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CERTIFIED MAIL
RETURN REQUESTED



D. J. R.

CITY OF ST. PETERSBURG

JAN 18 1989 January 13, 1989

SOUTHWEST DISTRICT
TAMPA

Mr. Tim Hagan
President

HOWCO WASTE MANAGEMENT
843 43rd Street South
St. Petersburg, Florida 33711

RECEIVED
JAN 19 1989

WASTE MANAGEMENT

RE: Violation of City of St. Petersburg Code Section 28-52 (b) (1, 4 & 6) arising from results of GC/MS fingerprint analysis of Howco's discharge and slug influent at the Southwest Wastewater Treatment Plant.

Dear Mr. Hagan:

As you are aware, the City of St. Petersburg has been experiencing slug influent loadings at it's Southwest Wastewater Treatment Plant since January 1987. These toxic influents cause an interference at the plant by decreasing the dissolved oxygen levels in the aerators and deleteriously affecting the biological treatment process.

At the conciliation meeting between City Officials and Howco Environmental Services Inc., on September 2, 1988 we brought it to your attention that we were attempting to fingerprint the slug influent by chemical analytical methods.

On October 31, 1988 and November 1, 1988, grab samples of Howco's effluent were taken at 12:50 pm and 1:40 pm respectively from the collection point at City manhole 303.0 on 44th Street between 9th and 10th Avenues South.

The Southwest Wastewater Treatment Plant experienced a slug influent which began at 3:40 pm on October 31, 1988. At 6:00 pm on November 1, 1988, the Southwest Wastewater Treatment Plant began experiencing a slug influent flow which seriously upset it's treatment process. Samples of the slug influent were collected from the wetwell at the plant while the upset was in progress.

The sample of treatment plant slug influent and both of Howco's grab samples were sent to a certified laboratory for capillary gas chromatograph/ mass spectrometer fingerprint analysis.

Results received from the laboratory confirm that the slug influent and both of Howco's samples contained identical compounds from a complex hydrocarbon residue identified as a petroleum distillate, consistent with compounds found in gasoline. These compounds are known to be incompatible with the wastewater treatment process.

Mr. Tim Hagan
January 13, 1989
Page 2

A similar analysis on a sample of slug influent taken during an upset at the Southwest Wastewater Treatment Plant on November 14, 1988 was also performed. Once again, the analysis confirmed that petroleum distillates consistent with compounds found in gasoline were detected in the slug influent. The compounds are similar to those previously associated with the slug.

As a control, the Southwest Wastewater Treatment Plant influent was sampled at 11:15 am on November 21, 1988, when the plant was functioning normally and no upset was being experienced. The results of these analyses confirmed that normal influent contains no appreciable quantities of volatile organic compounds of any type.

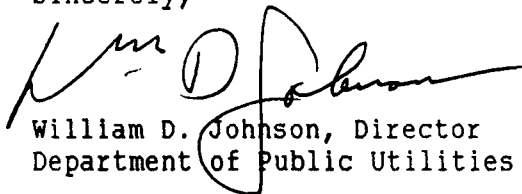
These fingerprinting analyses thus show that the chemical compounds occurring in your effluent are identical to those that occur in the slug influent which upsets the treatment plant. These compounds are not present in normal treatment plant influent.

Section 28-52 (b) (1,4 & 6) of the St. Petersburg City Code specifically refers to the prohibition of all explosive, oxygen demanding or toxic pollutants from entering the sanitary sewer system if they cause interference at the receiving POTW. Section 28-55 (i) also empowers the Director of Public Utilities to temporarily terminate sewer service, at his discretion, to users who may be causing plant interferences.

You are forthwith required to reduce the level of all petroleum related compounds to below detectable limits in your effluent, so as to comply with the City Ordinance.

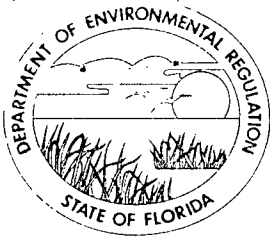
You are also required to respond to this letter within ten (10) days.

Sincerely,



William D. Johnson, Director
Department of Public Utilities

cc. Albert B Herndon, Chief, Pretreatment/O&M Unit, EPA/Atlanta
Armando Gonzalez, Hazardous Waste Program, DER/Tampa
Michael X. Redig, Hazardous Waste Section, DER/Tallahassee
William C. Hargett, Deputy City Manager, Public Works
Glenn Greer, Assistant Director, Department of Public Utilities
Alfredo J. Crafa, Manager, Water Quality Assessment Division
John R. Parnell, Ph.D. Industrial Pretreatment Coordinator
Janet L. Gifford, Attorney, Legal Section, City of St. Petersburg



Florida Department of Environmental Regulation

Twin Towers Office Bldg. • 2600 Blair Stone Road • Tallahassee, Florida 32399-2400

Bob Martinez, Governor

Dale Twachtmann, Secretary

John Shearer, Assistant Secretary

January 11, 1988

Mr. Wayne Stewart
Marketing Director
HOWCO Environmental Services, Ltd.
843 43rd Street, South
St. Petersburg, Florida 33711



Dear Mr. Stewart:

Your letter of December 15 requesting approval to burn 16,500 gallons of waste asphalt semisolids at the Pinellas County Refuse to Energy Plant has been reviewed by our Solid Waste Program staff in consultation with Mr. Hamilton Oven in our Power Plant Siting Section.

In order for the Pinellas County facility to burn waste asphalt semisolids, Pinellas County must seek modification of their conditions of certification. The Division of Air Resources Management would need to assess the impact of burning a higher sulphur fuel before approval can be obtained.

I am forwarding a copy of your letter and enclosures to Mr. Oven and to Mr. Clabe Polk, our District Waste Management Program Administrator, for their information should Pinellas County wish to pursue modification.

We appreciate your interest in pursuing alternate means of disposal for such solid wastes.

Sincerely,

Barry A. Swihart, Chief
Bureau of Waste Planning and Regulation

BAS/jrc/tkm

cc: Robert Van Deman, Pinellas County
Hamilton Oven w/enclosures
✓ Clabe Polk w/enclosures

D. E. R.
JAN 13 1989
SOUTH WEST DISTRICT
TAMPA



RECEIVED
DEC 27 1988

December 15, 1988

Office of the Secretary

Mr. Dale Twachtman, Secretary
Florida Department of Environmental Regulation
Twin Towers Office Building
2600 Blair Stone Road
Tallahassee, FL 32399-2400

Dear Mr. Twachtman;

Our client, Amoco Oil Company, in Port of Tampa, Florida, has requested HOWCO Environmental Services Ltd. to research methods for disposal of 300 55-gallon drums of petroleum based waste asphalt semi solids. The material is non-hazardous (see enclosed Material Safety Data Sheets and analytical laboratory reports) and exhibits excellent BTU energy value; therefore, we suggest thermal recovery over Class I landfill as a more appropriate method of disposal.

The Pinellas County Solids Waste and Resource Recovery Plant has expressed an interest in recovering the BTU value of this material, provided that the Department of Environmental Regulation foresees no problem with this, and HOWCO can present the material to them properly.

HOWCO's methodology for handling this material would be to:

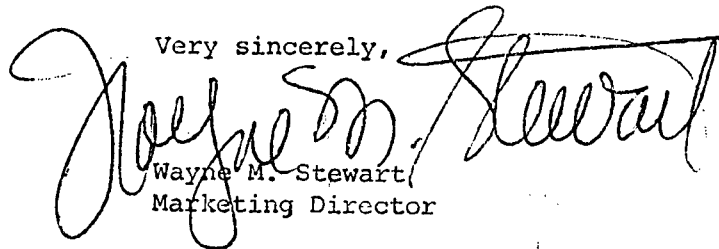
1. Transport the drummed material from Amoco directly to our 10,000 square foot concrete sludge bed.
2. Utilizing special equipment, remove the heavy materials from the drums.
3. Clean, triple rinse and crush the empty drums, forwarding them to a licensed scrap metal recycler.
4. Diverting the rinse effluent to our dissolved air floatation wastewater plant for treatment.
5. Bulk the asphalt material into five - ten cubic yard manageable quantities.
6. Utilize dry sawdust to absorb potential free flowing liquids.
7. Transport the readied material in lined containers in five - ten cubic yard quantities directly to the Pinellas County Energy Recovery Facility for incineration.

