



MEMORANDUM

Office of the City Attorney

Legistar Number 980894

Phone: 334-5011/Fax 334-2229
Box 46

TO: Mayor and City Commissioners

June 14, 1999

DATE: ~~May 24, 1999~~

FROM: City Attorney

SECOND READING

SUBJECT: Ordinance No. 0-99-51

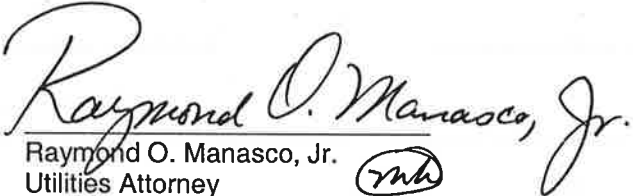

AN ORDINANCE RELATING TO WASTEWATER PRETREATMENT; AMENDING CHAPTER 27 OF THE GAINESVILLE CODE OF ORDINANCES, BY AMENDING SECTIONS 27-96, DEFINITIONS; 27-180, PRETREATMENT PROGRAM; CREATING SECTIONS 27-180.1 THROUGH 27-180.7 INCLUSIVE, RELATING TO PROHIBITED SUBSTANCES, CONDITIONAL REQUIREMENTS FOR SPECIFIC DISCHARGES, PERMITTING, MONITORING, ACCIDENTAL DISCHARGE/SLUG PREVENTION AND ENFORCEMENT; AMENDING SECTION 27-181 RELATING TO GRAYWATER DISPOSAL FACILITIES; AMENDING SECTION 27-182, PRIVATE WASTEWATER DISPOSAL SYSTEMS; CREATING SECTIONS 27-182.1 AND 27-182.2 REQUIRING PERMITS FOR PRIVATE SEWAGE DISPOSAL SYSTEMS AND REGULATING DISCHARGES THEREFROM; PROVIDING A REPEALING CLAUSE, A SEVERABILITY CLAUSE AND AN EFFECTIVE DATE

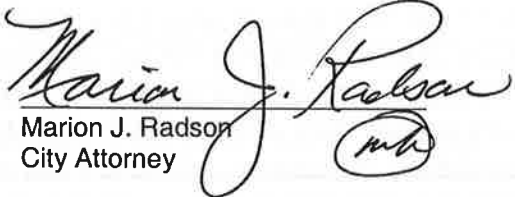

Recommendation: The City Commission adopt the proposed ordinance.

Explanation: The City Commission on December 14, 1998 authorized the City Attorney to prepare and the Clerk of the Commission to advertise an ordinance amending Chapter 27, UTILITIES, Article IV, Water and Sewerage of the Gainesville Code of Ordinances. In the interim, staff has obtained approval for this draft from the Florida Department of Environmental Protection. Additionally, staff has met with the City of Gainesville Water Management Advisory Committee (WMAC), the Alachua County Environmental Protection Department, and the Alachua County Environmental Protection Advisory Committee specifically to explain revisions to the Instantaneous Maximum Discharge Limits included in this ordinance and to receive comments and feedback from these interested parties. The WMAC has since issued a letter to the City Commission expressing support for the limits revisions.

This revision to Chapter 27, Article IV incorporates changes necessary to ensure continued compliance by the City of Gainesville with federal and state pretreatment program requirements. Also, all of the pretreatment program related components have been reorganized under one section of this ordinance for clarity and ease of understanding.

Background: Federal and State Law require the City of Gainesville to operate and enforce a pretreatment program with the objective of preventing discharges that may cause interference or harm to wastewater treatment facilities. Gainesville Regional Utilities is responsible for implementing this program under the authority of Chapter 27, Article IV, Sections 27-180 through 182 and Sections 184 through 186 of the Gainesville Code of Ordinances. The Florida Department of Environmental Protection (FDEP) has been delegated the authority by the United States Environmental Protection Agency to administer pretreatment program requirements. At this time, revisions are necessary to maintain program approval by the FDEP.

Prepared by: 
Raymond O. Manasco, Jr.
Utilities Attorney 

Submitted by: 
Marion J. Radson
City Attorney 

Passed on first reading by a vote of 4-0.

1
2 *Apartment* shall mean two (2) or more buildings constructed on a single parcel of
3 property where each building contains at least two (2) living units or one (1) building
4 constructed on a single parcel of property containing two (2) or more living units.
5

6 *Applicant* shall mean the person, organization or corporation who signs an application
7 form requesting electric, water or wastewater services be made available at a specific
8 location and thereby agrees to pay for all such services at that location. (Also see
9 "Customer").
10

11 *Authorized representative of industrial user* shall mean:
12

- 13 (1) A principal executive officer of at least the level of vice-president, if the industrial
14 user is a corporation.
- 15
- 16 (2) A general partner or proprietor, if the industrial user is a partnership or
17 proprietorship, respectively;
18
- 19 (3) A duly authorized representative of the individual designated above, if such
20 representative is responsible for the overall operation of the facilities from which
21 the industrial waste originates.
22

23 *Backflow preventer* shall mean a mechanical device operated by the reduced pressure
24 principle that is installed in conjunction with a water meter to prevent a flow of water
25 from the customer's side of the meter into the city's distribution system under conditions
26 where water pressure on the customer's side of the meter exceeds the pressure in the city
27 distribution system. The installation and design of this device will be determined by the
28 water and wastewater engineering division of the city.
29

30 *Base system* shall mean the city's water transmission and distribution system or
31 wastewater collection system which is in existence at the time an application is made for
32 an extension of service.
33

34 *Biochemical oxygen demand (BOD)* shall mean the amount of oxygen expressed in
35 parts per million necessary to satisfy the oxygen requirements of a sample of wastewater
36 incubated for five (5) days at twenty (20) degrees Celsius and tested in accordance with
37 standards of testing in the latest edition of "Standard Methods" published jointly by the
38 American Public Health Association, the American Water Works Association and the
39 Water Pollution Control Foundation.
40

41 *Building* shall mean any structure, either temporary or permanent, having a roof and
42 used or built for the shelter or enclosure of persons, animals, vehicles, goods,
43 merchandise, equipment, materials or property of any kind. This definition shall include,
44 but is not limited to, tents, lunch wagons, dining cars, trailers, mobile homes, sheds,
45 garages, carports, animal kennels, store rooms or vehicles serving in any way the function
46 of a building as described herein.

1
2 Categorical Pretreatment Standard or Categorical Standard shall mean any regulation
3 containing pollutant discharge limits promulgated in accordance with Section 307 of the
4 Clean Water Act which may apply to a specific industrial user and which appears in 40
5 CFR Chapter I Subpart N, incorporated by reference in Chapter 62-660, F.A.C.
6

7 *Central wastewater system* shall mean the pipe, pumps, tanks, treatment plants,
8 collection mains and other appurtenances either connected directly to or isolated from the
9 city's base system which serves two (2) or more lots or which serves any multiple family,
10 commercial, industrial, institutional or other use where the total wastewater flow exceeds
11 two thousand (2,000) gallons per day. All central wastewater systems shall meet the
12 design and construction requirements of the city.
13

14 *Central water system* shall mean the water source, pumps, treatment plants,
15 distribution mains, fire protection mains and other appurtenances either connected
16 directly to or isolated from the city's base system which serves two (2) or more lots or
17 which serves any multiple family, commercial, industrial, institutional or other use where
18 the total wastewater flow exceeds two thousand (2,000) gallons per day. All central water
19 systems shall meet the design and construction requirements of the city.
20

21 *Chemical oxygen demand (COD)* shall mean the amount of oxygen expressed in parts
22 per million required for the chemical oxidation of organics in wastewater.
23

24 City shall mean the City of Gainesville, doing business as Gainesville Regional
25 Utilities
26

27 *Connection charges* shall mean a general term referring to the specific development
28 charges that must be satisfied in order to receive water and/or wastewater service. Water
29 connection charges include: transmission and distribution, meter installation, water
30 treatment plant, standby fire line, crossing charges and tapping fees. Wastewater
31 connection charges include: collection system, wastewater treatment plant, pumping
32 station (primary and relay), force main (base system) charges and crossing charges.
33

34 *Consumer* shall mean the person or persons who actually receive and utilize water
35 service at a specific location, and/or who contribute, cause or permit the contribution of,
36 wastewater into the city's wastewater system.
37

38 *Contribution in aid of construction (CIAC)* shall mean a charge paid by an applicant
39 desiring service from the city for a portion of the capital cost for additional facilities
40 which must be constructed to provide water or wastewater service to the applicant.
41

42 *Customer* shall mean the person responsible for payment for all electric, water or
43 wastewater services used at a specific location, and further defined as that person who
44 signed the application requesting that services be made available at the specific location
45 and thereby agreeing to pay for all usage of such services occurring at the location. (See
46 "Applicant").

1
2 *Customer's installation* shall mean all pipes, shutoffs, valves, fixtures, pretreatment
3 equipment and appliances or apparatus of every kind and nature used in connection with
4 or forming a part of an installation for utilizing water or wastewater service. Customer's
5 installations are located on the customer's side of the "point of delivery," whether such
6 installation is owned outright by the customer or is used by the customer under lease or
7 otherwise.

8
9 *Deposit* shall mean the amount of money placed with the city by each customer as
10 security for payment of the water or wastewater bill.

11
12 *Detector check valve* shall mean a device which detects leakage or unauthorized use of
13 water from fire line services.

14
15 *Developer* shall mean any person or legal entity engaged in developing or subdividing
16 land to which water and/or wastewater service is to be rendered by the city. Also where
17 applicable, any individual or legal entity that applied for the provision of water mains or
18 wastewater facilities in order to serve a certain property.

19
20 *Development* shall mean a subdivision or any other parcel of land which consists of
21 two (2) or more lots. In addition, parcels of land for commercial projects or multiple-
22 family dwellings shall be considered as developments.

23
24 *Discharge* shall mean the introduction of sewage or industrial waste, or any other flow
25 into the wastewater system.

26
27 *Dwelling* shall mean a living unit, house, mobile home, apartment or building used
28 primarily for human habitation. The word "dwelling" shall not include hotels, motels,
29 tourist courts or other accommodations for transients, nor shall it include dormitories,
30 fraternities, sororities, rooming houses, business or industrial facilities.

31
32 (1) *Single-family* shall mean a building containing not more than one (1) living unit
33 on a single lot or a living unit of a multiple-family dwelling where each living unit
34 is constructed on a separate lot. Mobile homes containing one (1) living unit not
35 in approved mobile home parks are considered single-family dwellings.

36
37 (2) *Multiple-family* shall mean a building which contains two (2) or more living units.

38
39 *Engineering estimate* shall mean a calculation of the cost of a project based on the
40 city's current contracts for material and labor plus overhead for engineering, contingency
41 and general and administrative costs. If there is no contract for the project or a part of the
42 project, the best available data as determined by the city will be used.

43
44 *Excess strength wastewater* shall mean wastewater containing constituents whose
45 parameters are in excess of those specified for normal strength wastewater.

1 *Extension* shall mean a water or wastewater facility constructed to enable the provision
2 of water, fire protection or wastewater service.

3
4 *Force main* shall mean a wastewater line which carries wastewater under pressure
5 from a lift station.

6
7 *Frontage* shall mean a unit of measurement expressed in linear feet which is
8 determined from one (1) or more lengths of a property' boundaries. The method of
9 determination of frontage shall be specified in the city's current "Water and Wastewater
10 Policies." The method of determination of frontage shall take into consideration location
11 of water or wastewater lines which are adjacent to the property being served, irrespective
12 of whether such line is located in a public or private right-of-way, an easement, or on
13 public or private property.

14
15 *Grab Sample* shall mean a sample taken without regard to flowrate and over a period
16 of time not to exceed fifteen (15) minutes.

17
18 *Identifiable internal water service lines* shall mean a water line, owned and installed
19 by the customer on the customer's side of the point of delivery whose purpose is to
20 provide water service to any new or additional facility or structure.

