



**Public Services Department · 748 E. Cleveland Street · Apopka, Florida 32703
Phone (407) 703-1731**

January 16, 2022

Manny Sammartino
Director of Operations
Micross Components, Inc.
1810 S. Orange Blossom Trail
Apopka, Florida 32703

Subject: Permit Issuance for Industrial User Permit to Micross Components, Inc.

Dear Mr. Sammartino;

The City of Apopka is issuing this Wastewater Discharge Permit in order to comply with Florida Department of Environmental Protection (DEP) guidelines.

The enclosed Discharge Permit No. CIU-2022-1001 covers the wastewater discharged from the facility located at 1810 S. Orange Blossom Trail, Apopka, Florida 32703 into the City of Apopka sanitary collection system. All discharges from this facility and actions and reports relating thereto shall be in accordance with the terms and conditions of this permit.

If you wish to appeal or challenge any conditions imposed in this permit, a petition shall be filed for modification or reissuance of this permit in accordance with the requirements of the Sewer Use Ordinance Chapter 82, Article II, Section 38.06 (V), within 30 days of your receipt of this correspondence. Pursuant to the Sewer Use Ordinance Chapter 82, Article II, Section 38.06 (V), failure to petition for reconsideration of the permit within the allotted time is deemed a waiver by the permittee of his right to challenge the terms of this permit.

By: _____

Nathanael Dominguez

Environmental Specialist

Issued this 16th Day of January, 2022

PART II - INDUSTRIAL USER PERMIT

Permit No. **CIU-2022-1001**

In accordance with the provisions of the City of Apopka Sewer Use Ordinance, Commercial-Industrial Pretreatment Guidelines, Chapter 82, Article II, Section 82.38, of the City's Code of Ordinances, in its entirety,

**Micross Components, Inc.
1810 S. Orange Blossom Trail
Apopka, Florida 32703**

Is hereby authorized to discharge industrial wastewater from the identified facility and through the outfalls identified herein into the City of Apopka's sanitary wastewater collection system in accordance with the conditions set forth in this permit. Compliance with this permit does not relieve the Permittee of its obligation to comply with any applicable pretreatment regulations, standards or requirements under the local, State and Federal laws, including any applicable regulations, standards or requirements that may become effective during the term of this permit.

Noncompliance with any term or condition of this permit shall constitute a violation of the Sewer Use Ordinance.

This permit shall become effective January 16, 2022 and shall expire at midnight on January 16, 2023.

If the Permittee wishes to continue discharge after the expiration date of this permit, application must be filed for a permit renewal in accordance with the requirements of Section 38.06(7), of the City of Apopka's Sewer Use Ordinance. **An application for permit renewal must be received no later than sixty (60) days prior to the expiration date of this permit.**

Executed in Apopka, Florida

CITY OF APOPKA
PUBLIC SERVICES DEPARTMENT

Glen Brooks
Water Resources Operations Manager

Date: _____

PART III – EFFLUENT LIMITATIONS

- 1) During the period of January 16, 2022 through midnight January 16, 2023 the Permittee is authorized to discharge process wastewater to the City of Apopka’s sanitary wastewater collection system from the outfall(s) listed below.

<u>Discharge Point</u>	<u>Description</u>
001	The Discharge point is located on the front NE corner inside the industrial waste treatment facility. The sample point is a collection drum with continuous flow and is process effluent only.

- 2) During the period of January 16, 2022 through midnight January 16, 2023 the discharges from Outfall 001 shall not exceed the following effluent limitations as described in Table 1 of this Section. All limits are derived from EPA, 40 CFR, Chapter I, § 433.16, and the City of Apopka’s Sewer Use Ordinance, Commercial-Industrial Pretreatment Guidelines, Chapter 82, Article II, Section 82.38.

**Table 1
Categorical and Local Limits**

Parameter	Daily Maximum Limit (End of Process), mg/L	Monthly Average Limit, mg/L	Sample Type	Method
Arsenic	0.28	n/a	Composite	200.8
Cadmium, Total	0.11	0.07	Composite	200.8
BOD	6,300	n/a	Grab	SM5210B
Chloride	3,800	n/a	Composite	300.0
Chromium, Total	2.77	1.71	Composite	200.8
Copper, Total	3.38	2.07	Composite	200.8
Cyanide, Total	1.20	0.65	Grab	SM4500CN-E
Lead, Total	0.69	0.43	Composite	200.8
Fluoride (T)	32.0	17.4	Composite	300.0
Mercury	0.091	n/a	Composite	245.1
Molybdenum	0.502	n/a	Composite	200.8
Nickel, Total	2.6	2.38	Composite	200.8
Nitrogen, Total	60	n/a	Composite	353.2
pH	6.0 to 9.0	n/a		150.2
Selenium	0.51	n/a	Composite	200.8
Silver, Total	0.43	0.24	Composite	200.8
Sodium	2,100	n/a	Composite	200.7
Total Suspended Solids (TSS)	5,275	n/a	Grab	SM2540D
Total Toxic Organics (TTO)	1.37	n/a	N/A	N/A
Zinc, Total	2.61	1.48	Composite	200.8
Oil (Petroleum Hydrocarbon)	100	n/a	Grab	1664TPH
Oil (Vegetable/Animal)	400	n/a	Grab	1664HEM

NOTE: If the sample results exceed the limits specified in Table 1, the facility may incur surcharges based on the Annual Cost per Pound of Treatment. The 2022 rate is \$0.3536.