Page 2

Mr. Dale Twachtman, Secretary
Florida Department of Environmental Regulation
Twin Towers Office Building
2600 Blair Stone Road
Tallahassee, FL 32399-2400

We respectfully submit that the Department of Environmental Regulation review our methodology and the enclosed support data, and notify us by return mail whether this is an acceptable alternative to Class I landfill.

Very sincerely,

A large, stylized handwritten signature in dark ink, appearing to read "Wayne M. Stewart". The signature is written over the typed name and title.

Wayne M. Stewart
Marketing Director

WMS/ms

Enclosures

11,200 BTU Per LB

Laboratory Number 892
 Sample Type Asphalt
 Date Received December 13, 1988
 For Amoco Oil Co.
 P. O. Box 5044Y
 Tampa, FL 33675
 Generator Amoco Oil Co.
 Attention Mr. Ray Tenant

CERTIFICATE OF ANALYSIS

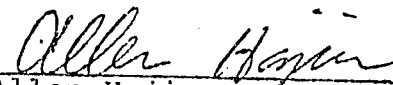
<u>LABORATORY NUMBER</u>	<u>MARKS</u>	<u>PARAMETER</u>	<u>CONCENTRATION</u>	<u>UNIT</u>
892		Arsenic	0.5	mg/l
		Barium	10.0	mg/l
		Cadmium	0.1	mg/l
		Chromium	0.5	mg/l
		Lead	0.5	mg/l
		Mercury	0.2	mg/l
		Selenium	0.1	mg/l
		Silver	0.5	mg/l

Remarks: Metals by E. P. Toxicity

Continued on Page 2

All analyses are made in accordance with E.P.A., A.S.T.M., Standard Methods or other approved methods.

Respectfully submitted


 Allen Hajian
 Environmental Chemist

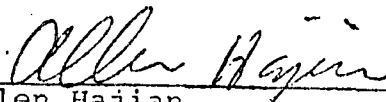
CERTIFICATE OF ANALYSIS

<u>LABORATORY NUMBER</u>	<u>MARKS</u>	<u>PARAMETER</u>	<u>CONCENTRATION</u>	<u>UNIT</u>
892		Corrosivity	not corrosive	
		pH	7.2	
		Ignitability	not ignitable	
		Flashpoint	> 200	°F
		Reactivity	not reactive	

Remarks: _____

All analyses are made in accordance with E.P.A., A.S.T.M.,
Standard Methods or other approved methods.

Respectfully submitted


Allen Hajian
Environmental Chemist

GEORGE MARIANI
president

MATERIAL SAFETY DATA SHEET

SECTION 1

Manufacturer's name & address : E.A. Mariani Asphalt Company, Inc.
5201 Causeway Blvd. P.O. Box 75437
Tampa, FL 33619 Tampa, FL 33675

Emergency telephone number : (813) 623-3941

Chemical family : Petroleum hydrocarbon

Formula : Complex mixture of petroleum residua.

Trade name : AC-20, AC-30, AR-1

Chemical name and synonyms : Petroleum asphalt CAS # 8052-42-4

SECTION II - HAZARDOUS INGREDIENTS

<u>Ingredient</u>	<u>CAS NO.</u>	<u>%</u>	<u>TLV</u>	<u>HMIS</u>
Asphalt fumes	8052-42-4	100	5mg/m ³ * (ACGIH)	Health:0 Reactivity:0 Flammability:1 Special:-

CAUTION: Under certain circumstances sulfur compounds in hot asphalt may form hydrogen sulfide (H₂S) gas. Cooling asphalt may continue to emit traces of H₂S temporarily from entrapped or dissolved gases. H₂S is a colorless, toxic, and extremely flammable gas with an odor at low concentrations characteristic of rotten eggs and a sweetish odor at high concentrations (e.g., 100 ppm). Odor cannot be relied upon as a means of detection because the sense of smell rapidly becomes insensitive to H₂S, and the H₂S odor may be masked by the general odor of hot asphalt. Because H₂S may accumulate in tanks and bulk transport compartments, personnel should stand upwind, keep their faces at least two feet from compartment openings, and avoid breathing vapors when opening hatches and dome covers. (In a large number of tests, permissible concentrations in the breathing zone were not exceeded by following this procedure.) Prolonged breathing of 50 to 100 ppm of H₂S may produce eye and respiratory tract irritation, headache, nervousness, and nausea, and only a few breaths of high concentrations (e.g. 600 to 1000 ppm) may lead to unconsciousness and could be fatal.

To avoid possible inhalation toxicity, the American Conference of Governmental Industrial Hygienists (ACGIH) has adopted a Threshold Limit Value for H₂S of 10 ppm in air as time-weighted average for an 8-hour workday. OSHA Regulation 29 CFR 1910.1000 further lists a ceiling concentration of 20 ppm, and a maximum peak of 50 ppm for 10 minutes once per day if no other measurable exposure occurs. NIOSH-approved respiratory equipment should be used when permissible concentrations are exceeded.

*S/A Section V Health Hazard Data

Revision date 03/04/88

SECTION III - PHYSICAL F 4

Boiling point (°F): IBP 650+
Vapor pressure (mm Hg): < 0.1 mm
Vapor density (AIR=1): > 5
Specific gravity (H₂O=1): 15.6 °C/15.6 °C 1.02 - 1.04
Percent volatile by volume (%): negligible
Evaporation rate (ether=1): < 1
Solubility in water: negligible
Appearance and odor: semi-solid when cold; viscous fluid when hot;
black color, characteristic heavy petroleum asphalt odor.

SECTION IV - FIRE AND EXPLOSION HAZARD DATA

Flash point (method used): 450 °F+ COC
Flammable limits (percent by volume in air): Lel - 0.9% Uel - 7%

Extinguishing Media And Fire Fighting Procedures: Foam, water spray (fog), dry chemical, carbon dioxide and vaporizing liquid type extinguishing agents may all be suitable for extinguishing fires of this type of product, depending on size or potential size of fire and circumstances related to the situation. Plan fire protection and response strategy through consultation with local fire protection authorities or appropriate specialists.

The following procedures for this type of product are based on the recommendations in the National Fire Protection Association's "Fire Protection Guide on Hazardous Materials", 8th edition, 1984:

Use water spray, dry chemical, foam, or carbon dioxide. Water or foam may cause frothing. Use water to keep fire-exposed containers cool. Water spray may be used to flush spills away from exposures. Minimize breathing gases, vapor, fumes or decomposition products. Use supplied-air breathing equipment for enclosed or confined spaces or as otherwise needed.

Decomposition Products Under Fire Conditions: Fumes, smoke, carbon monoxide, hydrogen sulfide, sulfur oxides, aldehydes, and other decomposition products, in the case of incomplete combustion.

Unusual Fire And Explosion Hazards: Studies have shown that relatively low flash point substances, such as hydrogen sulfide and low-boiling hydrocarbons, may accumulate in the vapor space of hot asphalt tanks and bulk transport compartments. Such vapors may exhibit flammability characteristics of a significantly lower flash product than would be indicated by the open cup flash test. As a precaution, keep ignition sources away from vents and openings, including prevention of accumulation of pyrophoric iron sulfide. Asphalt Institute Publication IS-180 and American Petroleum Institute Publication 852-20230 contain further information and guidance on the safe storage and handling of hot asphalt.