21
22 *Individual or person* shall mean any individual, partnership, co-partnership, firm,
23 company, corporation, association, joint stock company, trust, estate, governmental entity,
24 or other legal entity, or their legal representatives, agents, or assigns. This definition
25 includes all federal, state, and local government entities. ~~group of persons, firms,~~
26 ~~corporations, associations, organizations or legal entities.~~

27
28 *Industrial use or user* shall mean any use or user of the water or wastewater system
29 that produces industrial waste.

30
31 *Industrial wastes* shall mean solid or liquid wastes from any manufacturing or
32 processing plant or other industrial undertaking and solid or liquid wastes discharged
33 from any other source including but not limited to dwellings, restaurants, hotels, grocery
34 stores or other and commercial establishments, which containing minerals, fats, acids,
35 oils or suspended solids pollutants that in amounts which exceed or have the potential to
36 exceed the limits set for normal strength wastewater limits or any other discharge limit
37 established in this division, or which are wastes discharged from any source containing
38 toxic pollutants as defined in this section, or which are wastes discharged at a flow rate of
39 twenty-five thousand (25,000) gallons or more per average workday.

40
41 *Instantaneous Maximum Discharge Limit* shall mean the maximum concentration of a
42 pollutant allowed to be discharged at any time, determined from the analysis of any
43 discrete or composited sample as specified by the General Manager for Utilities or his/her
44 designee, independent of the industrial flow rate and the duration of the sampling event.

1 *Interceptor* shall mean a large size gravity wastewater line which has been designed to
2 receive wastewater from two (2) or more collecting wastewater lines.

3
4 *Interference* shall mean the inhibition or disruption of the wastewater collection
5 system, ~~system's~~ treatment processes or any wastewater system operations. This term
6 includes disruption ~~prevention~~ of wastewater sludge use or disposal.

7
8 *Lift station (also pump station)* shall mean a facility which receives wastewater from
9 gravity wastewater collection lines and/or other lift stations and pumps the wastewater
10 under pressure through a force main to another location.

11
12 *Lot* shall mean a part of a subdivision or any other parcel of land intended as a unit for
13 building development or transfer of ownership, or both. Parcels of and less than one (1)
14 acre for commercial projects or multiple-family dwellings and parcels of land for each
15 single-family dwelling shall be considered lots.

16
17 *Lot line* shall mean the property line, abutting the right-of-way line or any line
18 defining the exact location and boundary of the lot of property.

19
20 *Meter (water)* shall mean the measuring device owned and installed by the city on a
21 service line for the purpose of accurately measuring water use by a customer.

22
23 *Meter tampering* shall mean when any person shall willfully alter, injury, or
24 knowingly suffer to be injured any water meter or other apparatus or device belonging to
25 the city in such a manner as to cause loss or damage or to prevent any such meter
26 installed for registering water consumption, from registering the quantity which
27 otherwise would pass through the same; or to alter any such meter; or in any way to
28 hinder or interfere with the proper action or just registration of any such meter or device
29 or make or cause to be made any connection of any appurtenance in such a manner as to
30 use, without the consent of the city, any water without such water service being reported
31 for payment or such water passing through a meter provided by the city and used for
32 measuring and registering the quantity of water passing through the same.

33
34 *Mobile home park (approved)* shall mean a parcel of property zoned under provisions
35 of the applicable city or county zoning regulations whose allowed and recognized use is
36 the business of renting spaces or lots upon which mobile homes are placed and occupied
37 as single-family dwellings and shall include any associated and allowed laundry and
38 recreational and common facilities incidental thereto.

39
40 *New industrial source* shall mean any building, structure, facility, or installation which
41 commenced construction after the publication of proposed Pretreatment Standards under
42 Section 307(c) of the Clean Water Act as specified in 40 CFR 403.3(k)(1).

43
44 *Noncontact Cooling Water* shall mean water used for cooling which does not come
45 into direct contact with a toxic pollutant, industrial waste or wastewater.

1 *Normal strength wastewater* shall mean wastewater with constituents which do not
2 exceed the following limits:

3		<i>Maximum</i>
4		<i>concentration</i>
5	<i>Constituent</i>	<i>(mg/l)</i>
6	Total solids	700
7	Volatile	490
8	Fixed	210
9	Total suspended solids	250
10	Volatile	175
11	Fixed	75
12	Total dissolved solids	450
13	Volatile	315
14	Fixed	135
15	BOD (5-day)	250
16	COD	375
17	Total kjeldahl nitrogen	65
18	Organic	25
19	Ammonia nitrogen	40
20	Nitrate/nitrite nitrogen	40
21	Chlorides	75
22	Alkalinity	150
23	Fats	30
24	Total phosphorus	15

25
26
27 *Off-site facilities* shall mean water mains, wastewater lines, force mains and lift
28 stations constructed to connect on-site facilities with the nearest point in the base system
29 at which adequate capacity is available to meet the requirements of the new services.

30
31 *On-site facilities* shall mean the water mains, services, meters, fire hydrants,
32 wastewater lines, force mains, lift stations and pretreatment equipment installed within a
33 residential, commercial or industrial development. It includes those facilities in
34 peripheral streets and easements constructed wholly or in part for use by that
35 development.

36
37 *Oversized facilities* shall mean a facility designed in size and location by the city to be
38 larger than that required to serve the applicant's project and greater than the following
39 minimum criteria:

- 40
41 (1) Water main: eight (8) inches;
42
43 (2) Gravity wastewater line: eight (8) inches;
44
45 (3) Force mains: four (4) inches.
46

1 In certain instances, oversizing may also refer to the routing or location of a water or
2 wastewater facility by the city at a greater length than that required to serve the
3 applicant's project.

4
5 *Pass through* shall mean a discharge from the city's wastewater works into waters of
6 the United States in quantities or concentrations which alone or in conjunction with a
7 discharge or discharges from other sources, is a cause of a violation of any requirement of
8 the city's NPDES permit or any federal or state law. This includes an increase in the
9 magnitude or duration of a violation.

10
11 pH shall mean the measure of the acidity or alkalinity of a solution, expressed in
12 standard units.

13
14 *Point of delivery or connection:*

15
16 (1) *Water service* shall mean the point where the city's water meter nipple is
17 connected with the pipe of the customer, and where water service to the customer
18 begins.

19
20 (2) *Wastewater service* shall mean the point where the service lateral crosses the
21 customer's property line.

22
23 *Pollutant* shall mean any toxic pollutant, dredged, spoiled, solid wastes (as defined in
24 40 CFR 261), incinerator residue, sewage, garbage, grease, sewage sludge, munitions,
25 chemical wastes, biological materials, radioactive materials, heat, wrecked or discharged
26 equipment, rock, sand, solid dirt; and any industrial, municipal and or agricultural waste
27 discharged into water; or any material designated by the General Manager for Utilities or
28 his/her designee on the basis that the material has a reasonable potential for adversely
29 affecting the City's wastewater system.

30
31 ~~*Pretreatment or treatment*~~ shall mean the reduction of the amount of pollutants, the
32 elimination of pollutants or the alteration of the nature of pollutants in wastewater to a
33 less harmful state prior to, or in lieu of, discharging or otherwise introducing such
34 pollutants into the City wastewater system, ~~in order to meet federal categorical~~
35 ~~pretreatment standards as set forth in the Clean Water Act, Section 307(b) and (c), 40~~
36 ~~CFR 403.6 and 403.8, and 40 CFR Chapter I, Subchapter N, Parts 405-471.~~ The
37 reduction or alteration can be obtained by physical, chemical or biological processes; ~~or~~
38 process changes; or by facility process changes or by other means, except by diluting the
39 concentration of the pollutants.

40
41 *Pretreatment Standards or Standards* shall mean prohibited discharge standards,
42 categorical pretreatment standards, and instantaneous maximum discharge limits.

43
44 *Prohibited Discharge Standards or Prohibited Discharges* shall mean absolute
45 prohibitions against the discharge of certain substances.

1 *Residential service* shall mean service to a single living unit located in a single-family
2 or multiple-family dwelling or a living unit consisting of a sorority, fraternity,
3 cooperative housing unit of a college or university or other nonprofit group living unit. A
4 living unit shall be a place where people reside on a nontransient basis containing a room
5 or rooms comprising the essential elements of single housekeeping unit. Each separate
6 facility for the preparation, storage and keeping of food for consumption within the
7 premises shall cause a housekeeping unit to be construed as a single living unit. All
8 water supplied shall be through a single meter at a single point of delivery.

9
10 *Rooming unit* shall mean a room or rooms used as a place where sleeping or
11 housekeeping accommodations are provided for pay to transient or permanent guests.

12
13 *Septic Tank Waste* shall mean any wastewater from holding tanks from vessels,
14 chemical toilets, campers, trailers, and septic tanks.

15
16 *Service* shall mean the readiness and ability on the part of the city to furnish water or
17 wastewater service to the customer on demand. Thus, the maintenance of water pressure
18 at the point of delivery or presence of a wastewater service lateral shall constitute the
19 rendering of service, irrespective of whether the customer makes any use thereof.

20
21 *Significant industrial user* shall mean:

22
23 (1) ~~All~~ Any industrial users subject to Categorical Pretreatment Standards under 40
24 ~~CFR 403.6 and 40 CFR Chapter I, Subsection N.~~

25
26 (2) Any industrial user that discharges an average of 25,000 gallons per day or more
27 of process wastewater to the city ~~treatment works~~ wastewater system or contributes five
28 percent or more of the dry weather hydraulic or organic capacity of the city wastewater
29 system, excluding sanitary and noncontact cooling and boiler blowdown wastewater.

30
31 (3) Any industrial user designated significant by the ~~G~~general ~~M~~manager for
32 ~~Utilities of~~ or his/her designee on the basis that the industrial user has a reasonable
33 potential for adversely affecting the city's wastewater collection system, treatment
34 process, or any wastewater system operations or for violating any federal, state, or local
35 discharge limit or pretreatment standard or requirement.

36
37 ~~(4) Any industrial user that meets the requirements of 40 CFR 403.3(t).~~

38
39 *Slug Discharge* shall mean any discharge of a nonroutine, episodic nature which could
40 cause a violation of the prohibited discharge standards.

41
42 *Standard Industrial Classification (SIC) Code* shall mean a classification pursuant to
43 the Standard Industrial Classification Manual issued by the United States Office of
44 Management and Budget.

45
46 ~~*Sole discharger* shall mean the only industrial user discharging a given toxic pollutant.~~

1
2 *Standby fire line* shall mean the pipe, isolating valve, detector check valves and
3 fittings of the city which extend from the water main to the fire line pipes of the customer
4 and which are used for supplying water exclusively for fire protection purposes. Point of
5 service for standby fire lines shall be on the customer's side of the detector check valve
6 vault.

7
8 Stormwater shall mean any flow occurring during or following any form of natural
9 precipitation, and resulting from such precipitation, including snowmelt.

10
11 *Subdivision* shall mean a division of a lot, tract or parcel of land or water into two (2)
12 or more lots, plots, sites or other subdivisions of land or water for the purpose, whether
13 immediate or future, of sale, rent, lease, building development or other use, and which
14 further includes the term "subdivide," meaning to divide land by conveyance or
15 improvement into lots, blocks, parcels, tracts or other portions.

16
17 Suspended Solids means the total suspended matter that floats on the surface of, or is
18 suspended in water, wastewater, or other liquid, and which is removable by filtering with
19 a 1.2 micrometer pore diameter filter.