- 3) In addition to the parameters listed in Table 1, the Control Authority reserves the right to sample, at its discretion, for any or all of the parameters in the Sewer Use Ordinance, as well as any other parameter(s) deemed necessary by the Public Services Department. All sampling and laboratory analysis shall be at the expense of the Permittee.
- 4) All discharges shall comply with all other applicable laws, regulations, standards, and requirements contained in Chapter 82, Article II, Section 82.38 of the City of Apopka Code of Ordinances and all applicable State and Federal pretreatment laws, regulations, standards, and requirements including any such laws, regulations, standards, or requirements that may become effective during the term of this permit.
- 5) The Industrial User shall discharge wastewater only in conformance with the information contained in the Discharge permit application on file with the City's Public Services Department.
- 6) Nothing in this permit related to wastewater discharge flow shall relieve the Permittee from payment of sewer benefit fees that may be due for increased capacity requirements over and above that which was acquired for the property.
- 7) The Industrial User shall notify the City of Apopka and the Department of Environmental Protection Hazardous Waste and Pretreatment Authorities, in writing, of any discharge to the City of Apopka's Water Reclamation Facility (WRF) or Publicly Owned Treatment Works (POTW) containing any substance(s), which if otherwise disposed of would be a hazardous waste under Rule 62-730, F.A.C. (Florida Administrative Code). Such notification shall include the name of the hazardous waste, the EPA Hazardous Waste Number, and the type of discharge (continuous, batch, or other). If the Industrial User discharges more than 100 kilograms (220 lbs.) of such waste per calendar month to the WRF, the notification shall also contain the following information to the extent such information is known and readily available to the Industrial User:
 - a) Identification of the hazardous constituents in the waste stream;
 - b) Estimation of the mass and concentration of such constituents in the waste stream discharged during the calendar month; and
 - c) Estimation of the mass of constituents in the waste stream expected to be discharges during the following twelve (12) months.

Any notification under this section should only be submitted once for each waste discharged.

- 8) The disposal of any sludge and/or spent chemicals, including any hazardous waste, by the Industrial User shall be conducted in accordance with Section 405 of the Clean Water Act (CWA), Subtitles C and D of the Resource Conservation and Recovery Act (RCRA), and the City of Apopka's Sewer Use Ordinance.

PART IV – MONITORING AND REPORTING REQUIREMENTS1) Monitoring Reports

In order to assess the nature and concentration of the pollutants of concern listed in Part III (2) Table 1, the permittee is required to collect and analyze **monthly** samples from the sample point identified in Part III (1) Discharge point 001. The permittee shall follow the sampling procedures contained in the City's Sewer Use Ordinance, Section 38.07 (11) Sample Collection. Monitoring results obtained shall be summarized and reported no later than 90 days following the introduction of process wastewater into the POTW. The first monitoring results are due March 31, 2022. Successive reports will be due quarterly based on calendar year, containing the results for the previous 90 days of sampling and monitoring, and will be submitted no later than 30 days following the end of the quarter.

- March 31, 2022: 90-day compliance report
- June 30, 2022: second quarter report due
- September 30, 2022: third quarter report due
- December 31, 2022: fourth quarter report due

Both daily maximum and monthly average concentration shall be reported. The permittee shall submit to the City of Apopka a report containing the information described in 62-625.600, F.A.C., (1)(d)-(f) and shall include the following information:

- a) Daily minimum and maximum pH readings and
- b) Daily flows, with daily maximum and monthly average.

2) 90-Day Compliance Report

The purpose of the report is to notify the City as to whether compliance with the applicable categorical pretreatment standard has been achieved. If the facility is not in compliance the permittee shall include in the report a specific plan for achieving compliance. The City will create a Compliance Schedule for the permittee to achieve compliance with all pretreatment program requirements 62-625.600(1) (g), F.A.C.

3) Periodic Compliance Report

For the duration of this Permit, Micross Components, Inc., shall submit quarterly reports as described in Part IV (1) of this permit. If after the 90-Day Compliance Report it is determined that the permittee is complying and that the samples have been representative of regular operating conditions within the industry, the City may reduce the sampling frequency from monthly to quarterly.

4) Total Toxic Organics (TTO)

The industry is required to sample for TTO's during every sampling event for the first year of sampling in order to determine if TTO's are present. These must be reported on the 90-day compliance report and the Quarterly reports. The industry must also submit and implement a solvent management plan.

5) Semi-Annual Sampling

During the months of April and October, the City of Apopka shall conduct semi-annual sampling of the wastewater from Discharge Point 001 for all parameters listed in Table 1. Semi-annual sampling and laboratory analysis shall be at the expense of the Permittee. The permittee may use the City's semi-annual sampling in place of their sampling for that month.