SECTION V - HEALTH HAZARD DATA

Threshold Limit Value: ACGIH lists TLV for asphalt fumes as 5 mg/m³; however, by letter interpretation, OSHA states it would issue a citation if asphalt emissions sampling indicates more than 0.2 mg/m³ of benzene-soluble material which includes at least one carcinogen. See OSHA regulations 29 CFR 1910.1000 and 1910.1002. See also Section II regarding H₂S gas.

Effects of Overexposure: Prolonged or repeated contact with product at warm or near ambient temperature may cause skin irritation. CAUTION: Product normally shipped hot (approximately 225-350 F); protect against burns. Inhalation of high vapor concentrations may cause eye and respiratory irritation, headache, dizziness or nausea. See Section II regarding H₂S.

Emergency and First Aid Procedures: If burned by hot product, obtain medical attention immediately. In case of skin contact with product under other conditions, wash thoroughly with soap and warm water. Do not use solvents. Removal of product from skin may be aided by use of waterless handcleaner. If hot product is splashed into eyes, flush with clear water and contact physician immediately. If overcome by H₂S, immediately remove to fresh air and call a physician. If breathing is irregular or stopped, start resuscitation, administer oxygen.

Additional Health Data: No association has been established between industrial exposure to petroleum asphalt and cancer in humans. Asphalts contain small amounts of polynuclear aromatic hydrocarbons (PNA's) which, when concentrated, have been shown to cause skin cancer in mice after prolonged and frequent contact. Studies in which mice were exposed to a variety of whole asphalts did not result in any increased cancer rate. Brief or intermittent skin contact with this asphalt product is not expected to produce any serious effects. While normal handling of this product is not likely to cause cancer in humans, skin contact and breathing of mist, fumes or vapors should be reduced to a minimum. We strongly recommend that the precautions outlined in this bulletin be followed when handling this material.

Variability Among Individuals: Health studies have shown that many petroleum hydrocarbons and synthetic lubricants pose potential human health risks which may vary from person to person. As a precaution, exposure to liquids, vapors, mist or fumes should be minimized.

SECTION VI - REACTIVITY DATA

Stability: This product is stable. Hazardous polymerization will not occur. Avoid contact with strong oxidants such as liquid chlorine, concentrated oxygen, sodium hypochlorite or calcium hypochlorite. Hot product in contact with water can cause foaming or sudden evolution of steam which could cause pressure build-up and possibly rupture a tank or vessel.

Hazardous Decomposition Products: Fumes, smoke, carbon monoxide, hydrogen sulfide, sulfur oxides, aldehydes, and other decomposition products in the case of incomplete combustion.

SECTION VII - SPILL OR LEAK PROCEDURES

Steps To Be Taken In Case Material Is Released Or Spilled: Recover free product. Add absorbent (sand, earth, sawdust, etc.) to spill area. Hot product will solidify when cooled. Keep petroleum products out of sewers and watercourses by diking or impounding. Advise authorities if product has entered or may enter sewers or watercourses.

Waste Disposal Method: Assure conformity with applicable disposal regulations. Dispose of absorbed material at an approved waste disposal site or facility. Product has been evaluated for RCRA characteristics and does not meet criteria of a hazardous waste if discarded in its purchased form.

SECTION VIII - SPECIAL PROTECTION INFORMATION

Respiratory Protection: Normally not needed. Use supplied-air respiratory protection in confined or enclosed spaces when handling hot product or when H_2S exceeds permissible limits.

Ventilation:

- 1) Local exhaust: Use local exhaust to capture fumes and vapors when handling hot product.
- 2) Special: Provide greater than 60 fpm hood or face velocity for confined spaces when handling hot product.

Protective Gloves: Protect against hot liquid. Use chemical-resistant gloves to avoid skin contact.

Eye Protection: Use splash goggles or face shield when eye contact may occur.

Other Protective Equipment: Use chemical-resistant apron and other clothing to protect against hot liquid and to avoid skin contact.

SECTION IX - SPECIAL PRECAUTIONS

Precautions To Be Taken In Handling & Storing: Keep container closed when not in use. Do not handle or store near heat, flame, or strong oxidants. Adequate (meaning equivalent to outdoors) ventilation required.

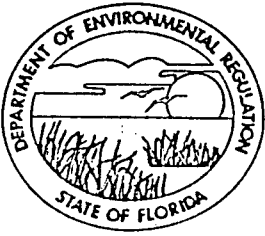
Other Precautions: Avoid breathing hot fumes, vapors, and mist. Remove contaminated clothing and laundry before re-use. Discard contaminated shoes. Wash skin thoroughly with soap and water after handling.

*CONTAINER WARNING: Containers, regardless of being empty, half full, or full of product may retain a residue of liquid and/or vapor and can be dangerous. DO NOT PRESSURIZE, CUT, WELD, BRAZE, SOLDER, DRILL, GRIND, OR EXPOSE SUCH CONTAINERS TO HEAT, FLAME, SPARKS, OR OTHER SOURCES OF IGNITION; THEY MAY EXPLODE AND CAUSE INJURY OR DEATH. Do not attempt to clean since residue is difficult to remove. "Empty" drums should be completely drained, properly bunged, and promptly returned to a drum reconditioner. All other containers

should be disposed in an environmentally safe manner and in accordance with governmental regulations. For work on tanks refer to OSHA regulations, ANSI Z49.1, and other governmental and industrial references pertaining to cleaning, repairing, welding, or other contemplated operations.

*Container refers to any vessel, can, drum, tanker, distributor tank, etc., that may be used for handling and/or storing any of the products covered by this material safety data sheet.

The information herein is given in good faith, but no warranty express or implied, is made.



Florida Department of Environmental Regulation

Twin Towers Office Bldg. • 2600 Blair Stone Road • Tallahassee, Florida 32399-2400

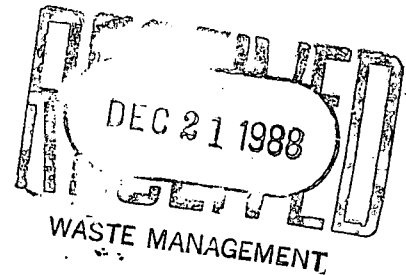
Bob Martinez, Governor

Dale Twachtmann, Secretary

John Shearer, Assistant Secretary

07-12-88

TIM HAGAN
HOWCO ENVIRONMENTAL SER INC
843 43RD ST S
ST PETERSBURG FL 33711



RE: Facility ID # FLD152764767

Based on information supplied by you, we have processed and accepted at the state level your request for the facility identified with the above ID number to receive the following status change under RCRA:

Your facility status has been changed to the following:

Generator.
Transporter.

We are advising EPA of this change. Please notify us if there is any further change in your operations which would affect your status.

Sincerely,

Michael X. Redig
Environmental Supervisor II
Hazardous Waste Section

cc: Ann Cole - EPA/Region IV
Armando Gonzalez - DER/Tampa
GMS-ID # 4052P00632

DEC 20 1988



ID — For Official Use Only														
C													T/A	C
W														1

X. Description of Hazardous Wastes (continued from front)

A. Hazardous Wastes from Nonspecific Sources. Enter the four-digit number from 40 CFR Part 261.31 for each listed hazardous waste from nonspecific sources your installation handles. Use additional sheets if necessary.

1	2	3	4	5	6
F 0 0 6					
7	8	9	10	11	12

B. Hazardous Wastes from Specific Sources. Enter the four-digit number from 40 CFR Part 261.32 for each listed hazardous waste from specific sources your installation handles. Use additional sheets if necessary.

13	14	15	16	17	18
19	20	21	22	23	24
25	26	27	28	29	30

C. Commercial Chemical Product Hazardous Wastes. Enter the four-digit number from 40 CFR Part 261.33 for each chemical substance your installation handles which may be a hazardous waste. Use additional sheets if necessary.

31	32	33	34	35	36
37	38	39	40	41	42
43	44	45	46	47	48

D. Listed Infectious Wastes. Enter the four-digit number from 40 CFR Part 261.34 for each hazardous waste from hospitals, veterinary hospitals, or medical and research laboratories your installation handles. Use additional sheets if necessary.


