fleshings, whole blood, feathers, ashes, cinders, sand, spent lime, stone or marble dust, metal glass, straw, shavings, grass clippings, rags, spent grains or hops, wastepaper, wood, plastics, rubber stoppers, tar, asphalt residues, residues from refining or processing of fuel or lubricating oil, gasoline, naphtha, and similar substances, either whole or ground.
- p. Excessive discoloration, such as, but not limited to, dye, printing wastes, and vegetable tanning solutions.
- q. Any pollutant, including oxygen-demanding pollutants (BOD, etc.), released in a discharge at a flow rate and/or pollutant concentration which, either singly or by interaction with other pollutants, will cause interference with the POTW.
- r. 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.
- s. Trucked or hauled pollutants, except at discharge points designated by the administrator.
- t. Sludges, screenings, or other residues from the pretreatment of industrial wastes.
- u. Medical wastes, except as specifically authorized by the administrator.
- v. Wastewater causing, alone or in conjunction with other sources, the treatment plant's effluent to fail a toxicity test.
- w. Detergents, surface-active agents, or other substances which may cause excessive foaming in the POTW.

- x. Any hazardous waste pharmaceuticals from healthcare facilities or reverse distributors in accordance with Rule 62-625.400(2)(i), of Florida Administrative Code (F.A.C.) as it may be amended from time to time.

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.

- (b) *National Categorical Pretreatment Standards.* Users must comply with the categorical pretreatment standards found at 40 CFR Chapter I, Subchapter N, Parts 405-471.
 - (1) The categorical pretreatment standards found in 40 CFR Chapter I, Subchapter N, Parts 405-471 are hereby incorporated. It shall be unlawful for any person to discharge any pollutant into the POTW or a connected system except when such discharge is in compliance with federal standards promulgated pursuant to the Act, and any other more stringent state and local standards. Wastes containing concentrations in excess of the National Categorical Pretreatment Standards are prohibited. New sources shall be subject to proposed standards which are thereafter promulgated in accordance with the Act. No user shall 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 the limitations contained in the National Pretreatment Standards, or in any other pollutant specific limitation developed by the county.
 - (2) Where a categorical pretreatment standard is expressed only in terms of either the mass or the concentration of a pollutant in wastewater, the administrator may impose equivalent concentration or mass limits in accordance with 62-625.410(4), F.A.C.
 - (3) When the categorical pretreatment standard is expressed only in terms of mass of pollutant per unit of production, the administrator may impose equivalent concentration or mass limits in accordance with 62-625.410(4), F.A.C.
 - (4) When wastewater subject to a categorical pretreatment standard is mixed with wastewater not regulated by the same standard, the administrator shall impose an alternate limit using the combined waste stream formula in 62-625.410(6), F.A.C.
 - (5) A user may obtain variance from a categorical pretreatment standard if the user can prove, pursuant to the procedural and substantive provisions in 62-625.410, F.A.C., that factors relating to its discharge are fundamentally different from the factors considered by the EPA when developing the categorical pretreatment standard.
 - (6) A User may obtain a net gross adjustment to a categorical standard in accordance with 40 CFR 403.15 and 62-625, F.A.C.
- (c) *Local limits.* No person shall discharge wastewater containing pollutants in excess of the local limits for those pollutants which have been established for the Pasco County Treatment Plant Service Areas using standard procedures, calculations and methods acceptable to FDEP to protect against pass through, interference, protection of plant employees, and adverse affects on wastewater residuals disposal. No industrial user shall discharge process waste streams, unregulated waste streams, or dilute waste streams in excess of the concentrations set forth by the administrator, as approved by the board of

county commissioners by resolution. Local limits shall be included as permit conditions and attached to each SIU wastewater permit issued.