6) Automatic Re-Sampling

If the results of the Permittee's wastewater analysis indicate that a violation of this permit has occurred, the Permittee must:

- a) Inform the Public Services Department of the violation within 24-hours; and

- b) Repeat the sampling and pollutant analysis and submit, in writing, the results of this repeat analysis within 30 days of the first violation.

7) Accidental Discharge Report

The Permittee shall notify the City of Apopka Public Services Department immediately upon the occurrence of an accidental discharge of substances prohibited by Section 38.07(6) of the Sewer Use Ordinance, (Reporting Potential Problems), or any slug loads or spills that may enter the sanitary wastewater collection system. Please contact the City of Apopka Public Services Department at (407) 703-1636 during normal business hours of Monday through Friday from 8:00 a.m. to 5:00 p.m. All calls after normal business hours, or on weekends and holidays, shall be directed to the City of Apopka Communications Center at (407) 703-1757. The notification shall include the following information:

- a) Location of the discharge;
- b) Date and time of the discharge;
- c) Duration of the discharge;
- d) Type of waste discharged, including concentration and volume; and
- e) Corrective action taken.

Categorical Industrial users are required to notify the control authority immediately of any changes at its facility affecting the potential for a slug discharge.

The Permittee's notification of accidental releases in accordance with this Section does not relieve the Permittee of other reporting requirements that may be mandated by other Local, State and Federal laws.

8) Written Accidental Discharge Report

Within five (5) days following an accidental discharge, the Permittee shall submit to the Public Services Department, a detailed written report of the incident. The report shall detail:

- a) Description and cause of the upset, slug control or accidental discharge; the cause of the incident; and the impact on the Permittee's compliance status. The description shall also include the location of the discharge, type of discharge, and concentration and volume of the waste.
- b) Duration of noncompliance, including exact dates and times of noncompliance and, if the noncompliance is continuing, the estimated date and time in which compliance can be reasonably expected to resume.
- c) All steps taken or to be taken to reduce, eliminate, and/or prevent a recurrence of such an upset, slug load, accidental discharge, or other conditions of noncompliance.

9) Report submittal

All reports required by this permit shall be submitted to:

City of Apopka
Public Services Department
Attn: Industrial Pretreatment
748 E. Cleveland Street
Apopka, FL 32703

PART V – SPECIAL CONDITIONS1) Additional/Special Monitoring Requirements

- a) The Industrial User (IU) shall monitor and calibrate as required by the manufacturer (not to exceed one (1) year), the effluent pH and flow meters prior to discharge in the City of Apopka sanitary collection system. Readings shall be taken daily and reported during each specified report period. All pH calibrations shall bracket the range of use with no less than 2 calibration points.
- b) The Industrial User (IU) shall install, monitor and maintain per manufacturer recommendations a pH meter on the effluent line prior to discharge to the City of Apopka sanitary collection system. The meter shall record continuous monitoring of the pH. The pH shall remain between 6.0 and 9.0. Excursions longer than 15 minutes require notification within 24 hours to the City of Apopka shown in Part III(4).
- c) The daily volume of production-based wastewater discharge specified in this permit may not be increased beyond 10% of the estimated maximum daily discharge without the Industrial User communicating to the City of Apopka's Public Services Department and securing a formal amendment to this permit. For the purposes of this permit, the maximum daily production-based wastewater discharge volume is 10,000 gallons per day (gpd) plus the additional 10% buffer.
- d) The Industrial User shall maintain and update the Toxic Organic Management Plan (TOMP), by December 31, 2022 and every two years thereafter.
- e) The Industrial User shall periodically update and maintain a Spill Containment Plan.
- f) Categorical industrial users are required to notify the control authority immediately of any changes at its facility affecting the potential for a slug discharge.
- g) The industrial User shall be responsible for all sampling costs per the City's Sewer Use Ordinance Chapter 82, Article II, section 82.38, 38.07, X Sample collection and analysis.

2) Re-Opener Clause

- a) This permit may be reopened and modified to incorporate any new or revised requirements contained in a National categorical pretreatment standard promulgated for the pesticide's chemicals category (40 CFR Part 455).
- b) This permit may be reopened and modified to incorporate any new or revised requirements resulting from the City of Apopka Water Reclamation Facility re-evaluation of its local limits.
- c) This permit may be reopened and modified to incorporate any new or revised requirements resulting from the City of Apopka re-evaluating the Sewer Use Ordinance,
- d) This permit may be reopened and modified to incorporate any new or revised requirements developed by the City of Apopka Public Services Department as necessary to ensure Water Reclamation Facility compliance with applicable sludge management requirements promulgated by EPA (40 CFR Part 503).
- e) Certification of validity (Part VI) Standard Conditions (D) (5), of information provided in the report.