20
21 *Toxic pollutant* shall mean any pollutant, ~~or a combination of the pollutants,~~ listed as a
22 priority pollutant in 40 CFR 401.15 below:

23
24 ~~(1) Metals and inorganics:~~

- 25 a. ~~Antimony;~~
26 b. ~~Arsenic;~~
27 c. ~~Asbestos;~~
28 d. ~~Barium;~~
29 e. ~~Beryllium;~~
30 f. ~~Cadmium;~~
31 g. ~~Chromium;~~
32 h. ~~Copper;~~
33 i. ~~Cyanide;~~
34 j. ~~Iron;~~
35 k. ~~Lead;~~
36 l. ~~Manganese;~~
37 m. ~~Mercury;~~
38 n. ~~Nickel;~~
39 o. ~~Selenium;~~
40 p. ~~Silver;~~
41 q. ~~Sodium;~~
42 r. ~~Thallium;~~
43 s. ~~Tin;~~
44 t. ~~Zinc;~~
45 u. ~~Sulfides.~~

- 1 (2) ~~Phenols and cresols:~~
- 2 a. ~~Phenol(s);~~
- 3 b. ~~Phenol, 2-chloro;~~
- 4 c. ~~Phenol, 2, 4-dichloro;~~
- 5 d. ~~Phenol, 2, 4, 6-trichloro;~~
- 6 e. ~~Phenol, pentachloro;~~
- 7 f. ~~Phenol, 2-nitro;~~
- 8 g. ~~Phenol, 4-nitro;~~
- 9 h. ~~Phenol, 2, 4-dinitro;~~
- 10 i. ~~Phenol, 2, 4-dimethyl;~~
- 11 j. ~~M-Cresol, p-chloro;~~
- 12 k. ~~O-Cresol, 4, 6-dinitro.~~
- 13
- 14 (3) ~~Monoicyclic aromatics (excluding phenols, cresols and phthalates):~~
- 15 a. ~~Benzene;~~
- 16 b. ~~Benzene, chloro;~~
- 17 c. ~~Benzene, 1, 2-dichloro;~~
- 18 d. ~~Benzene, 2, 3-dichloro;~~
- 19 e. ~~Benzene, 1, 4-dichloro;~~
- 20 f. ~~Benzene, 1, 2, 4-trichloro;~~
- 21 g. ~~Benzene, hexachloro;~~
- 22 h. ~~Benzene, ethyl;~~
- 23 i. ~~Benzene, nitro;~~
- 24 j. ~~Styrene (vinyl benzene);~~
- 25 k. ~~Toluene;~~
- 26 l. ~~Toluene, 2, 4-dinitro;~~
- 27 m. ~~Toluene, 2, 6-dinitro;~~
- 28 n. ~~Xylenes.~~
- 29
- 30 (4) ~~PCB's and related compounds;~~
- 31
- 32 (5) ~~Ethers:~~
- 33 a. ~~Ether, bis (chloroethane);~~
- 34 b. ~~Ether, bis (chloromethyl);~~
- 35 c. ~~Ether, bis (2-chloroethyl);~~
- 36 d. ~~Ether, bis (w-chloroisopropyl);~~
- 37 e. ~~Ether, 2-chloroethyl vinyl;~~
- 38 f. ~~Ether, 4-bromophenyl phenyl;~~
- 39 g. ~~Ether, 4-chlorophenyl phenyl;~~
- 40 h. ~~Bis (2-chloroethoxy) methane.~~
- 41
- 42 (6) ~~Nitrosamines and other nitrogen-containing~~
- 43 ~~compounds:~~
- 44
- 45 a. ~~Nitrosamine, dimethyl;~~
- 46 b. ~~Nitrosamine, diphenyl;~~

- 1 ~~e. Nitrosamine, di-n-propyl;~~
2 ~~d. Benzidine;~~
3 ~~e. Benzidine, 3, 3-dichloro;~~
4 ~~f. Hydrazine, 1, 2-diphenyl;~~
5 ~~g. Acrylonitrile.~~

6
7
8 ~~(7) Halogenated aliphatics:~~

- 9
10 a. ~~Methane, bromo;~~
11 b. ~~Methane, chloro;~~
12 c. ~~Methane, dichloro (methylene chloride);~~
13 d. ~~Methane, chlorodibromo;~~
14 e. ~~Methane, dichlorobromo;~~
15 f. ~~Methane, tribromo (bromoform);~~
16 g. ~~Methane, trichloro (chloroform);~~
17 h. ~~Methane, tetrachloro (carbon~~
18 ~~tetrachloride);~~
19 i. ~~Methane, trichlorofluoro;~~
20 j. ~~Methane, dichlorodifluoro;~~
21 k. ~~Ethane, chloro (vinyl chloride);~~
22 l. ~~Ethane, 1, 1-dichloro;~~
23 m. ~~Ethane, 1, 2-dichloro;~~
24 n. ~~Ethane, 1, 1, 1-trichloro;~~
25 o. ~~Ethane, 1, 1, 2-trichloro;~~
26 p. ~~Ethane, 1, 1, 2, 2-tetrachloro;~~
27 q. ~~Ethane, hexachloro;~~
28 r. ~~Ethene, chloro;~~
29 s. ~~Ethene, 1, 1-dichloro;~~
30 t. ~~Ethene, trans-dichloro;~~
31 u. ~~Ethene, trichloro;~~
32 v. ~~Ethene, tetrachloro;~~
33 w. ~~Ethylene dibromide (EDB);~~
34 x. ~~Propane, 1, 2-dibromo,~~
35 ~~3-chloro (DBCP);~~
36 y. ~~Propene, 1, 2-dichloro;~~
37 z. ~~Propane, 2, 4-dichloro;~~
38 aa. ~~Butadiene, hexachloro;~~
39 bb. ~~Cyclopentadiene, hexachloro.~~

40
41 ~~(8) Phthalate esters:~~

- 42
43 a. ~~Phthalate, di-n-methyl;~~
44 b. ~~Phthalate, di-n-ethyl;~~
45 c. ~~Phthalate, di-n-butyl;~~
46 d. ~~Phthalate, di-n-octyl;~~

- 1 e. ~~Phthalate, bis (2-ethylhexyl);~~
2 f. ~~Phthalate, butyl benzyl.~~

3
4 (9) *Polycyclic aromatic hydrocarbons:*

- 5
6 a. ~~Acenaphthene;~~
7 b. ~~Acenaphthylene;~~
8 c. ~~Anthracene;~~
9 d. ~~Benzo (a) anthracene;~~
10 e. ~~Benzo (b) fluoranthene;~~
11 f. ~~Benzo (k) fluoranthene;~~
12 g. ~~Benzo (ghi) perylene;~~
13 h. ~~Benzo (a) pyrene;~~
14 i. ~~Chrysene;~~
15 j. ~~Dibenzo (a,h.) anthracene;~~
16 k. ~~Fluoranthene;~~
17 l. ~~Fluorene;~~
18 m. ~~Indeno (1, 2, 3-cd) pyrene;~~
19 n. ~~Naphthalene;~~
20 o. ~~Naphthalene, 2-chloro;~~
21 p. ~~Phenanthrene;~~
22 q. ~~Pyrene.~~

23
24 (10) *Pesticides:*

- 25
26 a. ~~Acrolein;~~
27 b. ~~Aldicarb;~~
28 c. ~~Aldrin;~~
29 d. ~~BHC (Alpha);~~
30 e. ~~BHC (Beta);~~
31 f. ~~BHC (Gamma) or Lindane;~~
32 g. ~~BHC (Delta);~~
33 h. ~~Chlordane;~~
34 i. ~~DDD;~~
35 j. ~~DDE;~~
36 k. ~~DDT;~~
37 l. ~~Diazinon;~~
38 m. ~~Dieldrin;~~
39 n. ~~Endosulfan (Alpha);~~
40 o. ~~Endosulfan (Beta);~~
41 p. ~~Endosulfan sulfate;~~
42 q. ~~Endrin;~~
43 r. ~~Endrin aldehyde;~~
44 s. ~~Ethion;~~
45 t. ~~Ethylene dibromide;~~
46 u. ~~Guthion;~~

- v. ~~Heptachlor;~~
- w. ~~Heptachlor epoxide;~~
- x. ~~Isophorone;~~
- y. ~~Kelthane;~~
- z. ~~Malathion;~~
- aa. ~~Parathion;~~
- bb. ~~TCDD (or Dioxin);~~
- cc. ~~Tedion;~~
- dd. ~~Trithion;~~
- ee. ~~Toxphene;~~
- ff. ~~Chlorophenoxy 2, 4-D;~~
- gg. ~~Chlorophenoxy 2, 4, 5-TP.~~

Wastewater shall mean the liquid and water-carried industrial or domestic wastes from dwellings, commercial buildings, industrial facilities and institutions together with any groundwater, surface water and storm water that may be present, whether treated or untreated, which is contributed into or permitted to enter the wastewater system.

Wastewater line shall mean a pipe which carries wastewater and to which storm and surface waters and groundwaters are not intentionally admitted.

Wastewater service lateral shall mean wastewater connection extending from the collecting wastewater line in the street to a customer's property line or from the collecting wastewater line in an easement to the easement line.

Wastewater system shall mean the entire wastewater utility system that services the needs of the customer which includes treatment facilities, collection lines, lift stations, force mains and all other related appurtenances incidental thereto.

Water system shall mean that entire water utility system that services the needs of the customer which includes treatment facilities, transmission, distribution and fire protection lines, meters and all other related appurtenances incidental thereto.

Section 2. Section 27-180 of the Gainesville Code of Ordinances is hereby amended to read as follows:

Sec. 27-180. Regulation of specific discharges. Pretreatment Program

~~It shall be unlawful for any person to introduce or cause to be introduced any specific discharge listed in this section which fails to conform to the following regulations:~~

- ~~(1) *Industrial wastes.* Industrial wastes shall not be discharged into the wastewater system without written permission of the General Manager for Utilities or his/her designee. All industrial users who are proposing to connect or contribute to the wastewater system shall obtain an industrial wastewater permit before connecting~~

1 to or contributing to the wastewater system. All existing industrial users
2 connecting to or contributing to the wastewater system shall obtain an industrial
3 wastewater permit within ninety (90) days after the effective date of this section.
4 Procedures for permit application, modifications, conditions, duration and transfer
5 are set forth in the "Industrial User's Handbook, Revision July 1991," which is
6 incorporated by reference as part of this section. The industrial users shall comply
7 with the standards set by the Federal Clean Water Act, Section 307(b) and (c), The
8 National Categorical Standards, 40 CFR Chapter I, Subchapter N, Parts 405-471,
9 and pretreatment standards, 40 CFR 403.6 and 403.8, as amended as of the date
10 hereof, which are incorporated by reference as part of this section. A copy of the
11 "Industrial User's Handbook" is available at the office of the Assistant General
12 Manager for Water and Wastewater Systems.

13
14 ~~(2) Grease.~~ Wastewater containing large amounts of grease shall not be discharged
15 into the wastewater system, unless an efficient grease trap is utilized and
16 maintained. Wastewater from restaurants or places where a large amount of
17 cooking is done shall be presumed to contain large amounts of grease and grease
18 traps shall be required at all such locations. When an owner or operator cleans
19 grease traps, the only approved location for disposal of grease shall be a sanitary
20 landfill. Grease traps shall only be cleaned by licensed septic tank cleaners,
21 except as noted above. The use of chemicals to dissolve the grease is not
22 permitted in the wastewater collection system. The owner or operator shall have
23 the grease trap cleaned at least every (30) days or more often, if necessary. If
24 grease accumulates in the wastewater collection lines, the owner or operator will
25 be billed for cleaning collection lines and for any other expenses incurred by the
26 city.

27
28 ~~(3) Private wells.~~ Where private wells are used, disposal into the wastewater system
29 shall be done only by special agreement with the city.

30
31 ~~(4) Storm water, air conditioners and similar wastes.~~ Storm water drains, air-
32 conditioning water, condenser waters, swimming pool waters or other similar type
33 wastes shall be discharged into the wastewater system only by special agreement
34 with the city.

35
36 ~~(5) Septic tank and portable toilet waste.~~ Septic tank and portable toilet waste shall
37 be introduced into the city's wastewater system only when specifically authorized
38 and only at the time, place and manner prescribed by the city.

39
40 (a) The objectives of this section are to:

41
42 (1) Prevent the introduction of pollutants into the City of Gainesville wastewater
43 treatment system that will cause interference with its operation or pass through
44 inadequately treated into receiving waters.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46

- (2) Provide protection for the general public and City of Gainesville personnel who may be affected by wastewater and sludge in the course of their employment.
 - (3) Ensure compliance of the City with applicable federal and state laws.
 - (4) To promote reuse and recycling of industrial wastewater and sludge from the wastewater system.
 - (5) To provide for the equitable distribution of the cost of operation, maintenance, and improvement of the wastewater system.
- (b) Compliance with this division may not under some circumstances constitute compliance with the Alachua County Hazardous Material Management Code. Industrial users should contact the Alachua County Environmental Protection Department for further information on compliance with the Hazardous Material Management Code.