The established local limits are subject to change and shall be modified as needed based on regulatory requirements and standards, wastewater plant operation, performance and processes, the industrial user base, potable water quality and domestic wastewater characteristics. Modifications to the established local limits must be reviewed and approved by FDEP prior to implementation. Implementation shall be effective 30 days from notice of acceptance of the modified limits by FDEP. Permitted SIUs shall also be issued an addendum to their wastewater discharge permit containing the new local limits.

The established local limits apply at the point where the wastewater is discharged to the collection system. All concentrations for metallic substances are for total metal unless indicated otherwise. At his or her discretion, the administrator may impose mass limitations in addition to or in place of the concentration-based limitations.

The administrator may develop best management practices (BMPs), by ordinance or in individual wastewater discharge permits to implement local limits.

A copy of the approved local limits is available upon request at the following location:

Pasco County Public Utilities
Solid Waste Resource Recovery Administration Building
14855 Softwind Lane
Spring Hill, FL 34610

- (d) *County's right of revision.* The county reserves the right to establish in wastewater discharge permits, standards that are different than or in addition to those listed in the local limits. The county reserves the right to establish different or additional standards on a case-by-case basis depending on the nature of the associated discharge.
- (e) *Dilution.* No user shall ever increase the use of process water, or in any way attempt to dilute a discharge, as a partial or complete substitute for adequate treatment to achieve compliance with a discharge limitation unless expressly authorized by an applicable pretreatment standard or requirement. The administrator may impose mass limitations on users who are using dilution to meet applicable pretreatment standards or requirements, or in other cases when the imposition of mass limitations is appropriate.
- (f) *Special agreements.* Whenever necessary or expedient in order to carry out the division, the county may enter into special agreements with users of the county's facilities setting forth terms under which the discharge of such users will be acceptable to the county. Such agreements shall be made only in accordance with an application thereof made to the board of county commissioners.
- (g) *Sanitary wastewater discharged into storm sewer.* No person shall discharge or cause to be discharged any sanitary wastewater into the storm sewer system without exception.

Sec. 110-154. Pretreatment of wastewater.

- (a) *Facilities.* Users shall provide wastewater treatment as necessary to comply with this division and shall achieve compliance with all categorical pretreatment standards, local limits, and the prohibitions set out in section 110-153 within the time limitations specified by the EPA, the state, or the administrator, whichever is more stringent. Any facilities necessary for compliance shall be provided, operated, and maintained at the user's expense. Detailed plans describing such facilities and operating procedures shall be submitted to the administrator for review, and shall be acceptable to the administrator before such facilities are constructed. The review of such plans and operating procedures shall in no way relieve the user from the responsibility of modifying such facilities as necessary to produce a discharge acceptable to the county under the provisions of this division.
- (b) *Additional measures.*
- (1) Whenever deemed necessary, the administrator 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 division.
 - (2) The administrator 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. A wastewater discharge permit may be issued solely for flow equalization.
 - (3) Grease, oil, and sand interceptors shall be provided when, in the opinion of the administrator, they are necessary for the proper handling of wastewater containing excessive amounts of grasses and oil, or sand; except that such interceptors shall not be required for residential users. All interception units shall be of type and capacity approved by the administrator and shall be so located to be easily accessible for cleaning and inspection. Such interceptors shall be inspected, cleaned, and repaired regularly, as needed, by the user at their expense.
 - (4) Users with the potential to discharge flammable substances may be required to install and maintain an approved combustible gas detection meter.
 - (5) The County adopts and incorporates by reference Rule 62-625.110(3) of Florida Administrative Code (F.A.C.)
 - (6) Requirements for dental facilities that remove or place amalgam fillings:
 - a. The definitions and requirements established in 40 CFR 441.10-50, as well as any current or future pertinent state standards, are incorporated and made a part of this code for the purposes of this subsection.
 - b. All owners and operators of dental facilities must comply with all other reporting provisions, including submission of required reports or

certifications, maintenance of records, and installations and maintenance of equipment, as provided in 40 CFR 441.10-50.