PART VI – STANDARD CONDITIONS

1) General Conditions and Definitions

a) Severability

The provisions of this permit are severable, and if any provision of this permit or the application of any provision of this permit to any circumstance is held invalid, the application of such provision to other circumstances, and the remainder of this permit, shall not be affected thereby.

b) Duty to Comply

The Permittee must comply with all conditions of this permit. Failure to comply with the requirements of this permit may be grounds for administrative action, or enforcement proceedings including civil or criminal penalties, injunctive relief, and summary abatement.

c) Duty to Mitigate

The Permittee shall take all reasonable steps to minimize or correct any adverse impact to the Public Owned Treatment Works (POTW) or the environment resulting from noncompliance with this permit, including such accelerated or additional monitoring as necessary to determine the nature and impact of the non-complying discharge.

d) Permit Modification

This permit may be modified for good cause including, but not limited to, the following:

- (1) To incorporate any new or revised Federal, State, or Local pretreatment standards or requirements.
- (2) Material or substantial alterations or additions to the discharger's operation process, or discharge volume or character, which were not considered in the preparation of the effective permit.
- (3) A change in any condition in either the Industrial User or the POTW or Water Reclamation Facility (WRF) that requires either a temporary or permanent reduction or elimination of the authorized discharge.
- (4) Information indicating that the permitted discharge poses a threat to the Control Authority's collection and treatment systems, POTW or WRF personnel or the receiving waters.
- (5) Violation of any terms or conditions of the permit.
- (6) Misrepresentation or failure to disclose fully all relevant facts in the permit application or in any required report.
- (7) Revision of, or a variance from, such categorical standards pursuant to the 40 CFR § 403.13.
- (8) To correct typographical or other errors in the permit.
- (9) To reflect transfer of the facility ownership and/or operation to a new owner/operator.
- (10) Upon request of the Permittee, provided such request does not create a violation of any applicable requirements, standards, laws, rules or regulations. The filing of a request by the Permittee for a permit modification, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance, does not stay any permit condition.

e) Permit Termination

This permit may be terminated for the following reasons:

- (1) Falsifying self- monitoring reports
- (2) Tampering with monitoring equipment.
- (3) Refusing to allow timely access to the facility premises and records.
- (4) Failure to meet effluent limitations.

- (5) Failure to pay fines.
- (6) Failure to pay sewer charges.
- (7) Failure to meet compliance schedules.

f) Permit Appeals

The Permittee may petition to appeal the terms of this permit within thirty (30) days of the notice.

The petition must be in writing. Failure to submit a petition for review shall be deemed to be a waiver of the appeal. In its petition, the Permittee must indicate the permit provisions objected to, the reasons for this objection, and the alternative condition, if any, it seeks to be placed in the permit.

The Public Services Director shall not stay the effectiveness of this permit pending such reconsideration. If, after considering the petition and any arguments put forth by the Industrial Pretreatment Environmental Specialist, the Public Services Director determines that reconsideration is proper, he shall remand the permit back to the Industrial Waste Section for reissuance. Those permit provision(s) being reconsidered by the Industrial Waste Section shall be stayed pending reissuance.

A Public Services Directors' decision not to reconsider a final permit shall be considered a final administrative action for purposes of judicial review. The Permittee seeking judicial review of the Directors' final action must do so by filing a complaint with the Orange County Circuit Court for Orange County within the State Statute of Limitations.

g) Property Rights

The issuance of this permit does not convey any property rights of any sort, or any exclusive privileges, nor does it authorize any injury to private property or invasion of personal rights, nor any violation of Federal, State, or local laws or regulations.

h) Limitation on Permit Transfer

Individual wastewater discharge permits may be transferred to a new owner or operator only if the Permittee gives at least thirty (30) days advance notice to the Public Services Director and the Public Services Director approves the individual wastewater discharge permit. The notice to the Public Services Director must include a written certification by the new owner or operator which:

- (1) States that the new owner and/or operator has been provided with a copy of the current individual wastewater discharge permit;
- (2) States that the new owner and/or operator has no immediate intent to change the facility's operations and processes;
- (3) Identifies the specific date on which the transfer is to occur; and
- (4) Acknowledges full responsibility for complying with the existing individual wastewater discharge permit.

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

i) Duty to Re-apply

If the Permittee wishes to continue an activity regulated by this permit after the expiration date of this permit, the Permittee must submit a renewal application, for a new permit at least sixty (60) days before the expiration date of this permit.

j) Continuation of Expired Permits

An expired permit will continue to be effective and enforceable until the permit is reissued if:

- (1) The Permittee has submitted a complete permit application at least sixty (60) days prior to the expiration of the user's existing permit.
- (2) The failure to reissue the permit, prior to expiration if the previous permit, is not due to any act or failure to act on the part of the Permittee.

k) Dilution

The Permittee shall not increase the use of potable or process water, in any way, to attempt to dilute the effluent as a partial or complete substitute for adequate treatment to achieve compliance with the limitations contained in this permit.