49	50	51	52	53	54

E. Characteristics of Nonlisted Hazardous Wastes. Mark 'X' in the boxes corresponding to the characteristics of nonlisted hazardous wastes your installation handles. (See 40 CFR Parts 261.21 — 261.24)

<input type="checkbox"/> 1. Ignitable (D001)	<input type="checkbox"/> 2. Corrosive (D002)	<input type="checkbox"/> 3. Reactive (D003)	<input type="checkbox"/> 4. Toxic (D000)
--	--	---	--

XI. Certification

I certify under penalty of law that I have personally examined and am familiar with the information submitted in this and all attached documents, and that based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the submitted information is true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment.

Signature 	Name and Official Title (type or print) Tim Hagan, President	Date Signed 6/21/87
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Please refer to the *Instructions for Filing Notification* before completing this form. The information requested here is required by law (*Section 3010 of the Resource Conservation and Recovery Act*).

Notification of Hazardous Waste Activity

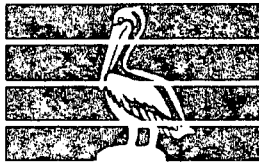
Comments

IX. First or Subsequent Notification
 Mark 'X' in the appropriate box to indicate whether this is your installation's first notification of hazardous waste activity or a subsequent notification. If this is not your first notification, enter your installation's EPA ID Number in the space provided below.

☐ A. First Notification ☒ B. Subsequent Notification (complete item C)

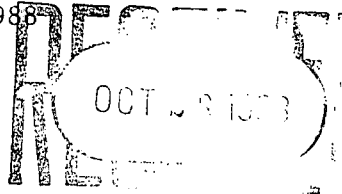
C. Installation's EPA ID Number											
F	L	D	1	5	2	7	6	4	7	6	7

CERTIFIED MAIL
RETURN RECEIPT REQUESTED



CITY OF ST. PETERSBURG

October 27, 1988



Mr. Tim Hagan
President

HOWCO
843 43rd Street South
St. Petersburg, Florida 33711

WASTE MANAGEMENT

RE: Flow Monitoring, Wastewater Discharge
Permit #SPFL-5093-86-32.

Dear Mr. Hagan:

The flow meter monitoring of your wastewater discharge as recorded in the 44th Street manhole using an ISCO flow meter and an 8" Palmer Bowlus Flume indicates the following:

On Tuesday, October 4, 1988, continuous recording charts show you were discharging at 20 gallons per minute (gpm) at 1:40 p.m. This discharge continued at a slowly declining rate (indicating decrease of head pressure in your storage tank) to approximately 12 gpm at 12:25 p.m. on October 5, 1988. An overall volume of 24,400 gallons was recorded on the meter which indicated an overall mean discharge rate of 17.9 gpm for the 22 hour/45 minute period.

Similar monitoring from October 5 to October 6, 1988 showed an overall mean flow of 19.7 gpm. From October 6 to October 7, 1988, an 18.0 gpm mean flow was recorded.

Thus, over this three day period an ideal flow rate was being discharged from your premises which was within permit limits.

On Monday, October 17, 1988, flow monitoring was resumed at 2:05 p.m. and continued until 11:40 a.m. on Tuesday, October 18, 1988. On October 17 at 3:30 p.m., the continuous chart indicated an increase in flow rate from almost zero to 36 gpm. This flow continued until 4:30 a.m. on October 18, 1988. Discharge almost ceased at this time, until 9:45 a.m. when once again, a flow rate of 36 gpm was observed. At 11:00 a.m. a total of 36,340 gallons had been recorded which indicated an overall mean flow over the total 21 hour/40 minute period of 28 gpm. Within this period you violated both flow rate and total daily flow permit limits.

D. E. R.

OCT 28 1988

SOUTH WEST DISTRICT
TAMPA

Mr. Tim Hagan
October 27, 1988
Page 2

Monitoring from 12:00 noon on October 18 until 11:10 a.m. on the following day, showed a total flow of 45,820 gallons which indicated an overall mean flow of 32 gpm. Once again, you violated flow rates and total daily flow permit limits.

This chart also indicates a fluctuating discharge from 1:45 until 2:10 p.m. on October 18th which exceeded 50 gpm. At 6:30 p.m. (4½ hours after this discharge at your establishment), the Southwest Wastewater Treatment Plant experienced a slug influent which caused it to have to go off line and severely affected the biological treatment process.

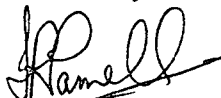
Our accumulated data thus, indicates that early in October, your discharge was maintained within permit limits, but has increased recently to levels which are in continuous violation of both total daily flow and flow rate limits.

The occurrence of slugs at the Southwest Wastewater Treatment Plant once again, after a 5 week period in which no slugs were recorded, is of serious concern to the City. The occurrence of these slugs is only observed when your discharge is greater than your permit limits.

Further flow monitoring will continue around the clock. You should ensure that no discharge flows from your facility exceed the 20 gpm limit at any time or the City will take further action on this matter.

Should you have any further questions, I can be contacted at 893-7739.

Sincerely,

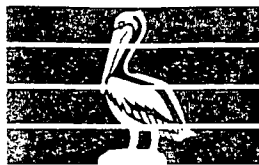


John R. Parnell, Ph.D.
Industrial Pretreatment Coordinator
Water Quality Assessment Division

JRP:lh

xc: Albert B. Herndon, Chief, Pretreatment/O&M Unit, EPA/Atlanta
Armando Gonzalez, Hazardous Waste Program, DER/Tampa
Michael X. Redig, Hazardous Waste Section, DER/Tallahassee
William C. Hargett, Deputy City Manager, Public Works
William D. Johnson, Director, Department of Public Utilities
A. Glenn Greer, Asst. Director, Department of Public Utilities
Alfredo J. Crafa, Manager, Water Quality Assessment Division
Janet L. Gifford, Attorney, Legal Section, City of St. Petersburg

CERTIFIED MAIL
RETURN REQUESTED



SEP 23 1988

CITY OF ST. PETERSBURG

September 21, 1988

SEP 22 1988

HOWCO

SOUTH WEST DISTRICT
TAMPA

Mr. Tim Hagen
Howco Environmental Services Ltd.
843 43rd Street South.
St. Petersburg, Fl 33711

RE: Violation Status of Wastewater Discharge Permit SPFL-5093-86-32

Dear Mr Hagen:

This serves to acknowledge receipt of your letter of September 9, 1988 in response to our violation notice of August 24, 1988 and compliance requirement notice of September 2, 1988.

To date, continued monitoring of your discharge flow rate has confirmed your assurance to the City at the conciliation meeting that discharge rates would remain below 20 gallons per minute in compliance with your permit limit.

Although influent flow rates at the Southwest Wastewater Treatment Plant have been excessive in the past week due to the heavy rains, no incidence of any treatment upset has been recorded since Monday, August 30, 1988.

Other compliance requirements indicated in the notice of September 2, 1988 were deemed necessary to immediately protect the receiving wastewater treatment plant and were not intended to be negotiable. The City's wastewater treatment plants are designed to process domestic wastewater. Some of the reasons for establishing a pretreatment program are to ensure that highly variable industrial wastewater is converted as close as possible to the typical composition of domestic wastewater prior to discharge to the sanitary sewer.

Responses will be made to your requests in the same order as your letter.

The installation of the certified water meter and automatic sampler is acceptable to the City. The exact location of each of these units should be mutually agreed upon prior to their installation.

The City will require one month's LEL readings from an enclosed area of your sewer system to insure that the general provisions of City Ordinance 28-52 (b) 1 are not being violated. The level of volatiles in your June 9, 1988 scan was reported as, Benzene 1320 ug/l, Ethylbenzene 334 ug/l, Toluene 3540 ug/l, Total Xylene 1920 ug/l and Methyl Tert-Butyl Ether 7600 ug/l. In the May 17, 1988 scan, levels for these compounds were much higher than in June 1988. All of these

Mr. Tim Hagen
Page 2
September 21, 1988

substances are specifically included as prohibited materials in the City Ordinance referred to above. The exact location where LEL monitoring will be required and the method to be used can be determined between Howco and the City when I visit your premises in the near future.

