



Florida Department of Environmental Protection

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Secretary

February 16, 2012

Mr. Fred Williams
Environmental Programs Coordinator
Gainesville Regional Utilities
P.O. Box 147117, MS A-122
Gainesville, Florida 32614-7117

Re: Gainesville Regional Utilities
Sewer Use Ordinance Review
Permit Number FL0027251

Dear Mr. Williams:

The Department of Environmental Protection (Department) has reviewed the draft sewer use ordinance (SUO) for the City of Gainesville, received November 28, 2011. The SUO generally fulfills the requirements of Chapter 62-625, Florida Administrative Code (F.A.C.). However, please note the issues in Attachment A that must be addressed before the Department can preliminarily approve the SUO.

Please submit a revised draft SUO to the Department by March 16, 2011. If you have questions regarding this correspondence or need assistance, please contact Sam Jinkins at the letterhead address, or at (850) 245-8605.

Sincerely,

Tom R. Shiflett, P.E.
Pretreatment Coordinator

TRS/aal

cc: Jeff Martin, P.E., DEP Northeast District Office (by email)
Tony Cunningham, Gainesville Regional Utilities
Ronald Herget, P.E., Gainesville Regional Utilities

Attachment A
Sewer Use Ordinance (SUO) Review

Permit Number: FL0027251
Control Authority (CA): Gainesville, City of
Review Date: 02/14/2012
Reviewed by: Andres A. Lastra

The following is a summary of the review of the CA's draft sewer use ordinance (SUO). The comments identify areas where revisions are required to meet applicable pretreatment program requirements or suggested for program improvement. The review is based on the May 10, 2010 revisions to Chapter 62-625 of the Florida Administrative Code (F.A.C.). Where appropriate, references are made to the 2007 *Model Pretreatment Ordinance* (Model Ordinance). Please use the referenced section of the Model Ordinance for further guidance. A copy of the Model Ordinance can be found online at http://www.epa.gov/npdes/pubs/pretreatment_model_suo.pdf.

Model Ordinance Reference	SUO Reference	Comment
1.1	27.180	The City's draft SUO does not include the City's intent to comply with Chapter 62-625, F.A.C. The SUO must include the statement found in rule 62.625.100 F.A.C. Please revise this section to include this reference.
1.2	27.180	The administration statement was not found in the City's draft SUO. The Department recommends including a section addressing administration of the SUO. Please refer to section 1.2 of the Model Ordinance and revise the SUO accordingly.
2.2 C	27.180.2	The Federal Categorical Pretreatment Standards section of the draft SUO does not authorize the City to impose alternate limits utilizing the combined wastestream formula. Please include these alternate limits. Please refer to section 2.2 of the Model Ordinance and Rule 62-625.410, F.A.C. for guidance.

✓
27-180(a)3

27-180(c)
✓

✓
27-180.1(h)

Model Ordinance Reference	SUO Reference	Comment
2.5	27.180.1	A provision granting the City the right to establish more stringent standards or requirements was not found in the draft SUO. The Department suggests including this condition by adopting the language found in section 2.5 of the Model Ordinance into the SUO.
3.1	27.180.5	A section addressing requirements for pretreatment facilities could not be found. The Department recommends including the language from section 3.1 of the Model Ordinance in order to meet the legal authority requirement found in sub-subparagraph 62-625.500(2)(a)3.a., F.A.C.
3.3	27.180.6(b)(4)	The requirements for slug discharge control plans are not complete. Plans must include procedures for notifying the City and the wastewater facility. Please refer to sub-subparagraph 62-625.500(2)(b)6.c, F.A.C. and revise this section accordingly.
4.1	27.180.3	A provision authorizing the City to request a user submit information on the nature and characteristics of its wastewater, as found in section 4.1 of the Model Ordinance, was not found in the draft SUO. The Department suggests including this provision in the SUO. Please refer to the Model Ordinance and revise as indicated.
4.3	27.180.3	A time frame for existing users to submit an application could not be found. The Department suggests revising this section to require that existing users submit an application within a time frame from the effective date of the ordinance. Please refer to section 4.3 of the Model Ordinance and revise to ensure users can comply with the time frames established.

27-180.1(f)

✓

27-180.5

✓

✓

27-180.6(b)(2) + (3)

✓ already covered under 27-180.4(d)

27.180.3(i) already covers this.

Model Ordinance Reference	SUO Reference	Comment
4.5 A 1-7	27.180.3	The requirements listed under section 4.5(A) 1 thru 7 of the Model Ordinance were not found in the draft SUO. The Department suggests the City incorporate the identified discharge permit application contents. Please refer to section 4.5 (A) 1 thru 7 of the Model Ordinance and revise this section accordingly.
5.8	27.180.3	A provision pertaining to the regulation of waste received from other jurisdictions, as found in section 5.8 of the Model Ordinance, was not found in the draft SUO. The City must ensure that discharges received from entities outside its jurisdictional boundaries are regulated to the same extent as discharges from within. Please refer to section 5.8 of the Model Ordinance and revise as indicated.
6.2 A and B	27.180.4	Time frames for compliance schedules (CS) could not be found. In accordance with subsection 62-625.600(2), F.A.C., no increment in the CS, shall exceed 9 months. Additionally, within 14 days following each date in the CS, and the final date for compliance, the industrial user shall submit a progress report. Please refer to section 6.2, A and B, of the Model Ordinance and revise as indicated.
6.3	27.180.4	The requirements for a 90-day compliance report, was not found. The Department recommends including the language found in subsection 62-625.600(3), F.A.C., and section 6.3 of the Model Ordinance. Please revise the SUO as appropriate.
6.4 A	27.180.4	The periodic compliance reports section is not complete as written. The BMP reporting, found in subsection 62-625.600(4)(a), F.A.C., must be included. Please refer the Model Ordinance and subsection 62-625.600(4), F.A.C., and revise the SUO accordingly.

✓
the application form is covered under 27-180.3(b)

27-180.8

✓

27-180.7(f)

✓

27-180.4(b)

✓

✓
27-180.4(g) already has this language

Verbatim for BMP reporting.
Added another sentence to 27-180.4(b)

Model Ordinance Reference	SUO Reference	Comment
6.10	27.180.4(e)	The reference to rule 62-660 found in section 27.180.4(e) of the City's draft SUO is incorrect. The correct reference is chapter "62-160, F.A.C.". The Department suggests revising the SUO as appropriate.
7.1 D and E	27.180.5	Section 27.180.5 of the City's SUO is not complete. The Department recommends the City to include the right to require removal of any obstructions and a statement which reflects unreasonable delays are considered violations. Please refer to section 7.1 D and E of the Model Ordinance and revise the SUO accordingly.
10.2 and 10.5	27.180.7	A number of administrative enforcement remedies could not be found. The Department recommends the SUO include all administrative enforcement remedies found in section 10 of the Model Ordinance. The Department suggests revising the SUO as appropriate.

✓

✓

27-180.7(a)

27.180.7
(o) + (p)