l) Definitions

- (1) Daily Maximum – The maximum allowable discharge of pollutant during a calendar day. Where daily maximum limitations are expressed in terms of a concentration, the daily discharge is the arithmetic average measurement of the pollutant concentration derived from all measurements taken that day. If only one measurement is taken in a 24-hour period this is the value to be used.
- (2) Composite Sample – A mixture of discrete grab samples or aliquots taken at the same location, but at different times; and which will reflect average water quality at that monitoring location for the given sample interval. Composite samples can be collected on a flow proportional or time proportional basis.
- (3) Grab Sample – An individual sample collected in less than 15 minutes, without regard for flow or time.
- (4) Instantaneous Maximum Concentration – The maximum concentration allowed in any single grab sample.
- (5) Cooling Water –
 - (a) Uncontaminated: Water used for cooling purposes only which has no direct contact with any raw material, intermediate, or final product and which does not contain a level of contaminants detectably higher than that of the intake water.
 - (b) Contaminated: Water used for cooling purposes only which may become contaminated either through the use of water treatment chemicals used for corrosion inhibitors or biocides, or by direct contact with process materials and/or wastewater.
- (6) Monthly Average – The arithmetic mean of the values for effluent samples collected during a calendar month or specified 30-day period (as opposed to a rolling 30 day window).
- (7) Weekly Average – The arithmetic mean of the values for effluent samples collected over a period of seven consecutive days.
- (8) Bi-Weekly – Once every other week.
- (9) Bi-Monthly – Once every other month.
- (10) Upset – Means an exceptional incident in which there is unintentional and temporary non-compliance with technology-based permit effluent limitations because of factors beyond the reasonable control of the Permittee, excluding such factors as operational error, improperly designed or inadequate treatment facilities, or improper operation and maintenance or lack thereof.
- (11) Bypass – Means the intentional diversion of wastes from any portion of a treatment facility.

For additional definitions not covered here refer to the Sewer Use Ordinance Chapter 82, Article II, Section 82.38, 38.01, 4.

m) General Prohibitive Standards

The Permittee shall comply with the entire general prohibitive discharge standards in City of Apopka Code of Ordinances Chapter 82, Article II, Section 82.38. Namely, the Industrial User shall not discharge wastewater to the sanitary collection system (SCS):

- (1) Pollutants which create a fire or explosive hazard in the POTW, including, but not limited to, waste streams with a closed-cup flashpoint of less than 140°F (60°C) using the test methods specified in 40 CFR 261.21, or as amended;
- (2) Pollutants in a concentration or quantity, either singly or in combination with other wastes, which produce in the city wastewater system toxic gases, vapors, or fumes; such as but not limited to, naphtha, benzene, toluene, xylene, ethers, alcohols, solvents, ketones, aldehydes, peroxides, chlorates, perchlorates, bromates, carbides, hydrides, and sulfides that singly or in combination with other substances, create a fire or other hazards to the city wastewater system, or can cause acute or long term worker health and safety problems.
- (3) Wastewater having a pH less than 6.0, or more than 9.0, or otherwise causing corrosive structural damage to the POTW or equipment, or creating safety or health hazards to city personnel or the general public; 40 CFR 261.22 established that wastes discharged with a pH over 12.5 are considered corrosive hazardous wastes and therefore, the POTW would need to comply with applicable requirements under the Resource Conservation and Recovery Act (RCRA) and implementing regulations for Treatment, Storage, and Disposal Facilities if such wastes are delivered to the POTW by truck, rail, or dedicated pipe.
- (4) Solids or viscous substances in amounts or of such size that are capable of causing obstruction of the flow in sewers, or other interference with the proper operation of the treatment works such as, but not limited to, grease, ashes, cinders, grass clippings, sand, mud, grit, gravel, stone or marble dust, screening, straw, shavings, metal, glass, rags, wastepaper, feathers, tar, asphalt residues, plastic, wood, unground garbage, spent lime, spent grains, spent hops, ground paper products, residues from refining or processing of fuel, lubricating oil, car wash recirculation sludge, glass grindings, polishing wastes, whole blood, paunch manure, hair and fleshing's, bones, entrails, or paper or plastic dishes, cups, milk containers, either whole or ground by garbage grinders, but in no case shall solids be greater than 0.4921 inch(es) or 1.25 centimeters (cm) in any dimension be accepted;
- (5) Wastes or compatible pollutants, including oxygen-demanding pollutants (BOD, COD, TKN, TP, TSS, chlorine demanding compounds, etc.), released in a discharge at a flow rate and/or pollutant concentration which, either singly or by interaction with other pollutants, will cause Interference with the POTW;
- (6) Any wastewater having a temperature which will inhibit biological activity at the POTW or interfere with the treatment process as defined in this ordinance shall not be discharges in such quantities to raise the temperature of the influent headworks above 100°F (37.8°C). No user shall discharge into any public sanitary sewer wastes with a temperature in excess of 140°F (60°C), unless a higher temperature is allowed in their industrial wastewater discharge permit.
- (7) Petroleum oil fuels, lubricants, non-biodegradable cutting oil, or products of mineral oil origin, in amounts that will cause Interference or Pass Through;
- (8) Any sewage or wastewater containing toxic pollutants in sufficient quantity, either singly, or in combination, with other pollutants, to injure or interfere with any wastewater treatment process, constitute a hazard to humans, or animals, create a toxic effect in receiving waters of the city's wastewater system, reclaimed water system, or to exceed the limitations set forth in a categorical pretreatment standard. A toxic pollutant shall include, but not be limited to, any pollutant identified pursuant to Section 307(a) of the ACT, or as amended;
- (9) Any substance which may cause the POTW's effluent or any other product of the POTW such as residues, biosolids, 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 be discharged to the POTW cause the POTW to be in noncompliance with biosolids use or disposal criteria, guidelines, or regulations developed under Section 405 of the Act; and criteria, guidelines, or regulations affecting biosolids use or disposal developed pursuant to the Solid Waste Disposal Act, the Clean Air Act, the Toxic Substances Control Act, or State criteria applicable to the biosolids management method being used;
- (10) Any substance which will cause the POTW to violate its NPDES, FDEP, or other applicable

