



Meeting Date: January 19, 2017

Agenda Item: 11-A

Report to Town Council

Topic: Ordinance 2017-02, amending the Town Code regarding industrial pretreatment regulations.

Recommended Motion: Approval of first reading of Ordinance 2017-02.

Summary: Please see attached memorandum.

Requested by: Mr. Gunter, Public Works Manager

Approved by: Ms. Witt, Town Manager



MEMORANDUM

TOWN OF PONCE INLET – PUBLIC WORKS DIVISION

TO: Jeaneen Witt, Town Manager
FROM: Keith Gunter, General Manager of Public Works *KG*
DATE: January 10th, 2016
SUBJECT: Approval of Ordinance 2017-02 Regarding Industrial Pretreatment Provisions

MEETING DATE: January 19th, 2017

Request:

To place an item on the Town Council meeting agenda for consent.

We respectfully request that Council approve the Amendment to our Industrial Pretreatment Provisions by the Florida Department of Environmental Protection, and the Amendment to Restatement and Amendment to Sewer Services Interlocal Agreement dated March 26, 1993 between the Town of Ponce Inlet and the City of Port Orange.

Recommendation:

It is staff's recommendation that Council approve this Ordinance and amendments regarding industrial pretreatment to the same local limits as the City of Port Orange. These changes will ensure that the facilities serving the Town of Ponce Inlet will remain in good working order, and will protect the health and welfare of the Town's citizenry and employees.

Attachments:

1. Letter to the City of Port Orange from FL Dept. of Environmental Protection.
2. Copy of Ordinance 2017-02.

KG/ad



Florida Department of Environmental Protection

Bob Martinez Center
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

Rick Scott
Governor

Carlos Lopez-Cantera
Lt. Governor

Jonathan P. Steverson
Secretary

October 14, 2016

Paul Salerno
psalerno@port-orange.org
Lab Manager
City of Port Orange
817 Oak Street
Port Orange, Florida 32127

Re: Port Orange WWTF
Permit Number FL0020559
Volusia County

Dear Mr. Salerno:

The Department of Environmental Protection (Department) has reviewed the local limits re-evaluation additional information and the draft sewer use ordinance (SUO) for City of Port Orange (City), received October 11, 2016. The proposed local limits appear to be technically defensible and the SUO satisfies the requirements of Chapter 62-625, Florida Administrative Code (F.A.C.); therefore they are preliminarily approved.

Attachment A lists the preliminarily approved local limits. The SUO should be scheduled for adoption by the Commission. Following final adoption of the ordinance, the SUO must be submitted to the Department as a substantial program modification in accordance with Rule 62-625.540, F.A.C. The Department will then initiate a formal review of the program modification in accordance with Rule 62-625.510, F.A.C. The SUO shall become effective upon final Department approval of the program modification.

Please provide the Department an estimate of when you anticipate bringing the SUO before your Commission. If you have any questions regarding this correspondence or need any assistance, please contact Beshoy Elnemr, P.E., at (850) 245-7566, or via e-mail at: beshoy.elnemr@dep.state.fl.us.

Sincerely,

A handwritten signature in black ink, appearing to read "Greg M. Brown".

Gregory M. Brown, P.E.
Domestic Wastewater Program
Tallahassee
Department of Environmental Protection

Digitally signed by Gregory M. Brown, P.E.
Date: 2016.10.14 15:54:34 -04'00'

Encl.: Attachment A

cc: Natalie Barrett, City of Port Orange, nbarrett@port-orange.org
Aaron Watkins, DEP Central District Office, Aaron.Watkins@dep.state.fl.us;
Kim Rush, DEP Central District Office, Kim.Rush@dep.state.fl.us
David Smicherko, DEP Central District Office, David.Smicherko@dep.state.fl.us
Beshoy Elnemr, P.E., DEP Tallahassee, beshoy.elnemr@dep.state.fl.us

ATTACHMENT A
City of Port Orange
Preliminarily Approved Local Limits
October 14, 2016