- (c) *Accidental discharge/slug control plans.* At least once every two years, the administrator shall evaluate whether each industrial user needs an accidental discharge/slug control plan. The administrator may, at his sole discretion, require any user to develop, submit for approval, and implement such a plan. Alternatively, the administrator may develop such a plan for any user. An accidental discharge/slug control plan shall address, at a minimum, the following:
- (1) Description of discharge practices, including nonroutine batch discharges;
 - (2) Description of stored chemicals;
 - (3) Procedures for immediately notifying the administrator of any accidental or slug discharge, as required by this division; and
 - (4) 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 operation, 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.
- (d) *Hauled wastewater.*
- (1) Septic tank waste may be introduced into the POTW only at locations designated by the administrator, and at such times as are established by the administrator. Such waste shall not violate section 110-153 or any other requirements established by the county. The administrator may require septic tank waste haulers to obtain wastewater discharge permits.
 - (2) The administrator shall require haulers of industrial waste to obtain wastewater discharge permits. The administrator may require generators of hauled industrial waste to obtain wastewater discharge permits. The administrator also may prohibit the disposal of hauled industrial waste. The discharge of hauled industrial waste is subject to all other requirements of this division.
 - (3) Industrial waste haulers may discharge loads only at locations designated by the administrator. No load may be discharged without prior consent of the administrator. The administrator may take samples of each hauled load to ensure compliance with applicable standards. The administrator may require the industrial waste hauler to provide a waste analysis of any load prior to discharge.
 - (4) Industrial waste haulers must provide a waste-tracking form for every load. This form shall include, at a minimum, the name and address of the industrial waste hauler, permit number, truck identification, names and addresses of sources of waste, and volume and characteristics of waste. The form shall identify the type of industry,

known or suspected waste constituents, and whether any wastes are RCRA hazardous wastes.

- (e) *Odors*. It shall at all times be the responsibility of the user to eliminate or control the emission of offensive odors from building sewers to the system or the development of offensive odors in the system as the result of a discharge. Whenever the administrator determines that offensive odors emanating from building sewers or resulting from a discharge are present in the system, he shall require the owner, at the user's sole expense, to take whatever steps are necessary to eliminate such odors from the system. The cost of any devices which may be necessary to eliminate or control such odors and all attendant expenses shall be borne by the user.

SECTION 4. APPLICABILITY.

For purposes of jurisdictional applicability, this Ordinance shall apply in unincorporated Pasco County.

SECTION 5. REPEALER.

Any Ordinance provisions in conflict herewith are hereby repealed only to the extent of such conflict.

SECTION 6. SEVERABILITY.

It is declared to be the intent of the Board of County Commissioners of Pasco County, Florida, that if any section, subsection, sentence, clause or provision of this Ordinance shall be declared invalid, the remainder of this Ordinance shall be construed as not having contained said section, subsection, sentence, clause, or provisions and shall not be affected by such holding.

SECTION 7. INCLUSION IN CODE.

It is the intent of the Board of County Commissioners that the provisions of this Ordinance shall become and be made a part of the Pasco County Code of Ordinances, and that the sections of this Ordinance may be renumbered or re-lettered and the word "Ordinance" may be changed to "section," "article," "regulation," or such other appropriate word or phrase in order to accomplish such intentions.

SECTION 8. EFFECTIVE DATE.

This Ordinance shall be transmitted to the Department of State by the Clerk to the Board by electronic mail within ten (10) days after adoption of this Ordinance, and the amendments in this Ordinance shall take effect upon filing with the Department of State.

ADOPTED with a quorum present and voting this 5th day of December 2023.

(S E A L)

APPROVED
IN SESSION

DEC 05 2023

PASCO COUNTY
BOC

BOARD OF COUNTY COMMISSIONERS
OF PASCO COUNTY, FLORIDA



By:

Nikki Alvarez-Sowles, D.C.

NIKKI ALVAREZ-SOWLES, ESQ.,
CLERK & COMPTROLLER

By:

Ronald E. Oakley

CHAIRMAN, *Ronald E. Oakley*