Grab sampling twice per day for COD analysis should begin as soon as possible. In the past 15 months, your self monitoring COD levels have exceeded 10,000 mg/l on 7 occasions and have only exceeded 20,000 mg/l once. As discussed at the conciliation meeting, the generally high and extremely variable level of COD in your effluent is of prime concern to the City. Processing this type of wastewater rapidly lowers the dissolved oxygen levels in the aerators at the treatment plant which severely interferes with the normal treatment process. Continuously maintaining high biomass in the aerators to minimize the effect of irregular high oxygen demand influents has significantly increased the costs of treatment to the City in the past 18 months. It is thus imperative that the oxygen demand of the effluent of all industrial users be monitored and controlled when found to have significant influence at the treatment plant. It is proposed that a review of the first two week's records be used to monitor the overall variation in your effluent COD levels. If these levels prove to be unacceptable to the City, you will be advised to confer with your consultant to determine how acceptable levels can be achieved.

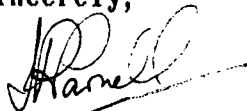
The collection of samples for priority pollutant scans once every two weeks for a period of three months is acceptable to the City.

You will immediately be informed by phone if the Southwest Plant receives any malodorous slug influents in the future.

We appreciate your concerns for the prosperity of the City and sincerely hope that a mutually acceptable solution to this situation can be arrived at as soon as possible. If you have any further questions, please contact me at 893-7739.

Sincerely,

7108 -



John R. Parnell Ph.D.
Industrial Pretreatment Coordinator
Water Quality Assessment Division

Encl.

cc. Albert B Herndon, Chief, Pretreatment/O&M Unit, EPA/Atlanta
Armando Gonzalez, Hazardous Waste Program, DER/Tampa/
Michael X. Redig, Hazardous Waste Section, DER/Tallahassee
William C. Hargett, Deputy City Manager, Public Works
William D. Johnson, Director, Department of Public Utilities
Glenn Greer, Assistant Director, Department of Public Utilities
Alfredo J. Crafa, Manager, Water Quality Assessment Division,
Janet L. Gifford, Attorney, Legal Section, City of St. Petersburg

September 9, 1988

D. E. R.

SEP 22 1988

SOUTH WEST DISTRICT
TAMPA

Dr. John R. Parnell
Industrial Pretreatment Coordinator
Public Utilities Department
1635 3rd Avenue North
St. Petersburg, FL 33713

Dear Dr. Parnell:

Subject: HOWCO response to your letters dated August 24 and September 2, 1988

Thank you for the information you have shared with us and for your cooperation regarding HOWCO's pretreatment wastewater discharge. Be assured that HOWCO is very concerned about compliance with all of the provisions of our Pretreatment Wastewater Discharge Permit. We are committed to taking the necessary measures to assure compliance.

Following your letter of August 24, we retained CH2M Hill for technical advice regarding our wastewater pretreatment system. CH2M Hill has evaluated our system and found that, with proper operation, the system is capable of pre-treating our wastewaters to comply with our permit conditions. CH2M Hill also assisted HOWCO in planning the following program to assure permit compliance:

- * All pretreated wastewater is now contained in effluent storage tanks and analyzed for permit compliance prior to discharge to the city sewer. Effluent that does not meet permit limits will be retreated until compliance is achieved. Compliance for each batch of stored effluent will be certified by our chemist or lab technician prior to discharge to the city sewer.
- * A permanent restrictive orifice has been installed on HOWCO's final discharge to the city sewer. The orifice restricts the maximum flow at maximum pressure to 20 GPM.
- * A certified water meter will be permanently installed in HOWCO's final discharge line to the city sewer. An automatic sampler (ISCO) will also be installed to collect samples of the treated effluent. These samples will be split and analyzed by HOWCO's onsite laboratory to provide additional assurance of permit compliance. Split samples will be stored onsite for 30 days and will be made available to the city upon request. HOWCO has also requested DHRS to expedite the certification process which is currently underway for our onsite laboratory.

- * Operator refresher training will be conducted each month to assure that proper treatment system and quality control procedures are being followed.
- * You have directed that HOWCO provide LEL readings with an explosion hazard meter in city manhole #146.0. Based on prior results of priority pollutant analysis, the levels of contamination by volatiles is very minimal. Therefore, we respectfully request to be released from that directive.
- * HOWCO will collect final discharge samples twice each day for COD analysis. These samples will be sent to a DHRS certified laboratory for analysis. We respectfully request that this be required every two days for a period of thirty days. This should provide adequate data to determine a mean level. We respectfully request that HOWCO's C.O.D. permit limits be set at 20,000 mg/l. Past testing has indicated this level to be representative of HOWCO's pretreated wastewater.
- * HOWCO will collect typical final discharge samples weekly for analysis of EPA Priority Pollutants. Samples will be collected in the presence of a pretreatment representative of the city. We respectfully request that the frequency of sampling be limited to once every two weeks over a three month period.

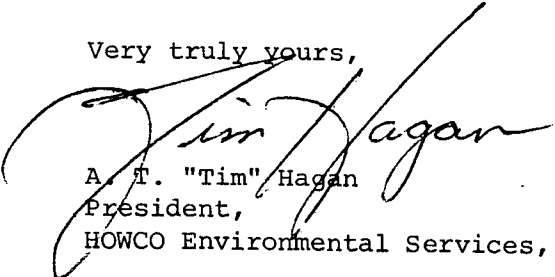
In addition to the above, HOWCO will instruct all plant operating staff to be on the alert for incoming waste and pretreated waste exhibiting noxious odors. We request that the city notify us when the odor is detected at the Southwest Treatment Plant in the future. We would like to send a HOWCO chemist to the plant to become familiar with the odor. We are certainly as puzzled as you are as to the source of your odor problems. As a point of information, we have examined your historical data on odor occurrences and compared this information with our operating records. It is interesting to note that on eleven odor occurrence dates, the HOWCO plant was neither operating nor discharging wastewater.

Many of HOWCO's employees and officers are residents of the City of St. Petersburg. We as good citizens share in your responsible concern for the city's wastewater treatment program. Many of us are recipients of the reclaimed water at our homes. We have mutual concerns to make this program as efficient and cost-effective as possible, because we also contribute to the revenues which support it. It is, therefore, to our best interest as good citizens to see to it that your job is not more difficult. To that end we gladly offer our assurance that all materials discharged from this facility under our control will be in compliance with permit limits.

Dr. John Parnell
Page 3
September 9, 1988

We anticipate a long mutually beneficial relationship with your department.
Please feel free to visit us at any time.

Very truly yours,



A. T. "Tim" Hagan
President,
HOWCO Environmental Services, Ltd.

cc: Mr. William D. Johnson,
Director, Department of Public Utilities
Mr. Glenn Greer,
Assistant Director, Department of Public Utilities
Mr. Ralph E. Williamson,
General Manager, HOWCO
Mr. Allen Hajian,
Environmental Manager, HOWCO
Mr. V. James Dickson,
HOWCO Corporate Counsel
Mr. Norman N. Hatch, Jr.,
CH2M Hill

INDUSTRIAL PRETREATMENT CONCILIATION MEETING
BETWEEN HOWCO ENVIRONMENTAL SERVICES, LTD.
and the CITY OF ST. PETERSBURG

The meeting was brought to order at 9:30 a.m. September 2, 1988 by Mr. William Johnson, Director, Public Utilities. The attendees to the meeting included representatives from the City of St. Petersburg and Howco Environmental Services, Ltd. An attendee sheet is attached.

INTRODUCTION: Mr. William D. Johnson: Director, Public Utilities, City of St. Petersburg.