- permits, the receiving water quality standards, reuse water quality requirements, or violate an agreement for receipt of and reuse of reclaimed water;
- (11) Trucked or hauled pollutants, except at discharge points designated by the Public Services Director or his/her designee;
 - (12) Noxious or malodorous liquids, gases, solids, or other wastewater which, either singly or by interaction with other wastes, are sufficient to create public nuisance or a hazard to life, or to prevent entry into the sewers for maintenance or repair;
 - (13) Wastewater which imparts color which cannot be removed by the treatment process, such as, but not limited to, dye wastes and vegetable tanning solutions, which consequently imparts color to the treatment plant's effluent, thereby violating the City's NPDES permit;
 - (14) Wastewater containing any radioactive wastes or isotopes, except in compliance with applicable State and Federal regulations;
 - (15) Storm water, surface water, ground water, artesian well water, roof runoff, subsurface drainage, swimming pool drainage, condensate, deionized water, noncontact cooling water, treated hazardous wastes, and unpolluted wastewater, unless specifically authorized by the Public Services Director;
 - (16) Biosolids, sludges, screenings, or other residues including, but not limited to, car wash sludge catch basin residual, lint trap solids, and other similar waste from the pretreatment or other industrial waste facilities;
 - (17) Medical, biological, or biohazardous wastes, except as specifically authorized by the Public Services Director in an industrial wastewater discharge permit [or a general permit];
 - (18) Wastewater causing, alone or in conjunction with other sources, the treatment plant's effluent to fail toxicity tests;
 - (19) Detergents, surface-active agents, or other substances that might cause excessive foaming in the POTW;
 - (20) Any waters or wastes containing fats, waxes, oils, or greases of animal or vegetable origin, products of mineral oil origin, petroleum hydrocarbon oils and greases, whether emulsified or not, in excess of the total oil and grease local limit, or containing substances which may solidify or become viscous at temperatures between thirty-two (32) and one hundred (100) degrees Fahrenheit (°F). Exceedances of the total oil and grease local limit shall be considered as a violation, and the user may be subject to enforcement action and high strength surcharges.
 - (21) Any garbage that has not been properly shredded. The installation and operation of any garbage grinder equipped with a motor of three-fourths horsepower or greater shall be subject to the review and approval by the Director of Public Services.
 - (22) Any waters or wastes containing strong acid iron pickling wastes or concentrated plating solutions, whether neutralized or not.
 - (23) Any waters or wastes containing phenols or other taste or odor-producing substances, in such concentrations that after treatment of the composite sewage, exceed limits which may be established by the Public Services Director, as necessary, to meet the requirements of Federal, State, or other public agencies of jurisdiction for such discharge to receiving waters.
 - (24) Wastewater causing any single reading on an explosion hazard meter at the point of discharge into the POTW, or at any point in the POTW, of more than five (5) percent. The meter shall be calibrated using propane to show a value of one hundred percent (100%).
 - (25) Any enzyme degreasers, chemical degreasers, emulsifiers, or unauthorized biological microbial degreasers.
 - (26) Any hazardous waste pharmaceuticals from healthcare facilities and reverse distributors.
- n) Compliance with Applicable Pretreatment Standards and Requirements
Compliance with this permit does not relieve the Permittee from its obligations regarding compliance with any and all applicable local, State and Federal pretreatment standards and requirements

including any such standards or requirements that may become effective during the term of this permit.

2) Operation and Maintenance of Pollution Controls

a) Proper Operation and Maintenance

The Permittee shall at all times properly maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the Permittee to achieve compliance with the conditions of this permit. Proper operation and maintenance includes, but is not limited to: effective performance, adequate funding, adequate operator staffing and training and adequate laboratory and process controls, including quality assurance procedures. This provision requires the operation of back-up facilities or similar systems only when necessary to achieve compliance with the conditions of the permit.

b) Duty to Halt or Reduce Activity

Upon reduction of efficiency of operation, or loss or failure of all or part of the treatment facility, the Permittee shall, to the extent necessary to maintain compliance with its permit, control its production or discharges (or both) until operation of the treatment facility is restored or an alternative method of treatment is provided.

The requirement applies, for example, when the primary source of power of the treatment facility fails or is reduced. It shall not be a defense for a Permittee in an enforcement action to maintain compliance with the conditions of this permit.

c) Bypass of Treatment Facilities

(1) Bypass is prohibited unless it is unavoidable to prevent loss of life, personal injury, or severe property damage or no feasible alternatives exist.

(2) The Permittee may allow bypass to occur which does not cause effluent limitations to be exceeded, but only if it is also for essential maintenance to assure efficient operation.

(3) Notification of bypass:

(a) Anticipated bypass: If the Permittee knows in advance of the need for a bypass, it shall submit prior written notice, at least ten (10) days before the date of the bypass, to the Industrial Waste Section (IWS).

