

- (14) Medical wastes in concentrations that will violate any of the objectives of this SUO, or as specifically authorized by the assistant to the city manager for public services in an IWDP.
  - (15) Wastewater causing, alone or in conjunction with other sources, the treatment plant's effluent to fail any toxicity test or to violate its NPDES or FDEP waste discharge permit or the receiving water quality standards.
  - (16) Detergents, surface-active agents, or other substances which that might cause excessive foaming in the POTW.
  - (17) Any water or waste containing fats, wax, grease or oils of animal or vegetable origin, whether emulsified or not, in excess of 100 mg/l or containing substances which may solidify or become viscous at temperatures between 32 and 150 degrees Fahrenheit (zero and 65 degrees Celsius).
  - (18) Any substance which may cause the POTW's effluent or any other product of the POTW, such as residues, sludges, or scums, to be unsuitable for reclamation and reuse or to interfere with the reclamation process where the POTW is pursuing a reuse and reclamation program. In no case shall a substance discharged to the POTW cause the POTW to be in noncompliance with sludge use or disposal criteria, guidelines or regulations developed under Section 405 of the Act; any criteria, guidelines, or regulations affecting sludge use or disposal developed pursuant to the Solid Waste Disposal Act, the Clean Air Act, the Toxic Substance Control Act, or state criteria applicable to the sludge management method being used.
  - (19) Any garbage that has not been properly shredded. The installation and operation of any garbage grinder equipped with a motor of three-fourths horsepower (0.76 hp metric) or greater shall be subject to the review and approval of the assistant to the city manager for public services or building inspector.
  - (20) Any waters or wastes containing phenols or other taste- or odor-producing substances, in such concentrations exceeding limits which may be established by the assistant to the city manager for public services, as necessary, after treatment of the composite sewage, to meet the requirements of the state, federal or other public agencies of jurisdiction for such discharge to the receiving waters.
  - (21) Any discharges containing compounds that are labeled for the control of pest species of any type, such as, but not limited to, acaricides, bactericides, fungicides, herbicides, insecticides, molluscicides, nematicides and rodenticides.
- (c) *Processing and storage of prohibited pollutants.* Pollutants, substances, or wastewater prohibited by this section shall not be processed or stored in such a manner that they could be discharged to the POTW.
- (d) *Stormwater.* Stormwater and all other unpolluted drainage shall be discharged to such sewers as are specifically designated as storm sewers or to a natural outlet approved by the assistant to the city manager for public services of public works. Industrial cooling water or unpolluted process waters may be discharged, on approval of the assistant to the city manager for public services, to a storm sewer or natural outlet.
- (e) *Local limits.* No person shall discharge wastewater containing pollutants in excess of the local limits for those pollutants which have been established for the City of Winter Garden's POTW using standard procedures, calculations and methods acceptable to FDEP to protect against pass through, interference, protection of POTW employees, and adverse affects on wastewater residuals disposal. No industrial user shall discharge process waste streams, unregulated waste streams, or dilute waste streams in excess of the concentrations set forth by the assistant to the city manager for public services. Local limits shall be included as permit conditions and attached to each SIU wastewater permit issued.
- The established local limits are subject to change and shall be modified as needed based on regulatory requirements and standards, POTW opera-

tion, performance and processes, the industrial user base, potable water quality and domestic wastewater characteristics. Modifications to the established local limits must be reviewed and approved by FDEP prior to implementation. Implementation shall be effective 30 days from notice of acceptance of the modified limits by FDEP. Permitted SIUs shall also be issued an addendum to their wastewater discharge permit containing the new local limits.

The established local limits apply at the point where the wastewater is discharged from the SIU's lateral sewer into the city's sewer (end of pipe). All concentrations for metallic substances are for total metal unless indicated otherwise. At his or her discretion, the assistant to the city manager for public services may impose mass limitations in addition to or in place of the concentration-based limitations.

A copy of the approved local limits is adopted by reference in this article and is available upon request at the following location.

City of Winter Garden  
Assistant to the City Manager for Public Services  
300 W Plant Street  
Winter Garden, FL 34787.

The assistant to the city manager for public services may develop best management practices (BMPs), by ordinance or in IWDPs to implement local limits and the requirements of section 78-132 of this article. Such BMPs shall be considered local limits and pretreatment standards for the purposes of this article.