Mr. Johnson stated the problems incurred at the Southwest Wastewater Treatment Plant (#4) was due to a Slug that was believed to be discharged by Howco Environmental services. He added that the slug was backtracked by Dr. John Parnell and his staff to Howco Environmental. He also indicated the effects of the slug to the health of the employees at the Southwest plant, effect on the treatment at the plant, effect on reclaimed water and violation of the NPDES permit.

OPENING STATEMENT OF INTENT: A. Glenn Greer, Asst. Director, Public Utilities.

Mr. Greer stated, the reason we are at this meeting is to discuss the violations of the permit by Howco Environmental Services. He also stated the need to discuss problems and violations in a cooperative way, thus, finding a solution by the end of the meeting. If no solution is found, the City will have to take a different approach to the problems and violations caused by Howco. If full cooperation is extended from Howco, further penalties will be reduced. He added that a written response is needed from Howco responding to the allegations by September 9, 1988.

SUMMARY of PROBLEMS and INTERIM COMPLIANCE REQUIREMENTS:
Dr. John Parnell, Industrial Pretreatment Coordinator.

Dr. Parnell stated that Howco is in significant non-compliance due to several significant violations of their wastewater discharge permit. He referred back to the annual summary of Howco's industrial discharge self-monitoring report that was submitted to the USEPA. He pointed out the repeated violations of phenol, the high BOD, high COD, and oil and grease. Dr. Parnell added that he initiated the unscheduled monitoring due to 188 mg/L oil and grease (limit 100 mg/L) and 6.0 mg/L phenol (limit 5.0 mg/L) which was reported on the May 3 self-monitoring report by Howco. The unscheduled monitoring was initiated on July 20, 1988.

Dr. John Parnell indicated that a blue colored effluent was being discharged by Howco and Samples were taken by an automatic sampler. The samples were analyzed for metals indicated severe violations of copper throughout the day, lead and zinc violations on the 9:00 a.m. sample. On July 21 and 22, composite samples were analyzed for oil and grease and found to be within limits. A sample taken on July 26 at 12:25 p.m., indicated an excess of oil and grease (737 mg/L.). July 27 composite sample indicated copper level at 5.7 mg/L (limit 4.5).

Dr. Parnell described the method he and his staff used to backtrack the slug entering the Southwest plant. He explained the attempts to fingerprint the unknown slug by chemical analytical methods, but the results were inconclusive. Dr. Parnell added that odor was used to backtrack the slug to Howco. The isolation of Howco as the originator of a malodorous discharge resulted in further unscheduled sampling. Samples from August 10 showed excess copper levels of 20.6 mg/L and zinc levels of 54.6 mg/L (limit 4.2) for that working day. Sample from August 11 indicated copper levels of 20.5 mg/L and 7.5 mg/L zinc. Oil and grease samples from August 10 and 11 indicated a value of 564 mg/L and 460 mg/L respectively.

A flow meter was installed by Dr. Parnell and his staff to an 8 inch Palmer-Bowlus flume on August 22nd. Howco's discharge was monitored and recorded continuously. Several times the flow was recorded at 150+ gallons per minute (flow limit 20 gallons per minute) for a period of 1-2 hours. A discharge of this magnitude containing high concentrations of BOD, COD, metals, oil and grease could upset the biological treatment process at the receiving plant frequently.

Dr. Parnell also added that Howco was in violation due to unauthorized deviation from the approved discharge contained in the permit. He also indicated that the waste discharged included wastes that originated from processes other than oil recycling for which Howco is permitted and the City of St. Petersburg Public Utilities officials were not informed.

Other concerns cited by Dr. Parnell were:

- 1) Howco's discharge may have the potential to cause fire or explosion, especially the sewer dedicated to Howco, (Section 28-52 B1).

2) The concern for strength of ethylene glycol, pure ethylene glycol could have a BOD of 750,000 mg/L and could adversely affect the treatment at the plant.

3) Noxious and malodorous gas emanating is a concern to the Health of the Employees at the plant.

Dr. Parnell stated the action that is required to be taken by Howco, in order to stay within compliance with the City ordinance:

1) At no time will Howco discharge exceed 20 gallons per minute or 28,000 gallons per day, and all wastewater except domestic wastewater shall pass through the pretreatment system.

2) Howco's wastewater discharge shall not exceed a COD level of 10,000 mg/L at anytime and the COD concentration shall not vary more than one and five tenths (1.5) times more or less than the average levels at anytime. COD samples representative of discharge shall be taken twice per day and analyzed by a DHRS Certified Environmental Laboratory and analyses must be submitted to the City within 72 hours.

3) For a period of two months, weekly samples representative of typical discharge will be taken by Howco in the presence of a pretreatment representative and the sample will be analyzed for priority pollutants by an approved method by a DHRS approved laboratory.

4) Howco discharge must not contain more than the permitted levels of copper, cadmium, chromium, zinc, lead, nickel, arsenic, oil and grease and phenol.

5) Howco is required to take LEL readings with an explosion hazard meter in manhole #146.0 on 9th Avenue South for a period of one (1) month. Reading shall be taken twice a day and reported to the City by phone daily. A complete signed log of of these records must be retained at Howco and a copy submitted to the City.

6) With reference to City Ordinance 28-52 B(9), Howco is required to immediately address the noxious and malodorous gases that emanate from their discharge.

7) The City requires Howco to respond in writing on or before September 9, 1988 explaining how compliance with all local and federal regulations will be achieved.

8) Howco is required to submit a completed application for the renewal of their wastewater permit on or before November 1, 1988.

9) Howco is required to permanently install a suitable certified water meter in the discharge piping between the treated wastewater storage tank and point of discharge to the sanitary sewer. Howco is required to maintain and keep the meter certified. The meter must be read monthly and the reading submitted to the City for billing purposes.

RESPONSE: Howco Environmental Services, (Tim Hagan, Allan Hajian) Norman Hatch (CH2M Hill).

Tim Hagan stated that CH2M Hill was hired by Howco Environmental Services to oversee the pretreatment system. Norman Hatch, Engineer for CH2M Hill stated that Howco did not have any willful intent to dump. He added that the pretreatment facilities are sound, but needs fine tuning. He indicated the wastewater after treatment will be stored in a 30,000 gallon tank (152) and will be tested before it is discharged. The on-site laboratory has applied for D.H.R.S. certification. He also added the need for better quality control to monitor the discharge.

Howco representatives also indicated that a flow restriction orifice has been installed. It is not adjustable and the flow will be 20 gallons per minute or less. They also indicated, a water meter will be installed. Allan Hajian stated that an Automatic ISCO Sampler (2910) will be permanently installed in the pretreatment system and will continuously take samples. The samples can be split with the City if need be, or the samples will be saved for a period of 30 days. He also added that some modification have been made to the process and if the effluent quality does not meet the discharge limit it will be retreated until the discharge limit is met.

Dr. John Parnell commented about the separation of hydrocarbons to the top of the tank. Girish Menon, (Industrial Pretreatment) indicated the colloidal materials present in the Howco discharge and the high iron and manganese. Allen Hajian stated that an air stripper is being put up. The permit has been received for construction of the air stripper and it will take care of any volatiles. Representatives of Howco indicated that they will get back with the City on the COD limit after they discuss it.

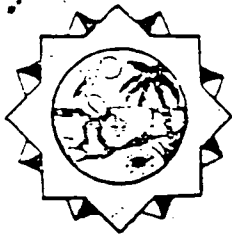
Norman Hatch indicated that operators will be trained and retrained frequently. Better quality assurance procedures will be implemented, chain of custody will be signed off before the tank is discharged. Mr. Hajian stated that each batch will be treated for oil and grease, all metals not removed will be reprocessed to ensure the removal. He added that cyanides are analyzed by generator and if it is above RCRA limit, then Howco would refuse the waste. He also added that the sludges is taken to a class A landfill.