(b) Unanticipated bypass: The Permittee shall immediately notify the IWS and submit a written notice to the IWS within five (5) days. This report shall specify:

1. A description of the bypass and its cause, including duration;

2. Whether the bypass has been corrected; and

3. The steps being taken or to be taken to reduce, eliminate and prevent a reoccurrence of the bypass.

(4) The Industrial User shall give notice to the control authority at least sixty (60) days prior to any facility expansion, production increase or process modifications, which result in new or substantially increased discharges or a change in the nature of the discharge.

d) Removed Substances

Solids, sludge's, filter backwash, or other pollutants removed in the course of treatment of wastewaters shall be disposed of in accordance with Section 405 of the Clean Water Act, Subtitles C and D of the Resource Conservation and Recovery Act (RCRA), Section 38.03 – General Sewer Use Requirements and Prohibitions of the City of Apopka, Sewer Use Ordinance Chapter 82, Article II, Section 82.38 of the City of Apopka's Code of Ordinances.

3) Monitoring and Records

a) Representative Sampling

Samples and measurements shall be representative of the volume and nature of the monitored discharge. All samples shall be taken at the monitoring points specified, before the effluent joins or is diluted by any other waste stream, body of water or substance. All equipment used for sampling and analysis must be routinely calibrated, inspected and maintained to ensure their accuracy. Monitoring points shall not be changed without notification to and the approval of the Industrial Waste Section.

b) Flow Measurements

If flow measurement is required by this permit, the appropriate flow measurement device(s) and methods with approved scientific practices shall be selected and used to ensure the accuracy and reliability of measurements of the volume of monitored discharges. The devices shall be installed, calibrated, and maintained to ensure that the accuracy of the measurements is consistent with the accepted capability of that type of device. Devices selected shall be capable of measuring flows with a maximum deviation of +/- 5 percent from the true discharge rates throughout the range of expected discharge volumes.

c) Analytical Methods to Demonstrate Continued Compliance

All sampling and analysis required by this permit shall be performed in accordance with the techniques prescribed in 40 CFR (Code of Federal Regulations) Part 136 and amendments thereto, otherwise approved by EPA, or as specified in this permit.

d) Additional Monitoring by the Permittee

If the Permittee monitors any pollutant more frequently than required by this permit, using test procedures identified in Section C.3, the results of this monitoring shall be included in the Permittee's self-monitoring reports.

e) Inspection and Entry

The Permittee shall allow the Public Services Director, his designee, or other authorized representative, upon the presentation of credentials and other documents as may be required by law to:

- (1) Enter upon the Permittee's premises where a regulated facility or activity is located or conducted, or where records must be kept under the conditions of this permit;
- (2) Have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit;
- (3) Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this permit;
- (4) Sample or monitor, for the purposes of assuring permit compliance, any substance or parameters at any location; and
- (5) Inspect any production, manufacturing, fabricating, or storage area where pollutants, regulated under the permit, could originate, be stored, or be discharged to the SCS.

f) Retention of Records

- (1) The Permittee shall retain records of all monitoring information, including all calibration and maintenance records and all original strip charts, SCADA or computer recordings for continuous monitoring of instrumentation, copies of all reports required by this permit, and records of all data used to complete the application for this permit, for a period of at least 3 years from the date of

- the sample, measurement, report or application. This period may be extended by the request of the City of Apopka Industrial Waste Section at any time.
- (2) All records that pertain to matters that are the subject of special orders or any other enforcement or litigation activities brought by the City of Apopka Industrial Waste Section shall be retained and preserved by the Permittee until all enforcement activities have concluded and all periods of limitation with respect to any and all appeals have expired.
- g) Record Contents
Records of sampling and analysis shall include:
- (1) The date, exact place, time, and methods of sampling measurements, and sample preservation techniques or procedures;
 - (2) Who performed the sampling or measurements;
 - (3) The date(s) the analysis were performed on;
 - (4) Who performed the analysis;
 - (5) The analytical techniques or methods used; and
 - (6) The results of such analysis.
 - (7) At no time can wastewater effluent data be claimed or held as confidential information. As stated in the Sewer Use Ordinance, all reports submitted by the Permittee to the control authority shall be public information in accordance with Rule 62-625.800, F.A.C. As provided in Rule 62-625.800, F.A.C., report confidentiality may be granted in accordance with Section 403.111 of the Florida Statutes most current revision.
- h) Falsifying Information
Knowingly making any false statement on any report or other document required by this permit or knowingly rendering any monitoring device or method inaccurate, is a crime and may result in the imposition of administrative action, criminal sanctions and/or civil penalties.
- 4) Additional Reporting Requirements
- a) Planned Changes
The Permittee shall give notice to the City of Apopka Industrial Waste Section ninety (90) days prior to any facility expansion, production increase, or process modifications, which results in new or substantially increased discharges or a change in the nature of the discharge.
 - b) Anticipated Non-compliance
The Permittee shall give advance notice to the City of Apopka Industrial Waste Section of any planned changes in the permitted facility or activity, which may result in noncompliance with permit requirements.
 - c) Automatic Re-sampling
If the results of the Permittee's wastewater analysis indicate a violation has occurred, the Permittee must notify the City of Apopka Industrial Waste Section within 24 hours of becoming aware of the violation and repeat the sampling and pollutant analysis and submit, in writing, the results of this repeat analysis within 30 days after becoming aware of the violation.
 - d) Duty to Provide Information
The Permittee shall furnish to the City of Apopka Industrial Waste Section, within 5 business days any information which the City of Apopka Industrial Waste Section may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit, or to determine compliance with this permit. The Permittee shall also, upon request, furnish to the City of Apopka Industrial Waste Section within 72 hours copies of any records, which are required to be retained by this permit.
 - e) Signatory Requirements

All applications, reports or information submitted to the City of Apopka IWS must contain the following certification statement and be signed as required in sections (a), (b), (c) or (d) below:

“I hereby certify under the 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 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 violations.”