(f) *Dilution.* Unless expressly authorized by an applicable pretreatment standard or requirement, no user shall ever increase the use of process water, or in any way attempt to dilute a discharge as a partial or complete substitute for adequate treatment to achieve compliance with a pretreatment standard or requirement. The assistant to the city manager for public services may impose mass limitations on users which are using dilution to meet applicable pretreatment standards or requirements or in other cases where the imposition of mass limitations is appropriate pursuant to 40 CFR 403.6(c) or Rule 62-625.410(4), F.A.C.

(g) *Duty to comply.* Industrial users shall observe and comply with any and all federal, regional, state and local laws, rules, regulations, requirements, ordinances, orders, mandatory guidelines and procedures which apply or pertain to the collection, treatment and disposal of wastewater.

(h) *National Categorical Pretreatment Standards.* The National Categorical Pretreatment Standards found at 40 CFR chapter I, subchapter N, parts 405-471 and Chapter 62-660, F.A.C., are incorporated by reference herein. Certain industrial users are or shall become (as determined by the state pursuant to Rule 62-625.410(2)(d), F.A.C.) subject to national categorical standards promulgated by the environmental protection agency. The national categorical standards specify quantities or concentrations of pollutants or pollutant properties which may be discharged into the POTW. All industrial users subject to a national pretreatment standard shall comply with all requirements of such standard, which includes any monitoring or reporting requirements, and shall also comply with any additional or more stringent limitations contained in this article. Compliance with national pretreatment standards for existing sources subject to such standards or for existing sources which become subject to such standards shall be within three years following promulgation of the standards unless a shorter compliance time is specified in the standard or required by the city. Compliance with national pretreatment standards for new sources shall be required upon promulgation of the standard. Except where expressly authorized by an applicable national pretreatment standard, no industrial user shall increase the use of process water or in any way attempt to dilute a discharge as a partial or complete substitution for adequate treatment to achieve compliance with such standard and other pretreatment standards and requirements, including but not limited to more stringent local limits developed under 40 CFR 403.5(c), as it may be amended.

(i) *State pretreatment standards.* State requirements and limitations on discharges shall apply when they are more stringent than federal requirements and limitations or those in this article.

(j) *City's right of revisions.* The city reserves the right to establish by ordinance, ordinance revision, or through permit conditions more stringent local limitations, requirements, or time periods on discharges to the wastewater disposal system if deemed necessary to comply with the objectives stated for this article. The revision to discharge limitations in this article or in individual permits will be initiated by the assistant to the city manager for public services when necessary. Affected parties will be duly notified and will have the opportunity to comment on the revisions prior to their adoption or incorporation. However, all affected parties are assumed to know and to comply with all state and federal rules, requirements, and guidelines including but not limited to the development, promulgation, and application of local limits; the appropriate use or inapplicability of combined waste stream formulas; and all industrial user and POTW monitoring and reporting requirements.

(Ord. No. 11-38, § I(Exh. A), 12-8-11)

#### **Sec. 78-133. Administration.**

(a) If any waters or wastes are discharged or are proposed to be discharged to the public sewers, which waters contain the substances or possess the characteristics enumerated in section 78-132 and which may have a deleterious effect on the public sewer system, processes, equipment or receiving waters or which otherwise create a hazard to life or constitute a public nuisance, the city, via the assistant to the city manager for public services, may:

- (1) Reject the wastes.
- (2) Require pretreatment to an acceptable condition prior to discharge to the public sewers.
- (3) Require control over the quantities and rates of discharges.
- (4) Require payment pursuant to this section and subsection, to cover the added cost of handling and treating the wastes not covered by existing taxes or sewer charges. The class descriptions and permitting fee shall be as follows:
  - a. *Class 1—Significant industrial users* shall apply for and obtain an

IWDP prior to discharge, and periodic site visits will be performed by the city prior to any IWDP renewal. Class 1 users shall also submit a spill containment plan to the city. All class 1 users shall be assessed a permit fee of \$250.00 and a renewal fee of \$250.00. The permit fee shall be submitted together with the completed permit application. There shall be no fee assessed for the random sampling and compliance monitoring expenses incurred by the city; provided, however, that the sampling fees assessment as outlined in subsection 78-136(m) of this article shall be in full force and effect at all times.