Section 3. Sections 27-180.1 through and including 27-180.7 of the Gainesville Code of Ordinances are hereby created and shall read as follows:

Sec. 27-180.1 Same - Prohibited substances

- (a) No user shall introduce or cause to be introduced into the wastewater system any pollutant or wastewater, which either singly or by interaction with other pollutants causes pass through or interference. This general prohibition applies to all users of the wastewater system whether or not they are subject to categorical pretreatment standards or any other federal, state, or local pretreatment standards or requirements.
- (b) It shall be unlawful for any person willfully or with culpable negligence to discharge or cause to be discharged into the wastewater system of the city any substance which:
- (1) Is harmful to the wastewater system, or is hazardous to the wastewater system because it contains flammable or explosive liquids, solids or gases, which by reason of their nature or quantity are, or may be, sufficient, either alone or by interaction with other substances, to cause fire or explosion or be injurious in any other way to the wastewater system or to the operation of the wastewater system. No substance may be discharged with a closed cup flashpoint of less than 60° C (140° F) using test methods specified in 40 CFR 261.21. At no time shall two (2) successive readings on an explosion hazard meter, at the point of discharge into the system (or at any point in the system) be more than five (5) percent, nor any single reading over ten (10) percent, of the lower explosive limit (LEL) of the meter. Such materials shall include, but are not limited to, gasoline, kerosene, naphtha, benzene, toluene, xylene, ethers, alcohols, ketones, aldehydes, peroxides, chlorates, perchlorates, bromates, carbides, hydrides and sulfides and any other substances which the city determines to be a fire hazard, health hazard or a hazard

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46

to the system.

- (2) Has a temperature which would have adverse effects on the wastewater system. In no case shall discharges cause the temperature of influent to the wastewater treatment plant to exceed 40° C (104° F).
- (3) May cause stoppages in the wastewater system because of size, quantity, volume or any other characteristic. Solid or viscous substances which may cause obstruction to the flow in the sewer or other interference with the operation of the wastewater treatment facilities shall not be discharged into the wastewater system.
- (4) Has a pH less than 5.5 or more than 11.0, or wastewater having any other corrosive property capable of causing damage or hazard to structures, equipment and/or personnel of the wastewater system.
- (5) May cause the wastewater system's effluent or any other product of the wastewater system, such as residues, sludges or scums to be unsuitable for reclamation and reuse, or to interfere with the reclamation process.
- (6) Contains any pollutant, including oxygen demanding pollutants (BOD, etc.), released at a flow rate and/or pollutant concentration which either singly or by interaction with other pollutants, will cause interference or pass through in the wastewater system. No user shall discharge flow at a rate that will be disruptive to the wastewater system or cause interference or pass through in the wastewater system.
- (7) Results in the presence of toxic gases, vapors, or fumes in any part of the wastewater system in a quantity that may cause acute worker health and safety problems.
- (8) Contains pollutants in sufficient quantity, either singly or by interaction with other pollutants, which constitute a hazard to humans or animals; or create a toxic effect in the receiving waters of the wastewater system
- (9) Contains waste exceeding the instantaneous maximum discharge limit of any parameter listed below:

<u>Parameter</u>	<u>Instantaneous Maximum Discharge Limit (mg/L)</u>
<u>Arsenic</u>	<u>0.15</u>
<u>Barium</u>	<u>450</u>
<u>Cadmium</u>	<u>0.08</u>
<u>Chromium</u>	<u>3.0</u>
<u>Copper</u>	<u>0.5</u>
<u>Cyanide</u>	<u>0.15</u>
<u>Fluoride</u>	<u>20</u>

1	<u>Iron</u>	100
2	<u>Lead</u>	0.2
3	<u>Manganese</u>	7.0
4	<u>Mercury</u>	0.0002
5	<u>Molybdenum</u>	0.35
6	<u>Nickel</u>	0.8
7	<u>Oil & Grease</u>	100
8	<u>pH, lower limit (standard units)</u>	5.5
9	<u>pH, upper limit (standard units)</u>	11.0
10	<u>Selenium</u>	0.15
11	<u>Silver</u>	0.1
12	<u>Zinc</u>	2.5

13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45

(10) Discharge limits for sulfate, sulfide, and organic pollutants not included in this section shall be determined by the General Manager for Utilities or his/her designee with considerations for acceptable worker exposure levels or prevention of damage, interference or pass through in the wastewater system, whichever provides the lower discharge limit.

(11) The discharge limits in this section shall apply at the point where the wastewater is discharged to the wastewater system. All concentrations for metallic substances are for "total" metal.

(c) 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 instantaneous maximum daily discharge limitation, prohibited discharge standard, or categorical pretreatment standard. The General Manager for Utilities or his/her designee may impose mass limitations when appropriate.

(d) No user shall discharge petroleum oil, nonbiodegradable cutting oil, or products of mineral oil origin in amounts that will cause interference or pass through in the wastewater system.

(e) No user shall discharge trucked or hauled wastes to the wastewater system except at points designated by special agreement with the city.

(f) The City may establish standards for substances not contained in this Section.

(g) The National Categorical Pretreatment Standards found at 40 CFR Chapter I, Subpart N and Chapter 62-660, F.A.C., as may be amended from time to time, are hereby incorporated by reference.

Sec. 27-180.2 Same - Conditional Requirements for Specific Discharges

- 1 (a) Grease. Wastewater containing such amounts of grease as may be determined by the
2 General Manager for Utilities or his/her designee to be detrimental to the wastewater
3 system shall not be discharged into the wastewater system. An efficient grease trap
4 shall be utilized prior to discharge to the wastewater system and maintained
5 appropriately for these wastewaters. Wastewater from restaurants or places where
6 cooking is done shall be presumed to contain grease and grease traps shall be required
7 at all such locations. When an owner or operator cleans grease traps, the only
8 approved location for disposal of grease shall be a sanitary landfill. Grease traps shall
9 only be cleaned by licensed septic tank cleaners, except as noted above. The use of
10 chemicals to dissolve the grease is not permitted in the wastewater system. The owner
11 or operator shall have the grease trap cleaned at least every 30 days or more often, if
12 deemed necessary by the City. If grease accumulates in the wastewater collection
13 lines, the owner or operator will be billed for cleaning collection lines and for any
14 other expenses incurred by the city.
15
- 16 (b) Private wells. Where private wells are used, disposal into the wastewater system shall
17 be done only by special agreement with the city.
18
- 19 (c) Storm water, air-conditioners and similar wastes. Storm water, air-conditioning
20 water, condenser waters, swimming pool waters or other similar type wastes shall be
21 discharged into the wastewater system only by special agreement with the city.
22
- 23 (d) Septic tank and portable toilet waste. Septic tank and portable toilet waste shall be
24 introduced into the city's wastewater system only when specifically authorized and
25 only at the time, place and manner prescribed by the city.
26
27

28 **Sec. 27-180.3 Same - Permitting**

29

- 30 (a) Industrial wastes shall not be discharged into the wastewater system without written
31 permission of the General Manager for Utilities or his/her designee. All significant
32 industrial users who are proposing to connect or contribute to the wastewater system
33 shall obtain an industrial wastewater discharge permit before connecting to or
34 contributing to the wastewater system. Industrial wastewater discharge permits shall
35 contain but are not limited to the following conditions:
36
- 37 (1) Duration. The duration shall not exceed 5 years from the effective date of the
38 permit.
39
- 40 (2) Renewal. The user shall apply for permit renewal a minimum of 180 days prior to
41 the expiration of the existing permit.
42
- 43 (3) Transferability. The permit may not be sold, transferred, or reassigned.
44
- 45 (4) Limits. Effluent limits shall be specified based on applicable pretreatment
46 standards.

1
2 (5) Monitoring. Self monitoring, sampling, reporting, notification, and record-
3 keeping shall be specified, including identification of pollutants to be monitored,
4 sampling location, sampling frequency, and sample type based on applicable
5 federal, state, and local laws.

6
7 (6) Penalties. Applicable civil and criminal penalties for violation of pretreatment
8 standards and requirements and any applicable compliance schedule shall be
9 stated. Such schedule shall not extend the compliance date beyond applicable
10 state or federal deadlines.

11
12 (b) Significant industrial users shall be required to complete an Industrial Wastewater
13 Discharge Application as provided by the General Manager for Utilities or his/her
14 designee prior to receiving a permit.

15
16 (c) Industrial users shall be required to submit a waste minimization plan when
17 submitting either an Industrial Wastewater Discharge Application or an application
18 for permit renewal. The waste minimization plan must include but is not limited to
19 the following items:

20
21 (1) A detailed description of the components and estimated volume of all waste
22 streams that comprise the industrial wastewater discharge.

23
24 (2) Practices currently employed or future plans to minimize the amount of waste in
25 the industrial wastewater discharge.

26
27 The plan will be forwarded to the Alachua County Environmental Protection
28 Department for comment. Any comments received within 14 days of delivery of the
29 plan to the Alachua County Environmental Protection Department shall be considered
30 by the General Manager or his/her designee when making waste minimization plan
31 approval decisions.

32
33 (d) The General Manager for Utilities or his/her designee may require an industrial user
34 to perform self-monitoring as a prerequisite to being granted an industrial wastewater
35 discharge permit.

36
37 (e) The General Manager for Utilities or his/her designee may require other users, who
38 are not significant industrial users, to obtain industrial wastewater discharge permits.

39
40 (f) Modifications. The General Manager for Utilities or his/her designee may modify any
41 industrial wastewater discharge permit. The industrial user shall be informed of any
42 substantive modifications to the permit at least 30 days prior to the effective date of
43 the change.

44
45 (g) Approval Decisions. The General Manager for Utilities or his/her designee will
46 review and evaluate the application and waste minimization plan and determine

1 whether or not to issue an industrial wastewater discharge permit. The General
2 Manager for Utilities or his/her designee may deny any application for an industrial
3 wastewater discharge permit. Industrial users shall comply with the standards set
4 forth in Chapter 62-625, Florida Administrative Code, as amended from time to time.
5

6 (h) Appeals. Any person, including the user, may petition the General Manager for
7 Utilities or his/her designee to reconsider the terms of an industrial wastewater
8 discharge permit within 30 days of notice of its issuance.
9

10 (1) Failure to submit a timely petition for review shall be deemed to be a waiver of
11 the administrative appeal.
12

13 (2) In its petition, the appealing party must indicate the industrial wastewater
14 discharge permit provisions objected to, the reasons for this objection, and the
15 alternative condition, if any, it seeks to place in the industrial wastewater
16 discharge permit.
17

18 (3) The effectiveness of the industrial wastewater discharge permit shall not be stayed
19 pending the appeal.
20

21 (4) If the General Manager for Utilities or his/her designee fails to act within 30 days,
22 a request for reconsideration shall be deemed to be denied. Decisions not to
23 reconsider an industrial wastewater discharge permit, not to issue an industrial
24 wastewater discharge permit, or not to modify an industrial wastewater discharge
25 permit shall be considered final administrative actions for purposes of judicial
26 review.
27

28 (i) The General Manager for Utilities or his/her designee may require any user connected
29 prior to the effective date of this division to obtain a industrial wastewater discharge
30 permit.
31

32 **Sec. 27-180.4 Same – Monitoring, Reporting, and Notification** 33 34

35 (a) Baseline Monitoring Report. Within 180 days after the effective date of a categorical
36 pretreatment standard or 180 days after the final administrative decision made upon a
37 category determination request under Rule 62-625.410(2)(d), F.A.C., whichever is
38 later, industrial users subject to such categorical pretreatment standards and currently
39 discharging to, or scheduled to discharge to the wastewater system, shall submit to
40 the General Manager for Utilities or his/her designee a report which contains
41 information as required in Rule 62-625.600(1) (a) – (g). At least 90 days prior to
42 commencement of discharge, new sources, and sources that become subject to
43 categorical standards, shall submit to the General Manager for Utilities or his/her
44 designee a report which contains the information listed in Rule 62-625.600(1)(a) –
45 (e).
46