- (1) By a responsible corporate officer, if the Industrial User submitting the reports is a corporation. For the purpose of this paragraph, a responsible corporate officer means: a president, secretary, treasurer, or vice-president of the corporation in charge of a principal business or function, or any other person who performs similar policy or decision-making functions for the corporation; or
 - (2) The manager of one or more manufacturing, production, or operation facilities employing more than 250 persons or having gross annual sales or expenditures exceeding \$25 million, if authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures; or
 - (3) By a general partner or proprietor if the Industrial User submitting the reports is a partnership or sole proprietorship respectively.
 - (4) The principal executive officer or director having responsibility for the overall operation of the discharging facility if the Industrial User submitting the reports is a Federal, State or local government entity, or their agents.
 - (5) By a duly authorized representative if:
 - (a) The authorization is made in writing by the individual described in paragraph (1), (2), or (3);
 - (b) The authorization specifies either an individual or a position having responsibility for the overall operation of the facility from which the discharge originates, such as the position of plant manager, operator of a well. Or a well field superintendent, or a position or having overall responsibility for environmental matters for the company; and
 - (c) The written authorization is submitted to the City of Apopka Industrial Waste section.
 - (6) If an authorization under paragraph (4) of this section is no longer accurate because a different individual or position has responsibility for the overall operation of the facility, or overall responsibility for environmental matters for the company, a new authorization satisfying the requirements of paragraph (4) of this section must be submitted to the City of Apopka Industrial Waste Section prior to or together with reports to be signed by an authorized representative.
- f) Operating Upsets
- (1) The Permittee shall notify the City of Apopka Public Services Department immediately upon the occurrence of an upset that places the Permittee in a temporary state of noncompliance with the provisions of this permit. Please contact the City of Apopka Public Services Department at (407) 703-1636 during normal business hours of Monday through Friday from 8:00 a.m. to 5:00 p.m. All calls after normal business hours, or on weekends and holidays, shall be directed to the City of Apopka Communications Center at (407) 703-1757. The notification shall include the following information:
 - (2) A written follow-up report of the upset shall be filed by the Permittee with the City of Apopka Industrial Waste Section within five (5) days. This report shall specify:

- (a) Description of the upset, the cause(s) thereof and the upset's impact on the Permittee's compliance status; and
 - (b) Duration of non-compliance, including the exact dates and times of non-compliance, and if not corrected, the anticipated time the non-compliance is expected to continue; and all steps taken or to be taken to reduce, eliminate and prevent a reoccurrence of such an upset.
 - (3) The report must demonstrate that the treatment facility was being operated in a prudent and workmanlike manner.
 - (4) A documented and verified operating upset shall be an affirmative defense to any enforcement action brought against the Permittee for violations attributable to the upset event.
- g) Annual Publication
A list of all Industrial Users, which were subject to enforcement proceedings during the last twelve (12) previous months, shall be annually published by the City of Apopka IWS in the largest daily newspaper within its service area. Accordingly, the Permittee is made aware that non-compliance with this permit may lead to an enforcement action and may result in publication of its name in an appropriate newspaper in accordance with this section.
- h) Civil and Criminal Liability
Nothing in this permit shall be construed to relieve the Permittee from civil and/or criminal penalties for non-compliance under the City of Apopka SUO (Sewer Use Ordinance) Chapter 82, Article II, Section 82.38, Section 38.12, or State or Federal laws or regulations.
- i) Penalties for Violations of Permit Conditions
The City of Apopka Code of Ordinances Chapter 82, Article II, Section 82.38, Sections 38.10 through 38.15, provides that any person who violates a permit condition is subject to a civil penalty of at least \$1000.00 per day, per violation. Any person who willfully or negligently violates permit conditions is subject to criminal penalties of a fine of at least \$1000.00 per day of violation, or by imprisonment or both. The Permittee may also be subject to sanctions under State and Federal law.
- j) Recovery of Costs Incurred
In addition to civil and criminal liability, the Permittee violating any of the provisions of this permit or (ordinance section) or causing damage to or otherwise inhibiting the City of Apopka Sanitary Wastewater Collection System disposal shall be liable to the City of Apopka for any expense, loss, or damage caused by such violation or discharge. The City of Apopka shall bill the Permittee for the costs incurred by the City of Apopka for any cleaning, repair, or replacement work caused by the violation or discharge. Refusal to pay the assessed costs shall constitute a separate violation of Section 38.11 through 38.14.