Tim Hagan, President of Howco, stated that Howco is committed to do whatever is necessary to comply with the limits and will do what Norman Hatch recommends. He also added that they are looking to make improvements to the process and he did not know Howco was out of compliance. He stated that they did not intentionally dump on the City. He also invited the City representative to inspect his plant at any time.

Bill Johnson indicated the City needs the sketches of the plant to insure that there is no bypass around the system. Mr. Johnson also stated that he would like to see where the waste is brought in from, to get an idea of what is being treated and discharged. Allan Hajian added that there was no malicious intent in not sending the City copies of electroplating waste. He also said he thought D.E.R. would send it, because he wrote City on it.

END OF MEETING

GM:lh



CITY OF ST. PETERSBURG, FL.
DEPARTMENT OF PUBLIC UTILITIES

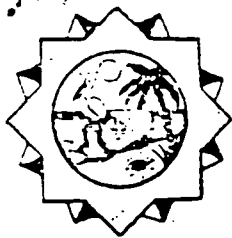
Day and Date: 09/02/88 Time: 9:30
Place: Public utilities (Conference Room A)
Meeting Re: Conciliatory meeting with Tims oil /
HOWCO ENVIRONMENTAL

NAME	AGENCY REPRESENTED	Phone No.
Tim HAGAN	HOWCO	323-0818
Jim Dickson	Cooper Canal HOWCO	895-1971
Allen Hajian	HOWCO	323-0818
Ralph Williamson	HOWCO	323-0818
Noam Hertz	CH2M Hill, Tampa	898-6222
John Pamell	City of St. Pete	893-7739
GIRISH MENON	CITY OF ST. PETE	893-7739
Kevin Rukowitz	City of St. Pete	893-7719
GEORGE Ken WISE	CITY OF ST. PETE	893-7497
Wm O Johnson	893-7261
GREEN GRAYER	CITY OF ST. PETE	893-7261
Fred Crofa	City of St. Pete	893-7791
Janet Grifford	City - Legal	893-7401
David Shulmister	Public Utilities	893-7261
Elizabeth H. H. H.	FIDER-PAUL	1-623-5561

AGENDA

Industrial Pretreatment
CONCILIATION MEETING
Howco Environmental Services Inc.

- 1.) Introduction William Johnson, Director
- 2.) Opening Statement of Intent A. Glenn Greer, Asst. Director
- 3.) Summary of Problems and Interim
Compliance Requirements. John Parnell, Pretreatment Coord.
- 4.) Response Howco Environmental Services
- 5.) Closing Summary A. Glenn Greer.



CITY OF ST. PETERSBURG, FL.
DEPARTMENT OF PUBLIC UTILITIES

Day and Date: 09/02/88 Time: 9:30
Place: Public Utilities (Conference Room A)
Meeting Re: Conciliatory meeting with Tims oil /
HOWCO ENVIRONMENTAL

NAME	AGENCY REPRESENTED	Phone No.
Tim Hagan	HOWCO	323-0818
Jim Dickson	Company Counsel Howco	895-1971
Allen Hajian	HOWCO	323-0818
Ralph L. Harrison	HOWCO	323-0818
Norm Hatch	CH2M Hill, Tampa	898-6772
John Parnell	City of St. Pete	893-7739
GIRISH MENON	CITY OF ST. PETE	893-7739
Kevin Rikowitz	City of St. Pete	893-7719
GEORGE Ken WISE	CITY OF ST. PETE	893-7497
Wm O Johnson		893-7261
GREEN GREER	CITY OF ST. PETE	893-7261
Fred Crafa	City of St. Pete	893-7791
Janet Grifford	City - Legal	893-7401
David Shulmister	Public Utilities	893-7261
Elizabeth Knapp	EDER-Tampa	1-623-5561



CITY OF ST. PETERSBURG

September 1, 1988

COMPLIANCE REQUIREMENTS FOR HOWCO WASTEWATER DISCHARGE PERMIT

Specific requirements to be implemented immediately

a) QUANTITY LIMITATION

At no time and under no circumstances shall Howco's total wastewater discharge into the City of St. Petersburg's sanitary sewer system exceed the maximum rate of 20 gallons per minute.

All process wastewater, except domestic sanitary wastewater originating from potable water supplies, shall pass through the complete pretreatment system prior to discharge to the sewer system.

b) QUALITY LIMITATIONS

1. Howco's wastewater discharge shall not exceed a Chemical Oxygen Demand (C.O.D.) measurement of 10,000 mg/l at any time or under any circumstances. A mean level shall be determined and subsequent C.O.D. levels shall not vary more than one and five tenths (1.5) times more or less than the mean level at any time. C.O.D. samples representative of the typical wastestream will be taken twice per day, in mid morning and mid afternoon by Howco and sent at Howco's expense to a DHRS certified environmental laboratory as outlined in attachment B of the pretreatment permit. Reports of C.O.D. analyses must be submitted to the City within 72 hours from the time each sample was taken.
2. For a period of three months, weekly samples representative of typical discharge will be taken by Howco in the presence of a pretreatment representative from the city. These samples will be split between both parties and Howco will, at their expense, have their sample analysed for EPA Priority Pollutants by the approved methods by an approved DHRS certified environmental laboratory.
3. All discharges must not contain more than the permitted levels of copper, cadmium, chromium, zinc, lead, nickel, arsenic and oil and grease.
4. Phenol levels must not exceed the permit limit of 5.0mg/l.

c) SAFETY CONSIDERATIONS

1. Howco is required to take LEL readings with an explosion hazard meter in city manhole # 146.0 on 9th Avenue South for a period of one month. Readings must be taken early morning and mid afternoon and reported to the City by phone daily. A complete signed log of these records must also be retained at Howco and a copy must be submitted to the City on completion.
2. With reference to City Ordinance 28-52 (b) 9, Howco is required to immediately address the noxious and malodorous gases that emanate from their discharge and create odor problems in the City sewer system.

d) OTHER REQUIREMENTS

1. The City of St. Petersburg requires Howco to respond in writing, on or before Friday September 9, 1988, explaining how compliance with all applicable Local, State and Federal pretreatment regulations and all other regulations as applicable, will be achieved.
2. Howco is required to submit a completed application for the renewal of their wastewater discharge permit on or before November 1, 1988.
3. Howco is required to permanently install a suitable certified water meter in the discharge piping between the treated wastewater storage tank and the point of discharge to the sanitary sewer. Howco is required to maintain and recertify this meter as necessary. This meter must be read monthly and the readings will be submitted to the City together with the monthly report for billing purposes.

SELF MONITORING SITE # 161
HOWCO ENVIRONMENTAL SERVICES

PARAMETERS	LIMIT	FREQUENCY	SAMPLING DATE					
			5/27/87	6/19/87	7/14/87	8/31/87	9/9/87	10/15/87
Flow (gpd)	28,000	12x/yr	14,627	10,226	15,604	21,275	11,551	9691
BOD5 (mg/l)	n/a	12x/yr	11,100	5325	7125	374	1860	951
COD (mg/l)	n/a	12x/yr	25,531	7797	10,774	9260	10,595	1590
TOC (mg/l)	n/a	12x/yr	6061	2434	3337	5540	3150	645
Oil & Grease	100	12x/yr	77	34.0	81.5	77.2	93	69.1
Tot. Halogens		12x/yr	3499	7.12	9.69	1130	611	402
phenol (mg/l)	5.0	12x/yr	14.1	8.84	9.15	7.2	6.45	12.9
pH (S.U.)	>5.5,<10	12x/yr	10.2	11.5	11.5	10.0	10.5	9.9
Arsenic (mg/l)	2.1	12x/yr	0.047	<0.02	<0.02	0.017	0.011	0.082
Cadmium (mg/l)	1.2	12x/yr	<0.01	<0.01	<0.005	<0.005	<0.005	<0.005
Chromium (mg/l)	7.0	12x/yr	0.02	<0.01	<0.01	<0.02	<0.02	<0.02
Copper (mg/l)	4.5	12x/yr	0.34	0.04	0.04	0.05	0.032	0.15
Lead (mg/l)	0.7	12x/yr	0.04	0.04	<0.02	0.03	0.03	<0.02
Nickel (mg/l)	4.1	12x/yr	0.26	0.06	0.07	0.57	0.16	0.067