1 (b) Categorical Compliance Report. Within 90 days following the date for final
2 compliance with applicable categorical pretreatment standards under Rule 62-660, or
3 in the case of a new source following commencement of the introduction of
4 wastewater to the City wastewater system, any industrial user subject to the
5 pretreatment standard shall submit a report containing the information as required in
6 Rule 62-625.600(1)(d) – (e).
7

8 (c) Semi Annual Compliance Report. Any Significant Industrial User discharging to the
9 City Wastewater System is required to submit by January 1st and July 1st each year a
10 report detailing the nature and concentration of pollutants in their wastewater
11 discharge, a record of the wastewater flow for the period, and a summary of any
12 changes to pretreatment equipment. The General Manager for Utilities or his/her
13 designee may require these reports more frequently to ensure industrial user
14 compliance.
15

16 (d) Unpermitted User Reports. The General Manager for Utilities or his/her designee may
17 require any unpermitted user to submit reports relating to the wastewater discharge as
18 specified by the General Manager for Utilities or his/her designee.
19

20 (e) Self-monitoring. The General Manager for Utilities or his/her designee may require
21 self-monitoring reports from industrial users as are deemed necessary to assess and
22 ensure compliance by industrial users with pretreatment standards and requirements
23 including but not limited to the reporting requirements set forth in Rule 62-660 and
24 the test procedures for wastewater analyses found in 40 CFR Part 136, which are
25 incorporated by reference as part of this section. All self-monitoring reports shall be
26 based on data obtained through sampling and analysis performed during the period
27 covered by the report. These data shall be representative of conditions occurring
28 during the reporting period.
29

30 (f) Sample Collection. Samples for oil and grease, temperature, pH, cyanide, phenols,
31 sulfides, and volatile organic compounds shall be obtained using grab collection
32 techniques. All other samples shall be collected using flow proportional composite
33 techniques. The General Manager for Utilities or his/her designee may authorize the
34 use of time proportional sampling or a minimum of four grab samples.
35

36 (g) Compliance Monitoring. The General Manager for Utilities or his/her designee shall
37 conduct compliance monitoring to ensure that the industrial user's discharge is in
38 compliance with the industrial wastewater discharge permit and shall have the right to
39 enter the premises of any industrial user for the purpose of such monitoring.
40

41 (h) Notification of Changed Discharge. All industrial users shall notify the General
42 Manager for Utilities or his/her designee in writing of any planned significant
43 changes to the user's operations or system which might alter the nature, quality, or
44 volume of its wastewater at least 60 days prior to the change.
45

1 (i) Prohibited Discharge Notification. Any industrial user discovering in the course of
2 self-monitoring that any prohibited discharge limit has been exceeded shall notify the
3 General Manager for Utilities or his/her designee within 24 hours of learning of the
4 discharge. This notification shall be followed within 30 days of the date of discovery
5 of the violation by resampling of the parameter, reanalysis, and submittal of a
6 certified monitoring report. Such notification and resampling will not relieve the
7 industrial user of liability for any penalties or corrective action required due to the
8 prohibited discharge.

9
10 (j) Accidental Discharge Notification. Any person causing or suffering from any
11 accidental discharge shall immediately notify the General Manager for Utilities or
12 his/her designee by telephone to enable countermeasures to be taken to minimize
13 damage to the wastewater system, the health and welfare of the public, and the
14 environment. This notification shall be followed within 5 days of the date of
15 occurrence by a detailed written statement submitted by the industrial user describing
16 the cause of the accidental discharge and the measures being taken to prevent future
17 occurrence. Such notification will not relieve the industrial user of liability of any
18 expense, loss, or damage to the wastewater system.

19
20 (k) Hazardous Waste Discharge Notification. Any industrial user shall notify the General
21 Manager for Utilities or his/her designee in writing of any discharge into the
22 wastewater system of a substance, which, if otherwise disposed of, would be
23 hazardous waste under Chapter 62-730, F.A.C. Such notification shall comply with
24 the requirements of Rule 62-625.600(15), F.A.C..

25
26 (l) Signatory and Certification Requirements. Documents submitted by any industrial
27 user for the purposes of compliance with an industrial wastewater discharge permit
28 shall be signed by a duly authorized representative and contain the certification
29 statement cited in Rule 62-625.410(2)(b)2.

30
31 (m) Recordkeeping. All industrial users shall keep, for a minimum of 3 years, any
32 documents that are required by or developed to comply with an industrial wastewater
33 discharge permit including but not limited to monitoring data, notices of violation,
34 and compliance reports.

35
36 (n) Public Records Access. Documents submitted by industrial users to the General
37 Manager for Utilities or his/her designee are open to inspection by the public in
38 accordance with city policy, state, and federal law. Documents claimed as
39 proprietary information must meet the criteria outlined in Rule 62-625.800. Under no
40 circumstances will effluent data be treated as confidential.

41
42 (o) All costs associated with monitoring, reporting, and notification shall be borne solely
43 by the industrial user.

44
45
46 **Sec. 27-180.5 Same - Pretreatment Facilities and Monitoring Equipment**

1
2 (a) Pretreatment facilities and/or monitoring equipment shall be required for any waste
3 that may be harmful to equipment or the wastewater collection system, cause pass
4 through or interference in the wastewater system, or cause nuisance, odor, or
5 stoppage problems in the wastewater system.

6
7 (b) The General Manager for Utilities or his/her designee may require monitoring
8 equipment including but not limited to flow monitoring and sampling devices.

9
10 (c) The owner shall be responsible for the construction, operation and maintenance of
11 any pretreatment devices or monitoring equipment required by the General Manager
12 for Utilities or his/her designee.

13
14 (d) Users shall control production of all discharges to the extent necessary to maintain
15 compliance with discharge standards contained in this division upon reduction, loss,
16 or failure of the user's treatment facility until the facility is restored or an alternative
17 method of treatment is provided.

18
19
20 **Sec. 27-180.6 Same - Accidental Discharge/Slug Prevention**

21
22 (a) All industrial users shall provide such facilities and such procedures as are reasonably
23 necessary to prevent or minimize the potential for accidental discharge into the
24 wastewater system. Areas with the potential for release include but are not limited to
25 liquid or raw material storage areas, truck and rail car loading and unloading areas,
26 in-plant transfer or processing and materials handling areas, diked areas or holding
27 ponds.

28
29 (b) The General Manager for Utilities or his/her designee shall evaluate at least every
30 two years whether each significant industrial user needs an accidental discharge/slug
31 control plan and may require any user to develop, submit for approval, and implement
32 such a plan. This plan shall include but is not limited to the following items:

33
34 (1) Description of discharge practices, including non-routine batch discharges.

35
36 (2) Description of stored chemicals.

37
38 (3) Procedures for immediately notifying the General Manager for Utilities or his/her
39 designee of any accidental or slug discharge as required by the Reporting and
40 Notification section of this division.

41
42 (4) Procedures to prevent adverse impact from any accidental or slug discharge.

43
44 (c) The industrial wastewater discharge permit of any industrial user shall be subject on a
45 case by case basis to a special permit condition or requirement for the construction of

1 facilities or the establishment of procedures which will prevent or minimize the
2 potential for accidental/slug discharges. Facilities to prevent accidental/slug
3 discharge shall be provided and maintained at the user's expense. Detailed plans
4 showing the facilities and operating procedures shall be submitted to the General
5 Manager for Utilities or his/her designee for approval before the facility is
6 constructed. The review and approval of such plans and operating procedures will in
7 no way relieve the industrial user from the responsibility of modifying the facility to
8 provide the protection necessary to meet the requirements of this division.

9
10
11 **Sec. 27-180.7 Same - Enforcement**

12
13 (a) Inspection. The General Manager for Utilities or his/her designee may enter the
14 premises of any industrial user to determine whether the user is complying with all
15 requirements of this section and any industrial wastewater discharge permit.
16 Industrial users shall allow the General Manager for Utilities or his/her designee
17 ready access to all parts of the premises for the purposes of inspection, sampling,
18 records examination, and copying and the performance of any additional duties. The
19 General Manager for Utilities or his/her designee may remove records for the
20 purposes of copying if copying facilities are not available on the premises.

21
22 (b) Search Warrants. If the General Manager for Utilities or his/her designee has been
23 refused access to the premises and is able to demonstrate probable cause to believe
24 that there may be a violation of Sections 180 and 180.1 thru 180.7, or that there is a
25 need to inspect and or sample as part of a routine inspection and sampling program of
26 the city designed to verify compliance with Sections 180 and 180.1 thru 180.7 or any
27 industrial wastewater discharge permit or to protect the public health, safety, and
28 welfare of the community, then the General Manager for Utilities or his/her designee
29 may seek issuance of search warrant from the appropriate Court of Law.

30
31 (c) Notification of Violation. Whenever the General Manager for Utilities or his/her
32 designee finds that a user has violated or continues to violate any provision of this
33 division, industrial wastewater discharge permit, compliance schedule, or any order
34 issued in association with this division, the General Manager for Utilities or his/her
35 designee may serve on the user a written notice of violation. Within 15 days of the
36 receipt of this notice, an explanation of the violation and a plan for the satisfactory
37 correction and prevention of the violation shall be submitted by the user to the
38 General Manager for Utilities or his/her designee. Nothing in this provision shall be
39 interpreted to require the General Manager for Utilities or his/her designee to issue a
40 notice of violation before taking any action including emergency actions or any other
41 enforcement action.

42
43 (d) Remedies Nonexclusive. The remedies provided for in this division are not exclusive.
44 Generally, enforcement action procedures will be conducted in accordance with the
45 City of Gainesville Industrial Pretreatment Program Enforcement Response Plan

1 ("Enforcement Plan") on file in the office of the General Manager for Utilities or
2 his/her designee, incorporated by reference herein, copies of which are available upon
3 request. However, the General Manager for Utilities or his/her designee may take
4 other action against any user when circumstances warrant and may take more than
5 one enforcement action against any user in non-compliance with this section.
6

7 (e) Publication of Users in Significant Non-Compliance. The General Manager for
8 Utilities or his/her designee shall publish annually, in the largest daily newspaper
9 published in the City of Gainesville, a list of the users which, during the previous
10 twelve months, were in significant noncompliance with applicable pretreatment
11 standards and requirements. An industrial user is in significant noncompliance if its
12 violation meets one or more of the following criteria:
13

14 (1) Chronic violations of wastewater discharge limits, defined as those in which 66
15 percent or more of all the wastewater measurements taken during a six-month
16 period exceed (by any magnitude) the daily maximum limit or the average limit
17 for the same pollutant parameter;
18

19 (2) Technical Review Criteria (TRC) violations, defined as those in which 33 percent
20 or more of all the measurements for any pollutant parameter taken during a six-
21 month period equal or exceed the product of the daily maximum limit or the
22 average limit multiplied by the applicable TRC (TRC = 1.4 for conventional
23 pollutants such as pH, BOD, TSS, Total Oil & Grease; TRC = 1.2 for all other
24 pollutants except %LEL); For pH, the TRC is applied to the hydrogen ion
25 concentration. For %LEL, any reading in excess of the industrial wastewater
26 discharge permit or limit set forth in this division shall be significant
27 noncompliance.
28

29 (3) Any violation of a pretreatment effluent limit (daily maximum or longer-term
30 average) that the General Manager for Utilities or his/her designee determines has
31 caused, alone or in combination with other discharges, interference or pass
32 through (including endangering the health of City employees or the general
33 public).
34

35 (4) Any discharge that has resulted in the General Manager for Utilities or his/her
36 designee's exercise of emergency authority (under 62-625.500(2)(a)5.b. F.A.C.)
37 to halt or prevent such a discharge.
38

39 (5) Failure to meet, within 90 days after the schedule date, a compliance schedule
40 milestone contained in a control mechanism or enforcement order for starting
41 construction, completing construction, or attaining final compliance;
42

43 (6) Failure to provide, within 30 days after the due date, required reports such as
44 baseline monitoring reports, 90-day compliance reports, periodic self-monitoring
45 reports, and reports on compliance with compliance schedules;
46

1 (7) Failure to accurately report noncompliance;

2
3 (8) Any other violation or group of violations which the General Manager for
4 Utilities or his/her designee determines will adversely affect the operation or
5 implementation of the pretreatment program, except when the Florida Department
6 of Environmental Protection is acting as the control authority.