- b. *Class 2—Grease dischargers* may have inspections by the city, and a permit may be required for these users.
- c. *Class 3—Dischargers requiring a spill containment plan* are not required to have a permit, although their permit applications shall be kept on file pending a status change or reclassification.
- d. *Class 4—Non-industrial dischargers* are not required to have a permit, although their permit applications shall be kept on file pending a status change or reclassification.
- e. *Class 5—Waste haulers* are regulated according to the following provisions:
  1. Septic tank waste may be introduced into the POTW only at locations designated by the assistant to the city manager for public services, and at such times as are established by the assistant to the city manager for public services. Such waste shall not violate section 78-132 of this article or any other requirements established by the city. The assistant to the city

- manager for public services may require septic tank waste haulers to obtain industrial wastewater discharge permits.
2. The assistant to the city manager for public services may require haulers of industrial waste to obtain industrial wastewater discharge permits. The assistant to the city manager for public services may require generators of hauled industrial waste to obtain industrial wastewater discharge permits. The assistant to the city manager for public services also may prohibit the disposal of hauled industrial waste. The discharge of hauled industrial waste is subject to all other requirements of this article.
  3. Industrial waste haulers may discharge loads only at locations designated by the assistant to the city manager for public services. No load may be discharged without prior consent of the assistant to the city manager for public services. The assistant to the city manager for public services may collect samples of each hauled load to ensure compliance with applicable standards. The assistant to the city manager for public services may require the industrial waste hauler to provide a waste analysis of any load prior to discharge.
  4. Industrial waste haulers must provide a waste-tracking form for every load. This form shall include, at a minimum, the name and address of the industrial waste hauler, permit number, truck identification, names and addresses of sources of waste, and volume and characteristics of waste. The form shall identify the type of industry, known or suspected waste constituents, and whether any wastes are RCRA hazardous wastes.
- f. Any user or industry storing hazardous or toxic chemicals on site shall submit a spill containment plan to the city.
  - g. If the assistant to the city manager for public services permits the pretreatment or equalization of waste flows, the design and installation of the plans and equipment shall be subject to the review and approval of the assistant to the city manager for public services, and subject to the requirements of all applicable codes, ordinances, and laws. Where preliminary treatment or flow-equalizing facilities are provided for any waters or wastes, they shall be maintained continuously in satisfactory and effective operation by the permit holder at his expense as required by this section.
- (b) *Interceptors.* Grease, oil and sand interceptors shall be provided when, in the opinion of the assistant to the city manager for public services, they are necessary for the proper handling of liquid wastes containing grease in excessive amounts, or any flammable wastes, sand or other harmful ingredients. All interceptors shall be of a type and capacity approved by the assistant to the city manager for public services and shall be located as to be readily and easily accessible for cleaning and inspection.
- (c) *Wastewater survey.* When requested by the control authority, any new or existing industrial user and any zero process discharge industrial facility must submit information on the nature and characteristics of its wastewater, including production and disposal procedures, by completing a wastewater survey questionnaire. The control authority may prepare a form for this purpose and may periodically require industrial users to update the survey. Failure to complete this survey shall be a violation of this article.
- (Ord. No. 11-38, § I(Exh. A), 12-8-11)



**Sec. 78-134. Industrial wastewater discharge permits.**

(a) Requirements for industrial wastewater discharge permits (IWDPs) shall be as follows:

- (1) *Permit required.* An IWDP shall be required of every industry who is designated as a significant industrial user (SIU) as defined by this article or whose discharge might contain the substances or possess the characteristics enumerated in section 78-132 or whose discharge might have an adverse impact or deleterious effect on any portion of the POTW. Further, an IWDP shall be required of every new wastewater user located upon a property zoned industrial.
- (2) *Existing industrial wastewater dischargers.* Dischargers of industrial wastewater into the city's sewer system prior to the effective date of the ordinance from which this article derives are granted temporary authority to continue to discharge industrial wastewaters in compliance with the city's codes, regulations, and policies. This temporary authority shall expire 90 days after the date of notification by the assistant to the city manager for public services of the requirement for a discharger to make application for an IWDP. In no case shall this temporary authority extend beyond 90 days after the effective date of the ordinance from which this article derives. If, prior to the expiration date, the discharger has filed for an IWDP pursuant to subsections (a)(1) and (a)(5) of this section, its temporary authority to discharge will continue. In such case, this temporary authority shall expire on the date the IWDP is issued or denied. Any person discharging pursuant to the temporary authority provided in this subsection is subject to all sections of this article, and such authority may be suspended or revoked in accordance with the terms and procedures set forth in subsection 78-136(j).
- (3) *New industrial wastewater dischargers.* Any user required to obtain an industrial wastewater discharge permit who proposes to begin or recommence discharging into the POTW must obtain such permit prior to the beginning or recommencing of such discharge and prior to obtaining building permits for any plumbing connections to the wastewater system or other interior build-outs supporting the user's industrial use. An application for this industrial wastewater discharge permit in accordance with subsection 78-134(a)(5) of this article must be filed at least 90 days prior to the date upon which any discharge will begin or recommence.
- (4) *Compliance required.* No IWDP holder shall discharge industrial wastewater in excess of the quantity, rate of discharge, or quality conditions specified in the IWDP. Any person desiring to modify his discharge which would violate conditions of his IWDP shall apply for an amended permit.
- (5) *IWDP applications.* Existing and proposed new industrial users required under the terms of this article to obtain a permit shall complete and file with the city an application in the form prescribed by the city. Proposed new industrial users shall file their applications at least 90 days prior to their discharging to the POTW. The applicant shall submit, where appropriate, the following:
  - a. The name, address, telephone number, and location if different from the address of the applicant, the owner of the premises from which industrial wastes are intended to be discharged, and the name of a local representative duly authorized to act on behalf of the company.
  - b. NAICS code or SIC number.
  - c. Average daily and three-minute peak wastewater flow rates, including daily, monthly and seasonal variations if any.

- d. A brief description of all industrial process waste flows produced before and after pretreatment, if any, at the premises, including the daily volume and wastewater constituents and characteristics as determined by representative samples and analyses. All analyses shall be performed by a laboratory certified by Florida Department of Health for environmental analysis for all pollutants concerned and in accordance with 40 CFR Part 136. The description should include a schematic process diagram, which indicates points of discharge to the POTW from the regulated processes.
- e. Estimated time and duration of discharge within a 20 percent tolerance.
- f. Site plans, floor plans, mechanical and plumbing plans and details to show all sewers, sewer connections, and appurtenances by the size, location and elevation.
- g. Each product produced by type, amount, process or processes and rate of production.
- h. Types of wastes generated, and a list of all raw materials and chemicals used or stored at the facility which are, or could accidentally or intentionally be, discharged to the POTW. Type and amount of raw materials processed (average and maximum per day).
- i. Number and type of employees, and hours of operation of the plant and proposed or actual hours of operation of the pretreatment system.
- j. The location for monitoring all wastes covered by the IWDP.
- k. A list of any environmental control permits held by or for the facility.
- l. Permit fees as determined by the assistant to the city manager for public services, and pursuant to this section.
- m. A compliance schedule for meeting categorical pretreatment standards, the following conditions of which shall apply:
  1. The schedule shall contain increments of progress in the form of dates for the commencement and completion of major events leading to the construction and operation of additional pretreatment required for the industrial user to meet the applicable categorical pretreatment standards (e.g., hiring an engineer, completing preliminary plans, completing final plans, executing contract for major components, commencing construction, completing construction, etc.).
  2. No increment referred to in this section shall exceed nine months.
  3. Not later than 14 days following each date in the schedule and the final date for compliance, the industrial user shall submit a progress report to the control authority including, at a minimum, whether or not it complied with the increment of progress to be met on such date and, if not, the date on which it expects to comply with this increment of progress, the reason for delay, and the steps being taken by the industrial user to return the construction to the schedule established. In no event shall more than nine months elapse between such progress reports to the city.
- n. A statement signed by an authorized representative of the industrial user as follows:
 

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a

system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fines and imprisonment for knowing violation."

- o. Any other information as may be deemed by the city to be necessary to evaluate the IWDP application.
- p. There is a need to further protect the beneficial reuse of biosolids generated by the city's wastewater treatment plant (POTW), as existing wastewater treatment technologies do not protect against the discharge of per- and polyfluoroalkyl substances (PFAS) or microplastics at concentrations that may be deemed harmful. The city shall not issue any new industrial wastewater discharge permit, or renew an existing industrial wastewater discharge permit, unless the applicant or permittee has demonstrated to the city's satisfaction and based on actual laboratory analytical data that such data will not include the presence of PFAS or microplastics at concentrations that will result in any restriction on the city's biosolids reclamation or reuse program. The detected presence in the proposed wastewater stream of PFAS or microplastics at concentrations above any human health advisory levels or drinking water or wastewater criteria published by EPA, the State of Florida, or any other state, shall be presumed to create such a restriction.