PARAMETER		Proposed Local limits (mg/l)	Existing Local limits (mg/l)	Basis
1	ARSENIC	0.90	0.55	Public Access Reclaimed
2	CADMIUM	0.74	0.55	Public Access Reclaimed
3	CHROMIUM (TOTAL)	9.4	5.0	Surface water Class III Marine
4	COPPER	7.6	1.4	Surface water Class III Marine
5	IRON	Removed	7.5	Removed
6	CYANIDE	0.026	0.090	Surface water Class III Marine
7	LEAD	1.1	0.050	Surface water Class III Marine
8	MERCURY	0.0021	0.00014	Surface water Class III Marine
9	MOLYBDENUM	1.6	0.47	Land Application
10	NICKEL	0.60	0.051	Surface water Class III Marine
11	SELENIUM	1.9	0.68	Land Application
12	SILVER	0.45	0.070	Surface water Class III Marine
13	ZINC	9.7	0.86	Interference, based on Activated Sludge
14	C-BOD	3,000	1,000	Plant Design Capacity
15	TSS	2,000	825	Plant Design Capacity
16	Grease and Oil	200	200	Retain existing local limit
17	Total Phosphorus	25	12	Plant Design Capacity

Sec. 74-106. - Specific pollutant limitations.

The city manager or his designee is authorized to establish local limits pursuant to 62-625.400(3), F.A.C. No person shall discharge wastewater containing pollutants in excess of the local limits for those pollutants which have been established for the city's WWF using standard procedures, calculations and methods acceptable to the FDEP to protect against pass through, interference, protection of WWF employees, and adverse effects on wastewater residuals disposal. No industrial user shall discharge process waste streams, unregulated waste streams, or dilute waste streams in excess of concentrations set forth by the city manager or his designee. Local limits shall be included as permit conditions along with duration requirements and attached to each wastewater permit issued.

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

The established local limits apply at the point where the wastewater is discharged to the WWF. All concentrations for metallic substance are for total metal unless indicated otherwise. At his or her discretion, the city manager or his designee may impose mass limitations in addition to or in place of the concentration-based limitations. The city manager or his designee may develop BMP's by ordinance or individual wastewater discharge permits developed to implement local limits and the requirements for general prohibitions. The city does not have the authority to establish BMP's for categorical pretreatment standards.

Current local limits:

- 0.55 0.90 mg/l arsenic
- 1,000 3,000 mg/l BOD
- 0.55 0.74 mg/l cadmium
- 4.99 9.4 mg/l chromium, total
- 1.35 7.6 mg/l copper
- 0.09 0.026 mg/l cyanide
- 7.52 mg/l iron
- 0.05 1.1 mg/l lead
- 0.00014 0.0021 mg/l mercury
- 0.47 1.6 mg/l molybdenum
- 0.054 0.60 mg/l nickel
- 200 mg/l oil and grease
- 12.0 25 mg/l total phosphorus
- 0.68 1.9 mg/l selenium
- 0.07 0.45 mg/l silver
- 825 2,000 mg/l total suspended solids

~~0.86~~ 9.7 mg/l zinc

All of the following shall be excluded from the treatment works unless certain conditions and volumes of pretreatment have been specifically described and approved by the city manager or his designee: antimony, barium, bismuth, cobalt, rhenium, strontium, tellurium, tin, uranylion. The city manager or his designee may add other analytes as needed using a case by case analysis. No industrial user shall discharge any of the above-described analytes unless approved by the city manager or his designee. The city, including the surrounding jurisdictions required to have a pretreatment program in accordance with Rule 62-625.500 F.A.C., shall develop and enforce specific limits to implement the prohibitions listed in section 74-103 and the local limits above. Each entity shall continue to develop these limits as necessary and effectively enforce such limits.

(Ord. No. 2012-17, § 1, 7-24-12)

41 permit conditions along with duration requirements and attached to each wastewater permit
42 issued.

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

50 The established local limits apply at the point where the wastewater is discharged to the
51 WWF. All concentrations for metallic substance are for total metal unless indicated otherwise.