7
8 (f) Compliance Schedules. The General Manager for Utilities or his/her designee may
9 issue a compliance schedule to any industrial user that has violated, or continues to
10 violate, any provision of this section or an industrial wastewater discharge permit,
11 directing that the user come into compliance within a specified time. Such schedules
12 shall contain increments of progress in the form of dates for the commencement and
13 completion of major events leading to schedule completion and compliance with
14 documentation being required upon completion of each major event. Compliance
15 Schedules may also contain other requirements to address the noncompliance
16 including additional self-monitoring and management practices. If the user does not
17 come into compliance within the time provided, sewer service may be discontinued
18 unless adequate treatment facilities are installed and properly operated. Compliance
19 Schedules shall not relieve the user of liability for any violation nor preclude the
20 General Manager for Utilities or his/her designee from taking further action against
21 the user.

22
23 (g) Liability. Any user who discharges a substance prohibited by this section shall be
24 responsible for the payment of all costs incurred by the city to stop the discharge,
25 remove the unlawful substance from the wastewater system, and make necessary
26 repairs to the system. The existence of an affirmative defense as provided herein
27 shall not relieve the user of the obligations in this subsection (g).

28
29 (h) Fines. In accordance with Rule 62-625.500(2)(a)5., F.A.C. as amended, a fine of up
30 to \$1,000 per violation per day determined in accordance with the Enforcement Plan
31 shall be assessed against the user for violations of any provision of this section,
32 industrial wastewater discharge permit, compliance schedule, or any order issued in
33 association with this section. Assessment of a fine does not relieve a user of any
34 applicable charges contained in Appendix A, including excess strength charges.

35
36 (i) Permit Revocation. Any industrial user who commits the following offenses is
37 subject to having his/her industrial wastewater discharge permit revoked, in
38 accordance with the procedures set forth in this section:

39
40 (1) Failure of an industrial user to factually report the wastewater constituents and
41 characteristics of his/her discharge;

42
43 (2) Failure of an industrial user to report changes in operations which significantly
44 affect wastewater constituents and characteristics;

45

1 (3) Refusal of reasonable access to an industrial user's premises for the purposes of
2 inspection or monitoring; or

3
4 (4) Violation of conditions of the permit.

5
6 (j) Enforcement Action Hearing. The General Manager for Utilities or his/her designee
7 may require any user who has violated or is violating this division, an industrial
8 wastewater discharge permit or any prohibition or requirement contained therein, to
9 attend an enforcement action hearing. A notice shall be served on the customer
10 specifying the time and place of the hearing, which will be held by the General
11 Manager for Utilities or his/her designee, regarding the violation and the proposed
12 enforcement action, and directing the customer to show cause before the General
13 Manager for Utilities or his/her designee why the proposed enforcement action should
14 not be taken. The notice of the hearing shall be served personally on the customer or
15 by registered or certified mail (return receipt requested) at least twenty (20) days
16 before the hearing. Service may be made on a duly appointed authorized
17 representative of the user.

18 At any hearing held pursuant to this section, testimony taken must be under oath and
19 tape-recorded. The transcript so recorded will be made available to any member of
20 the public or any party to the hearing, upon payment of the usual charges therefor.

21 After the General Manager for Utilities or his/her designee has reviewed the
22 evidence, he/she may issue an order to the customer responsible for the discharge,
23 directing that following a specified time period sewer service and/or the industrial
24 wastewater discharge permit may be discontinued, unless and until adequate
25 treatment facilities, devices or other related appurtenances shall be installed and are
26 properly operating on existing treatment facilities, devices and other related
27 appurtenances. Further orders and directives as are necessary and appropriate may
28 also be issued by the General Manager for Utilities or his/her designee.

29 Any customer aggrieved by an order issued by the General Manager for Utilities or
30 his/her designee may appeal the order to a court of competent jurisdiction within
31 thirty (30) days from the date the order is reduced to writing and delivered by
32 certified or registered mail (return receipt requested) to the user.

33
34 (k) Injunctive Relief. If any user discharges wastes to the wastewater system contrary to
35 the provisions of this division, federal or state pretreatment requirements, or any order
36 of the General Manager for Utilities or his/her designee, the City Attorney may
37 commence any action for appropriate legal and/or equitable relief in the appropriate
38 court.

39
40 (l) Emergency Suspension of Service. The General Manager for Utilities or his/her
41 designee may suspend the wastewater treatment service and/or an industrial
42 wastewater permit when necessary to stop an actual or threatened discharge which
43 presents or may present an imminent or substantial danger to the health or welfare of
44 the public or the environment or cause damage or interference to the wastewater
45 system. Any user notified of a need to sever wastewater treatment service and/or
46 suspend the industrial wastewater permit shall immediately stop or eliminate the

1 discharge in question. In the event of a failure of the user to comply voluntarily with
2 a suspension or severance notice, the General Manager for Utilities or his/her
3 designee shall take such steps as deemed necessary to prevent or minimize danger to
4 the health or welfare of the public or the environment or to prevent damage or
5 interference to the wastewater system. Such steps may include immediate severance
6 of the sewer connection and/or suspension of the industrial wastewater permit. The
7 General Manager for Utilities or his/her designee may reinstate wastewater treatment
8 service upon satisfactory demonstration of the elimination of the non-compliant
9 discharge and of adequate measures taken to prevent non-compliant discharges in the
10 future. A detailed written statement submitted by the user describing the causes of
11 the non-compliant discharge and measures taken to prevent a future occurrence shall
12 be submitted to the General Manager for Utilities or his/her designee within 15 days
13 of the date of occurrence.

14
15 (m) Criminal Prosecution. Criminal violations of this division may subject the user to
16 prosecution under applicable state, federal, and local laws.

17
18 (n) Affirmative Defense. Affirmative defenses shall be available to an industrial user as
19 provided in F.A.C. 62-625.400(1)(b), 62-625.840 and 62-625.860, which by this
20 reference are incorporated herein.

21
22
23 Section 4. Section 27-181 of the Gainesville Code of Ordinances is hereby
24 amended to read as follows:

25
26
27 **Sec. 27-181. ~~Prohibited substances—Enumerated.~~ Graywater Disposal Facilities**

28
29 ~~(a) It shall be unlawful for any person willfully or with culpable negligence to~~
30 ~~discharge or cause to be discharged into the wastewater lines of the city any substance~~
31 ~~which:~~

32
33 ~~—— (1) Is harmful to the wastewater collection or treatment system, or is hazardous to~~
34 ~~the wastewater system because it contains flammable or explosive liquids,~~
35 ~~solids or gases, which by reason of their nature or quantity are, or may be,~~
36 ~~sufficient, either alone or by interaction with other substances, to cause fire to~~
37 ~~explosion or be injurious in any other way to the wastewater system or to the~~
38 ~~operation of the wastewater system. No substance may be discharged with a~~
39 ~~closed cup flashpoint of less than 60°C (140°F) using test methods specified~~
40 ~~in 40 CFR 261.21. At no time shall two (2) successive readings on an~~
41 ~~explosion hazard meter, at the point of discharge into the system (or at any~~
42 ~~point in the system) be more than five (5) percent, nor any single reading over~~
43 ~~ten (10) percent, of the lower explosive limit (LEL) of the meter. Such~~
44 ~~materials may include, but are not limited to, gasoline, kerosene, naphtha,~~
45 ~~benzene, toluene, xylene, ethers, alcohols, ketones, aldehydes, peroxides,~~
46 ~~chlorates, perchlorates, bromates, carbides, hydrides and sulfides and any~~

1 other substances which the city determines to be a fire hazard, health hazard
2 or a hazard to the system.

3 (2) Exceeds the following temperature limits:

4 *Wastewater Temperature Limits*

5
6 *Discharge Flow Discharge*
7 *(maximum million — temperature*
8 *gallons/day) — (maximum)*

9
10 0 — 0.55 — 50°C (122°F)

11 0.55 — 0.70 — 45°C (113°F)

12 0.70 — 0.95 — 40°C (104°F)

13 0.95 and above 35°C (95°F)

14
15 In no case shall discharges cause the temperature of influent to the wastewater
16 treatment plant to exceed 40°C (104°F).

17 (3) ~~May cause stoppages in the wastewater system because of size, quantity,~~
18 ~~volume or any other characteristic. Solid or viscous substances which may~~
19 ~~cause obstruction to the flow in the sewer or other interference with the~~
20 ~~operation of the wastewater treatment facilities such as, but not limited to,~~
21 ~~grease, garbage with particles greater than one half inch in any dimension,~~
22 ~~animal guts or tissues, paunch manure, bones, hair, hides or fleshings, entrails,~~
23 ~~whole blood, feathers, ashes, cinders, sand, spent lime, stone or marble dust,~~
24 ~~metal, glass, straw, shavings, grass clippings, rags, spent grains, spent hops,~~
25 ~~wastepaper, wood, plastics, gas tar, asphalt residues from refining or~~
26 ~~processing of fuels or lubricating oil, mud or glass grinding or polishing~~
27 ~~wastes.~~

28 (4) ~~Has a pH less than 5.5 or more than 9.5, or wastewater having any other~~
29 ~~corrosive property capable of causing damage or hazard to structures,~~
30 ~~equipment and/or personnel of the wastewater system.~~

31 (5) ~~May cause the wastewater system's effluent or any other product of the~~
32 ~~wastewater system, such as residues, sludges or scums to be unsuitable for~~
33 ~~reclamation and reuse, or to interfere with the reclamation process.~~

34 (6) ~~Contains any pollutants, including oxygen demanding pollutants (BOD, etc.),~~
35 ~~released at a flow rate and/or pollutant concentration which a user knows, or~~
36 ~~has reason to know, will cause interference or pass through in the wastewater~~
37 ~~system. In no case shall a slug load have a flow rate or contain concentrations~~
38 ~~or qualities of pollutants that exceed for any time period longer than fifteen~~
39 ~~(15) minutes, more than five (5) times the average twenty-four hour~~
40 ~~concentration, quantities or flow during normal operation.~~

41 (7) ~~Results in the presence of toxic gases, vapors, or fumes in any part of the~~
42 ~~wastewater system in a quantity that may cause acute worker health and safety~~
43 ~~problems.~~

44 (8) ~~Contains toxic pollutants in sufficient quantity, either singly or by interaction~~
45 ~~with other pollutants, which could injure or interfere with any wastewater~~
46 ~~treatment process, constitute a hazard to humans or animals, create a toxic~~

1 effect in the receiving waters of the wastewater system, or exceed the
 2 limitation set forth above in subsections (1) through (7).
 3 (9) Contains excess strength waste exceeding the parameters listed below:
 4

5		<i>Maximum</i>
6		<i>concentration</i>
7	<i>Constituent</i>	<i>(mg/l)</i>
8		
9	Oils and grease, total recoverable	100.00
10	Cadmium	0.01
11	Chromium	0.80
12	Copper	0.50
13	Silver	0.005
14	Nickel	3.00
15	Zinc	0.10
16	Phenolics (nonchlorinated)	150.00
17	Cyanide	0.06
18	Grit	5.00
19	Arsenic	1.00
20	Barium	7.00
21	Lead	2.00
22	Mercury	0.008
23	Selenium	0.20
24	Fluorides	20.00
25	Iron	25.00
26	Manganese	1.00
27	Sulfates	300.00
28	Sodium	2000.00
29	Chloride	4000.00
30	Trichloroethylene	0.700
31	Tetrachloroethylene	0.300
32	Carbon Tetrachloride	0.05
33	Vinylchloride	0.007
34	1,1,1 Trichloroethane	10.00
35	1,2 Dichloroethane	0.100
36	Benzene	0.150
37	Ethylene Dibromide	0.0004
38	para-Dichlorobenzene	.25
39	1,1-Dichloroethylene	.25
40	Xylene	2.0
41	Toluene	1.5
42	Ethyl benzene	1.5
43	Lindane (Gamma-BHC)	.000006
44	Methylene Chloride	.35
45	Phenol	.30
46	Naphthalene	.20