(Ord. No. 11-38, § I(Exh. A), 12-8-11; Ord. No. 22-43, § III, 10-27-22)

### **Sec. 78-135. Processing and issuance of IWDPs.**

(a) The assistant to the city manager for public services will act only on an application which contains all of the information required in subsection 78-134(a)(5). A person who has filed an incomplete or inaccurate application will be notified by the assistant to the city manager for public services that the application is deficient and the nature of such deficiency and will be given 30 days to correct the deficiency. Upon receipt of a complete application, the assistant to the city manager for public services shall review and evaluate all data furnished by the SIU and may require additional data. The assistant to the city manager for public services shall review and evaluate the application and shall propose such special permit conditions as he deems advisable. All IWDPs shall be expressly subject to all sections of this article and all other applicable ordinances, laws, and regulations.

(b) Upon completion of his evaluation, the assistant to the city manager for public services shall notify the applicant of any special conditions which he proposes be included in the IWDP. The applicant shall have 30 days from and after the date of the assistant to the city manager for public services' recommendations for special permit conditions to review such and file written objections with the assistant to the city manager for public services regarding any such special permit conditions. The assistant to the city manager for public services may, but shall not be required to, schedule a meeting with applicant's authorized representative within 15 days following receipt of the applicant's objections, and attempt to resolve disputed issues concerning special permit conditions. If the applicant files no objections to special permit conditions proposed by the assistant to the city manager for public services or if a subsequent agreement is reached concerning such, the assistant to the city manager for public services shall issue an IWDP to the applicant with such special conditions incorporated therein.

(c) Issuance of an IWDP shall not relieve the discharger from complying with all applicable laws, regulations, and ordinances promulgated

by other government authority, nor shall the issuance of an IWDP be construed as a representation by the city that the discharge permitted therein complies with all of such laws, regulations and ordinances. IWDPs are issued solely to govern the discharge of wastewater into the public sewer system and the applicable receiving waters, as between the discharger and the city, and shall not be construed to benefit any third party.

(Ord. No. 11-38, § I(Exh. A), 12-8-11)

**Sec. 78-136. Permit requirements and restrictions.**

(a) *Requirements.* The requirements and restrictions in permits shall be uniformly enforced by the city and may include, but shall not be limited to, the following:

- (1) Industrial wastewater discharge permits (IWDPs) must contain:
  - a. A statement that indicates the IWDP issuance date, expiration date and effective date.
  - b. A statement that the IWDP is nontransferable without prior notification to the city in accordance with this article, and provisions for furnishing the new owner or operator with a copy of the existing IWDP.
  - c. Effluent limits, including BMPs, based on applicable general pretreatment standards in this article, categorical pretreatment standards, local limits, and state and local law.
  - d. Self monitoring, sampling, reporting, notification, and record-keeping requirements. These requirements shall include an identification of pollutants (or BMPs) to be monitored, sampling location, sampling frequency, and sample type based on federal, state, and local law.
  - e. A statement of applicable civil and criminal penalties for violation of pretreatment standards and requirements, and any applicable compli-

ance schedule. Such schedule may not extend the time for compliance beyond that required by applicable federal, state, or local law.

- f. Requirements to control slug or accidental discharge, if determined by the control authority to be necessary.
- (2) Industrial wastewater discharge permits may contain, but need not be limited to, the following conditions:
  - a. Limits on the average and/or maximum rate of discharge, time of discharge, and/or requirements for flow regulation and equalization.
  - b. Requirements for the installation of pretreatment technology, pollution control, or construction of appropriate containment devices, designed to reduce, eliminate, or prevent the introduction of pollutants into the treatment works.
  - c. Requirements for the development and implementation of spill control plans or other special conditions including management practices necessary to adequately prevent accidental, unanticipated, or non-routine discharges.
  - d. Development and implementation of waste minimization plans to reduce the amount of pollutants discharged to the POTW.
  - e. The unit charge or schedule of user charges and fees for the management of the wastewater discharged to the POTW.
  - f. Requirements for installation and maintenance of inspection and sampling facilities and equipment, including flow measurement devices.
  - g. A statement that compliance with the industrial wastewater discharge permit does not relieve the permittee of responsibility for compliance with all applicable federal and state pretreatment standards, including