52 Current local limits:

53 ~~0.55~~ 0.90 mg/l arsenic

54 ~~1,000~~ 3,000 mg/l BOD

55 ~~0.55~~ 0.74 mg/l cadmium

56 ~~4.99~~ 9.4 mg/l chromium, total

57 ~~1.35~~ 7.6 mg/l copper

58 ~~0.09~~ 0.026 mg/l cyanide

59 ~~7.52~~ mg/l iron

60 ~~0.05~~ 1.1 mg/l lead

61 ~~0.00014~~ 0.0021 mg/l mercury

62 ~~0.47~~ 1.6 mg/l molybdenum

63 ~~0.051~~ 0.60 mg/l nickel

64 200 mg/l oil and grease

65 ~~12.0~~ 25 mg/l total phosphorus

66 ~~0.68~~ 1.9 mg/l selenium

67 ~~0.07~~ 0.45 mg/l silver

68 ~~825~~ 2,000 mg/l total suspended solids

69 ~~0.86~~ 9.7 mg/l zinc

70 All of the following shall be excluded from the treatment works unless certain conditions
71 and volumes of pretreatment have been specifically described and approved by the City

72 Manager of Port Orange or his/her designee: antimony, barium, bismuth, cobalt, rhenium,
73 strontium, tellurium, tin, uranylion. The City Manager of Port Orange or his/her designee may
74 add other analytes as needed using a case by case analysis. No industrial user shall discharge
75 any of the above-described analytes unless approved by the City Manager of Port Orange or
76 his/her designee.

77 These specific pollutant limits are subject to modification by Port Orange.

78 **SECTION 2. CONFLICTS.** In any case where a provision of this Ordinance is found
79 to be in conflict with a provision of any other ordinance of this Town, the provision which matches
80 the current standards of the City of Port Orange shall prevail.

81
82 **SECTION 3. SEVERABILITY.** If any section, sentence, phrase, word or portion of
83 this Ordinance is determined to be invalid, unlawful or unconstitutional, said determination shall
84 not be held to invalidate or impair the validity, force or effect of any other section, sentence,
85 phrase, word or portion of this Ordinance not otherwise determined to be invalid, unlawful or
86 unconstitutional.

87
88 **SECTION 4. CODIFICATION.** The provisions of this Ordinance shall be codified as
89 and become and be made a part of the Town of Ponce Inlet Code of Ordinances. The Sections of
90 this Ordinance may be renumbered or re-lettered to accomplish such intention and the word
91 "Ordinance", or similar words, may be changed to "Section," "Article", or other appropriate word.
92 The Code codifier is granted liberal authority to codify the provisions of this Ordinance.

93
94 **SECTION 5. EFFECTIVE DATE.** This Ordinance shall become effective immediately
95 upon adoption.

96
97 It was moved by _____ and seconded by _____ that said
98 Ordinance be passed upon first reading. A roll call vote of the Town Council on said motion
99 resulted as follows:

100	Mayor Smith, Seat #1	_____
101		
102	Councilmember Milano Seat #2	_____
103		
104	Vice-Mayor Hoss, Seat #3	_____
105		
106	Councilmember, Perrone Seat #4	_____
107		
108	Councilmember Paritsky, Seat #5	_____
109		

110 Passed this 19th day of January, 2017.

111
112 It was moved by _____ and seconded by _____ that said
113 Ordinance be adopted upon second reading. A roll call vote of the Town Council on said motion
114 resulted as follows:

115
116

117 Mayor Smith, Seat #1 _____
118
119 Councilmember Milano Seat #2 _____
120
121 Vice-Mayor Hoss, Seat #3 _____
122
123 Councilmember, Perrone Seat #4 _____
124
125 Councilmember Paritsky, Seat #5 _____
126

127 Adopted this 16th day of February, 2017.

128 Town of Ponce Inlet, Florida

129
130 _____
131
132 Gary L. Smith, Mayor

133
134 ATTEST:
135
136

137 _____
138 Jeaneen Witt, CMC
139 Town Manager/Town Clerk