1	Fluoranthene	.60
2	Pyrene	.20

3
4
5 ~~(b) No consumer shall ever increase the use of process water, or, in any way, attempt~~
6 ~~to dilute a discharge as a partial or complete substitute for adequate treatment, to achieve~~
7 ~~compliance with the limitations contained above.~~

8
9 ~~(c) No consumer shall discharge petroleum oil, nonbiodegradable cutting oil, or~~
10 ~~products of mineral oil origin in amounts that will cause interference or pass through in~~
11 ~~the wastewater system.~~

12
13 ~~(d) No consumer shall discharge trucked or hauled wastes to the wastewater system~~
14 ~~except at points designated by special agreement with the city.~~

15
16 (e) The city reserves the right to establish:

17
18 (1) ~~Standards for substances not contained in this list;~~

19
20 (2) ~~Alternate standards for sole dischargers of toxic pollutants; and~~

21
22 (3) ~~Alternate standards for industrial users discharging less than three thousand~~
23 ~~(3,000) gallons of industrial waste (daily).~~

24
25 ~~In no case will exceptions be made for compliance with applicable categorical~~
26 ~~pretreatment standards.~~

27
28 (a) Graywater disposal facilities. The General Manager for Utilities or his/her designee
29 is authorized to approve, on a limited and experimental basis, the installation of
30 individual graywater systems as feasible and practicable under the following
31 conditions:

32 (1) Graywater flows shall include only domestic wastes carried off by bath, lavatory,
33 sink, (but not kitchen sink) and laundry drains and sewers or wastes of similar
34 nature not normally containing urine, fecal matter, food particles or any other
35 harmful or noxious matter.

36 (2) Blackwater flows would include all wastes not described in paragraph (b) (1)
37 above and otherwise allowed by this Code for introduction into the wastewater
38 system. No blackwater flows shall be introduced into a graywater disposal
39 system.

40 (3) An individual graywater system shall consist of a system of piping, a septic tank
41 or pretreatment device, and a subsurface absorption bed or drainfield, for handling
42 or treating graywater where blackwater is treated by the central wastewater
43 system.

44 (4) All applicable plumbing codes, the general requirements of Chapter 10D-6 of the
45 Florida Administrative Code, as administered by the county health department,
46 the requirements of section 17-183 and any other applicable provisions of this

1 Code shall apply for the approval and installation of individual graywater disposal
2 systems.

3 (5) Approved individual graywater systems are subject to the provisions of this Code
4 for special wastewater facilities related to maintenance and inspection. If
5 approved graywater systems should fail or prove hazardous to public health, or
6 blackwater wastes are introduced into the graywater system, the city may require
7 that graywater flows be connected to the central wastewater system. The
8 requirements of section 27-171 shall apply when any wastes previously connected
9 to an approved graywater system are connected to the central wastewater system.
10 Rates and charges in effect at the time of connection shall be applicable.
11 Connection of any portion of an approved graywater system to the central
12 wastewater system without a written permit issued by the General Manager for
13 Utilities or his/her designee shall be unlawful and subject to the provisions of
14 section 27-1.

15
16 (b) Maintenance. The owner shall be responsible for the construction, operation, and
17 maintenance, of approved graywater disposal systems.

18
19 (c) Inspection. Duly authorized representatives of the city shall have access to, and the
20 right to inspect approved graywater disposal systems and to take samples of the
21 wastewater before or after flowing through an approved graywater disposal system.
22 Persons or occupants of premises where wastewater is created or discharged shall
23 allow the city or their representatives ready access at all reasonable times to all
24 wastewater discharge related parts of the premises for the purpose of inspection,
25 sampling, inspecting or copying records, or to perform any of their duties. Duly
26 authorized representatives shall have the right to remove records for the purposes of
27 copying facilities are not available on the premises.

28
29
30 Section 5. Sections 27-181.1 through 27-181.3 of the Gainesville Code of
31 Ordinances are hereby repealed.

32
33
34 Section 6. Section 27-182 of the Gainesville Code of Ordinances is hereby
35 amended to read as follows:

36
37 **Sec. 27-182. ~~Special wastewater facilities. Private wastewater disposal system--~~**
38 **Approved by county; compliance with state standards required.**

39
40 ~~(a) City's right to require. The city may require flow equalizing devices; monitoring~~
41 ~~equipment, including but not limited to, flow monitoring and sampling devices; grease,~~
42 ~~oil or sand traps; or pretreatment and specify the degree of pretreatment, of any~~
43 ~~wastewater before it is emptied into the wastewater lines of the city. These devices shall~~
44 ~~not be necessary for normal domestic wastewater, but will be required for any waste that,~~
45 ~~because of its toxic nature, high BOD and COD, high oil or fat content, septicity, bulk or~~

1 any other factor, may be harmful to equipment or the wastewater treatment processes, or
2 may cause nuisance, odor or stoppage problems in the wastewater system.
3

4 ~~(b) *Graywater disposal facilities.* The General Manager for Utilities or his/her~~
5 ~~designee is authorized to approve, on a limited and experimental basis, the installation of~~
6 ~~individual graywater systems as feasible and practicable under the following conditions:~~
7

8 ~~(1) Graywater flows shall include only domestic wastes carried off by bath,~~
9 ~~lavatory, sink, (but not kitchen sink) and laundry drains and sewers or wastes~~
10 ~~of similar nature not normally containing urine, fecal matter, food particles or~~
11 ~~any other harmful or noxious matter.~~
12

13 ~~(2) Blackwater flows would include all wastes not described in paragraph (b)(1)~~
14 ~~above and otherwise allowed by this Code for introduction into the wastewater~~
15 ~~system. No blackwater flows shall be introduced into a graywater disposal~~
16 ~~system.~~
17

18 ~~(3) An individual graywater system shall consist of a system of piping, a septic~~
19 ~~tank or pretreatment device, and a subsurface absorption bed or drainfield, for~~
20 ~~handling or treating graywater where blackwater is treated by the central~~
21 ~~wastewater system.~~
22

23 ~~(4) All applicable plumbing codes, the general requirements of Chapter 10D-6 of~~
24 ~~the Florida Administrative Code, as administered by the county health~~
25 ~~department, the requirements of section 27-183 and any other applicable~~
26 ~~provisions of this Code shall apply for the approval and installation of~~
27 ~~individual graywater disposal systems.~~
28

29 ~~(5) Approved individual graywater systems are subject to the provisions of this~~
30 ~~Code for special wastewater facilities related to maintenance and inspection.~~
31 ~~If approved graywater systems should fail or prove hazardous to public health,~~
32 ~~or blackwater wastes are introduced into the graywater system, the city may~~
33 ~~require that graywater flows be connected to the central wastewater system.~~
34 ~~The requirements of section 27-171 shall apply when any wastes previously~~
35 ~~connected to an approved graywater system are connected to the central~~
36 ~~wastewater system. Rates and charges in effect at the time of connection shall~~
37 ~~be applicable. Connection of any portion of an approved graywater system to~~
38 ~~the central wastewater system without a written permit issued by the General~~
39 ~~Manager for Utilities or his/her designee shall be unlawful and subject to the~~
40 ~~provisions of section 27-1.~~
41

42 ~~(c) *Maintenance.* The owner shall be responsible for the construction, operation and~~
43 ~~maintenance of any flow equalization devices; monitoring equipment; grease, oil or sand~~
44 ~~traps; approved graywater disposal systems; or pretreatment facilities which are required~~
45 ~~by the city.~~
46

1 ~~(d) *Inspection.* Duly authorized representatives of the city shall have access to, and~~
2 ~~the right to inspect, all flow equalization devices; grease, oil or sand traps; approved~~
3 ~~graywater disposal systems; or pretreatment facilities, and to take samples of the~~
4 ~~wastewater before or after flowing through any of the above special wastewater facilities.~~
5 ~~Persons or occupants of premises where wastewater is created or discharged shall allow~~
6 ~~the city or their representatives ready access, at all reasonable times, to all wastewater~~
7 ~~discharge related parts of the premises, for the purpose of inspection, sampling,~~
8 ~~inspecting or copying records, or to perform any of their duties. Duly authorized~~
9 ~~representatives shall have the right to remove records for the purposes of copying if~~
10 ~~copying facilities are not available on the premises.~~

11
12 ~~(e) *Baseline monitoring report.* Within 180 days after the effective date of a~~
13 ~~categorical pretreatment standard under 40 CFR Chapter, Subchapter N, or 180 days after~~
14 ~~the final administrative decision made upon a category determination submission under~~
15 ~~403.6(a)(4), whichever is latter, existing Industrial Users subject to such categorical~~
16 ~~pretreatment standards and currently discharging to or scheduled to discharge to the~~
17 ~~wastewater system shall submit a report containing information as required in 40 CFR~~
18 ~~403.12(b)(1)-(7).~~

19
20 ~~(f) *Categorical compliance report.* Within 90 days following the date for final~~
21 ~~compliance with applicable categorical pretreatment standard under 40 CRF Chapter I,~~
22 ~~Subchapter N, or in the case of a New Source following commencement of the~~
23 ~~introduction of wastewater to the city wastewater system, andy Industrial User subject to~~
24 ~~the pretreatment standard shall submit a report containing the information as required in~~
25 ~~40 CFR 403.12(b)(4)-(6).~~

26
27 ~~(g) *Semi-annual compliance report.* Any Significant Industrial User discharging to~~
28 ~~the city wastewater system is required to submit by January 1st and July 1st each year a~~
29 ~~report detailing the nature and concentration of pollutants in their wastewater discharge, a~~
30 ~~record of the wastewater flow for the period, and a summary of any charges to~~
31 ~~pretreatment equipment. The city reserves the right to require these reports more~~
32 ~~frequently to insure industrial user compliance.~~

33
34 ~~(h) *Compliance schedule.* The city reserves the right to require an industrial user to~~
35 ~~develop a compliance schedule for the installation of technology required to meet~~
36 ~~applicable pretreatment standards and requirements. Such schedules will contain~~
37 ~~increments of progress in the form of dates for the commencement and completion of~~
38 ~~major events leading to schedule completion and compliance with documentation being~~
39 ~~required upon completion of each major event.~~

40
41 ~~(i) *Self monitoring.* The city reserves the right to require self-monitoring reports~~
42 ~~from industrial users, as are necessary to assess and ensure compliance by industrial users~~
43 ~~with pretreatment standards and requirements, including, but not limited to, the reporting~~
44 ~~requirements set forth in 40 CFR 403.12 and the test procedures for wastewater analyses~~
45 ~~found in 40 CFR Part 136, which are incorporated by reference as part of this section.~~
46

1 ~~(j) *Signatory and certification requirements.* Documents submitted by any Industrial~~
2 ~~User for the purposes of compliance with an industrial wastewater permit shall be signed~~
3 ~~by a duly authorized representative and contain a statement certifying that the document~~
4 ~~is true, accurate and complete. The authorized representative must also certify that~~
5 ~~he/she understands the falsification of any document submitted for the purposes of~~
6 ~~compliance with an industrial wastewater permit may result in prosecution under federal~~
7 ~~law.~~

8
9 ~~(k) *Record keeping.* All Industrial Users shall keep, for a minimum of at least three~~
10 ~~years, any documents that are required by or developed to comply with an industrial~~
11 ~~wastewater permit, including but not limited to, monitoring data, notices of violation, and~~
12 ~~compliance reports.~~

13
14 ~~(l) *Public records access.* Documents submitted by Industrial Users to the city are~~
15 ~~open to inspection by the public in accordance with city policy, state and federal law and~~
16 ~~40 CFR 403.14. Documents claimed as proprietary information must meet the criteria~~
17 ~~outlined in 40 CFR 403.14. Under no circumstances will effluent data be treated as~~
18 ~~confidential.~~

19
20 If any building or structure is to be constructed upon property, the nearest property line of
21 which is more than two hundred (200) feet from an available public wastewater line, no
22 building permit therefor shall be issued unless an official representative of the county
23 health department shall have first issued a permit to construct a private wastewater
24 disposal system for the building or structure. Before any such permit, the health
25 department representative shall investigate the soil conditions, drainage, size of lot and
26 any other factors, bearing thereon in the interest of public health and shall afterward
27 inspect the construction of the private wastewater disposal system to determine that the
28 same has been built in compliance with the provisions of Chapter 64E-6, F.A.C., entitled,
29 "Standards for Onsite Sewage Treatment And Disposal Facilities," which is by this
30 reference made a part of this section, a copy of which shall be retained in the office of the
31 clerk of the commission as required by law.

32
33
34 Section 7. Section 27-182.1 and 27-182.2 are hereby created and shall read as
35 follows:
36

37 **Sec. 27-182.1. Same--Permits; inspection.**

38
39 (a) Permits for the construction of private sewage disposal systems shall be obtained
40 from the General Manager for Utilities or his/her designee before construction
41 thereon is begun. Applicants for such permits shall pay a fee in accordance with the
42 schedule set out in Appendix A to cover the cost of inspection as required in this
43 section.

44
45 (b) No private sewage disposal system not provided for under the terms of this division
46 shall be hereafter constructed in the city nor shall any private sewage disposal system

1 constructed under the terms of this division be covered or backfilled until the same
2 has been inspected and approved by the city health officer.

3
4 **Sec. 27-182.2. Same--Discharges.**

5
6 No person shall maintain any privy, sewage disposal system, pipe or drain so as to
7 dispose or discharge the contents or other liquid or matter therefrom to the atmosphere or
8 on the surface of the ground, or so as to endanger any source of drinking water; nor shall
9 any person discharge into any watercourse, storm sewer, drain or body of water any
10 sewage or sewage effluent unless a permit for such discharge shall have been issued
11 therefore by the General Manager for Utilities or his/her designee upon approval of the
12 city health officer.

13
14
15 Section 8. Sections 27-183 through and including 27-186.1 of the City of
16 Gainesville Code of Ordinances are hereby repealed.

17
18
19 **~~Sec. 27-183. Private wastewater disposal system approved by county; compliance~~**
20 **~~with state standards required.~~**

21
22 ~~—If any building or structure is to be constructed upon property, the nearest property line~~
23 ~~of which is more than two hundred (200) feet from an available public wastewater line,~~
24 ~~no building permit therefor shall be issued unless an official representative of the county~~
25 ~~health department shall have first issued a permit to construct a private wastewater~~
26 ~~disposal system for the building or structure. Before any such permit, the health~~
27 ~~department representative shall investigate the soil conditions, drainage, size of lot and~~
28 ~~any other factors, bearing thereon in the interest of public health and shall afterward~~
29 ~~inspect the construction of the private wastewater disposal system to determine that the~~
30 ~~same has been built in compliance with the provisions of Chapter 10D-6 of the Rules of~~
31 ~~the State of Florida, Department of Health and Rehabilitative Services, Health Programs~~
32 ~~entitled, "Standards for Individual Sewage Disposal Facilities," which is by this reference~~
33 ~~made a part of this section, a copy of which shall be retained in the office of the clerk of~~
34 ~~the commission as required by law.~~

35
36
37 **~~Sec. 27-183.1. Same—Permits; inspection.~~**

38
39 ~~—(a) Permits for the construction of private sewage disposal systems shall be obtained~~
40 ~~from the general manager for utilities or his/her designee before construction thereon is~~
41 ~~begun. Applicants for such permits shall pay a fee in accordance with the schedule set~~
42 ~~out in Appendix A to cover the cost of inspection as required in this section.~~

43
44 ~~—(b) No private sewage disposal system not provided for under the terms of this~~
45 ~~division shall be hereafter constructed in the city nor shall any private sewage disposal~~
46 ~~system constructed under the terms of this division be covered or backfilled until the~~
47 ~~same has been inspected and approved by the city health officer.~~

1
2 **Sec. 27-183.2. Same Discharges.**
3

4 — No person shall maintain any privy, sewage disposal system, pipe or drain so as to
5 dispose or discharge the contents or other liquid or matter therefrom to the atmosphere or
6 on the surface of the ground, or so as to endanger any source of drinking water; nor shall
7 any person discharge into any watercourse, storm sewer, drain or body of water any
8 sewage or sewage effluent unless a permit for such discharge shall have been issued
9 therefor by the general manager for utilities or his/her designee upon approval of the city
10 health officer.
11

12
13 **Sec. 27-184. Emergency suspension of service and industrial wastewater permits.**
14

15 — (a) The city may suspend the wastewater treatment service and/or an industrial
16 wastewater permit, when such suspension is necessary in order to stop an actual or
17 threatened discharge which presents or may present an imminent or substantial danger to
18 the health or welfare of persons, or the environment, or cause interference to the
19 wastewater system.
20

21 — (b) Any person notified of a need to sever wastewater treatment service and/or
22 suspend the industrial wastewater permit shall immediately stop or eliminate the
23 discharge in question. In the event of a failure of the person to comply voluntarily with a
24 suspension or severance notice, the city shall take such steps as deemed necessary to
25 prevent or minimize damage to the wastewater system or to individuals. Such steps may
26 include immediate severance of the sewer connection and/or suspension of the industrial
27 wastewater permit. The city shall reinstate the industrial wastewater permit and/or
28 wastewater treatment service, upon proof of the elimination of the noncomplying
29 discharge. A detailed written statement submitted by the customer describing the causes
30 of the harmful contribution and the measures taken to prevent any future occurrence shall
31 be submitted to the city within fifteen (15) days of the date of occurrence.
32

33
34 **Sec. 27-185. Industrial users Accidental discharges.**
35

36 — (a) *Prevention.* All industrial users shall provide such facilities and institute such
37 procedures as are reasonably necessary to prevent or minimize the potential for accidental
38 discharge into the wastewater system of waste regulated by this division from liquid or
39 raw material storage areas, from truck and rail car loading and unloading areas, from in-
40 plant transfer or processing and materials handling areas, from diked areas or holding
41 ponds of any waste regulated by this division or from other areas likely to produce an
42 accidental discharge. The wastewater discharge permit of any industrial user who has a
43 history of significant leaks, spills or other accidental discharge of waste regulated by this
44 division shall be subject, on a case-by-case basis, to a special permit condition or
45 requirement from the construction of facilities and/or establishment of procedures which
46 will prevent or minimize the potential for such accidental discharge. Facilities to prevent

1 accidental discharge of prohibited materials shall be provided and maintained at the user's
2 expense. Detailed plans showing the facilities and operating procedures shall be
3 submitted to the general manager for utilities or his/her designee before the facility is
4 constructed. The review and approval of such plans and operating procedures will in no
5 way relieve the industrial user from the responsibility of modifying the facility to provide
6 the protection necessary to meet the requirements of this division.

7
8 ~~—(b) Notification of accidental discharge. Any person causing or suffering from any~~
9 ~~accidental discharge shall immediately notify the general manager for utilities or his/her~~
10 ~~designee by telephone, to enable countermeasures to be taken to minimize damage to the~~
11 ~~wastewater system, the health and welfare of the public and the environment. This~~
12 ~~notification shall be followed, within five (5) days of the date of occurrence, by a detailed~~
13 ~~written statement submitted by the industrial discharger describing the cause of the~~
14 ~~accidental discharge and the measures being taken to prevent future occurrence. Such~~
15 ~~notification will not relieve the industrial discharger of liability for any expense, loss or~~
16 ~~damage to the wastewater system.~~

17
18
19 **Sec. 27-185.1. Same Violation, revocation of permit.**

20
21 ~~— Any industrial user who commits the following offenses is subject to having his/her~~
22 ~~industrial wastewater permit revoked, in accordance with the procedures set forth in~~
23 ~~section 27-186.1.:~~

- 24
25 ~~—(1) Failure of an industrial user to factually report the wastewater constituents and~~
26 ~~characteristics of his/her discharge;~~
27
28 ~~—(2) Failure of an industrial user to report changes in operations which significantly~~
29 ~~affect wastewater constituents and characteristics;~~
30
31 ~~—(3) Refusal of reasonable access to an industrial user's premises for the purposes of~~
32 ~~inspection or monitoring; or~~
33
34 ~~—(4) Violation of conditions of the permit.~~

35
36
37 **Sec. 27-186. Violation Notification.**

38
39 ~~— Whenever the city finds that any customer has violated or is violating this division, an~~
40 ~~industrial wastewater permit, or any prohibition or requirements contained in either, the~~
41 ~~city may serve upon the person a written notice stating the nature of the violation. Within~~
42 ~~fifteen (15) days of the date of notice, a plan for the satisfactory correction of the~~
43 ~~violation shall be submitted to the city by the customer.~~

1
2 **Sec. 27-186.1. Same -- Enforcement action hearing.**
3

4 ~~—(a) The city may order any customer who has violated or is violating this division, an~~
5 ~~industrial wastewater permit or any prohibition or requirement contained therein, to~~
6 ~~attend an enforcement action hearing. A notice shall be served on the customer~~
7 ~~specifying the time and place of the hearing, which will be held by the general manager~~
8 ~~for utilities or his/her designee, regarding the violation and the proposed enforcement~~
9 ~~action, and directing the customer to show cause before the general manager for utilities~~
10 ~~or his/her designee why the proposed enforcement action should not be taken. The notice~~
11 ~~of the hearing shall be served personally on the customer or by registered or certified~~
12 ~~mail (return receipt requested) at least twenty (20) days before the hearing. Service may~~
13 ~~be made on a duly appointed authorized representative of the industrial user or the~~
14 ~~customer.~~

15
16 ~~—(b) At any hearing held pursuant to this section, testimony taken must be under oath~~
17 ~~and tape recorded. The transcript so recorded will be made available to any member of~~
18 ~~the public or any party to the hearing, upon payment of the usual charges therefor.~~
19

20 ~~—(c) After the general manager for utilities or his/her designee has reviewed the~~
21 ~~evidence, he/she may issue an order to the customer responsible for the discharge,~~
22 ~~directing that following a specified time period sewer service and/or the industrial~~
23 ~~wastewater permit may be discontinued, unless and until adequate treatment facilities,~~
24 ~~devices or other related appurtenances shall be installed and are properly operating on~~
25 ~~existing treatment facilities, devices and other related appurtenances. Further orders and~~
26 ~~directives as are necessary and appropriate may also be issued by the general manager for~~
27 ~~utilities or his/her designee.~~
28

29 ~~—(d) Any customer aggrieved by an order issued by the general manager for utilities or~~
30 ~~his/her designee may appeal the order to a court of competent jurisdiction within thirty~~
31 ~~(30) days from the date the order is reduced to writing and delivered by certified or~~
32 ~~registered mail (return receipt requested) to the customer.~~
33
34
35

36 Section 9. Sections 27-183 through 27-235 are hereby reserved.
37

38
39 Section 10. All ordinances in conflict herewith, to the extent of such conflict
40 are hereby repealed.
41

42
43 Section 11. If any portion of this ordinance is declared invalid by a court of
44 competent jurisdiction, such invalidity shall not affect the remaining portions of this
45 ordinance.
46
47

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32

Section 12. This ordinance shall become effective 90 days after adoption.

PASSED and ADOPTED this _____ day _____, 1999.

Paula M. DeLaney
Mayor

ATTEST:

Approved as to form and legality.

Kurt M. Lannon
Clerk of the Commission

Marion J. Radson
City Attorney

This Ordinance passed on first reading this _____ day of _____, 1999.

This Ordinance passed on second reading this _____ day of _____, 1999.