SELF MONITORING SITE # 161
HOWCO ENVIRONMENTAL SERVICES

PARAMETERS	LIMIT	FREQUENCY	SAMPLING DATE					
			11/12/87	12/15/87	1/18/88	2/15/88	3/14/88	4/5/88
Flow (gpd)	28,000	12x/yr	11,942	10,930	8,882	13,077	15,100	14,402
BOD5 (mg/l)	n/a	12x/yr	1800	8700	4800	3540	5160	2580
COD (mg/l)	n/a	12x/yr	7056	19907	8654	10800	13800	5500
TOC (mg/l)	n/a	12x/yr	1710	5490	2610	2570	4010	1980
Oil & Grease	100	12x/yr	107	77	79	63	27	115
Tot. Halogens		12x/yr	1409	-	0.125	<0.01	1.29	0.67
phenol (mg/l)	5.0	12x/yr	9.55	7.34	6.67	4.0	2.03	4.33
pH (S.U.)	>5.5,<10	12x/yr	10.55	9.73	8.18	9.0	9.16	5.38
Arsenic (mg/l)	2.1	12x/yr	0.019	<0.005	<0.005	<0.005	<0.005	<0.005
Cadmium (mg/l)	1.2	12x/yr	<0.005	0.005	0.008	<0.005	<0.005	<0.005
Chromium (mg/l)	7.0	12x/yr	0.06	0.01	<0.01	<0.01	0.01	<0.01
Copper (mg/l)	4.5	12x/yr	0.59	0.08	0.48	0.22	0.01	0.27
Lead (mg/l)	0.7	12x/yr	<0.02	0.04	0.08	0.03	<0.02	<0.02
Nickel (mg/l)	4.1	12x/yr	0.05	0.11	0.12	0.07	0.08	0.04



CITY OF ST. PETERSBURG

September 10, 1987

Mr. Timothy Hagan
President
Howco Environmental Services, Inc.
4320 8th Avenue South
St. Petersburg, Florida 33711

RE: SPFL-5093-86-32, Expansion of Permissable
Discharge Volume.

Dear Tim:

This letter serves as a formal authorization for an increase in Howco's treated wastewater to the sanitary sewer. As has been previously verbally authorized, Howco may discharge up to twenty gallons per minute (28,000 gallons per day).

Also as was previously discussed, at this volume, Howco will need to start addressing additional treatment methods to reduce the levels of COD, BOD₅, TOC, total halogens and priority pollutants along with phenol.

Howco's permit is due to be renewed in December, 1987. With this letter, I am extending Howco's permit until April, 1988. Hopefully, this will give Howco a chance to forecast its future growth, volume discharge and treatment scheme.

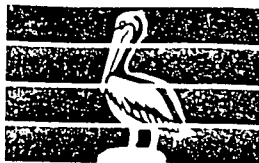
Should you have any questions, feel free to call.

Sincerely,

Nancy Neely
Industrial Pretreatment Coordinator
Water Quality Assessment Division

NN:lh

UNREGISTERED MAIL
RETURN RECEIPT REQUESTED



CITY OF ST. PETERSBURG

March 17, 1988

Mr. Tim Hagan
President
HOWCO
843 43rd Street South
St. Petersburg, FL 33711

RE: SPFL-5093-86-32 - Permit Extension

Dear Mr. Hagan:

This letter serves as a formal extension of your wastewater discharge permit from April, 1988 through December 31, 1988.

Pursuant to our discussion during my site visit to your premises on March 17, 1988, the City of St. Petersburg is in the process of changing its ordinances regarding the pretreatment requirements for Industrial Users. The total organics (TTO) will be specified in the new regulations at a not to exceed level which will be in the 4 mg/L range (the exact level is not yet finally decided and awaits EPA scrutiny). This regulation will affect your operation, as at present, your effluent wastewater has more than 10 mg/L of TTO. The particular substances with high concentration include, naphthalene, isophorone, methylene chloride, benzene, ethylbenzene, m, o and p-xylene, toluene and phenol.

Mr. Hajian mentioned that he has been investigating various ways of reducing these levels and you will need to install a pretreatment process to meet the new requirements.

As soon as the new City regulations are finalized, I will issue a new permit to you. This document will include a compliance date for the new TTO limits and will have other revised limits for metals, etc. I do not foresee your having any problems with metals limits, provided your operation does not change significantly.

Thank you for the tour and if you have any further questions, please do not hesitate to call me at 893-7739.

Sincerely,

John R. Parnell, Ph.D.
Industrial Pretreatment Coordinator
Water Quality Assessment Division

JRP:lh

PRETREATMENT WASTEWATER DISCHARGE PERMIT

PERMIT NO.: SPFL-5093-86-32


In accordance with all terms and conditions of St. Petersburg's City Code, Chapter 28, Article III, Sewer and Disposal, Division 2, Section 28.51-58; permission is hereby granted to

Howco Environmental Services, Inc. Located at:
4320 - 8th Avenue South

for the contribution of 10,000 gallons of waste-
water per day into the City of St. Petersburg's sewer
lines at the above premises, subject to the conditions
and requirements outlined in Attachment A (General) and
Attachment B (Specific) attached hereto and incorporated
by reference herein as part of this permit.

Effective this 21 day of April, 1986

To expire 31 day of December, 1987


Assistant Director
Public Utilities


to
extend to 12/31/88

PERMITTEE: Howco Environmental Services, Inc. Permit No.: SPFL-5093-86-32
4320 - 8th Avenue South
St. Petersburg, FL 33711

Attachment A: General Conditions

1. The terms, conditions, requirements, limitations, and restrictions set forth herein are "Permit Conditions" and as such are binding upon the permittee and enforceable pursuant to the authority of Sections 28.51-58 of the St. Petersburg City Code.

The permittee is hereby placed on notice that the City of St. Petersburg will review this permit periodically and may initiate the enforcement action for any violation of the "Permit Conditions" by the permittee, its agents, employees, servants or representatives.

- 
2. This permit is valid only for the specific processes and operations applied for and indicated in the Application. Any unauthorized modification/ deviation from the approved discharge application may constitute grounds for revocation and enforcement action by the City of St. Petersburg. This permit does not constitute a waiver of or approval of any other City permits that may be required for other aspects of the total project which are not addressed in the permit.
 3. This permit does not relieve the permittee from liability for harm or injury to human health or welfare, animal, plant or aquatic life or property and penalties therefore caused by the construction or operation of this permitted source, nor does it allow the permittee to cause pollution in contravention of Federal Law, Florida Statutes or regulations promulgated pursuant to Florida Statutes, and St. Petersburg City Codes.
 4. The permittee shall, at all times, properly operate and maintain the facility and systems of treatment and control (and related appurtenances) that are installed or used by the permittee to achieve compliance with the conditions of this permit. This provision includes the operation of backup or auxiliary facilities or similar systems when necessary to achieve compliance with the conditions of the permit.
 5. The permittee, by accepting this permit, specifically agrees to allow authorized City personnel access to the premises, at reasonable times, where the permitted activity is located or conducted for the purposes of:
 - a. Having access to and copying any records that must be kept under the conditions of the permit.
 - b. Inspecting the facility, equipment, practices, or operations regulated or required under this permit.
 - c. Sampling or monitoring any substances or parameters at any location reasonably necessary to assure compliance with this permit.

Attachment A: General Conditions (Continued)

6. If for any reason the permittee does not comply with or will be unable to comply with any condition or limitation specified in this permit, the permittee shall immediately notify and provide the City of St. Petersburg with the following information:

- a. A description of and cause of non-compliance.
- b. The period of non-compliance, including exact dates and times, or if not corrected, the anticipated time the non-compliance is expected to continue, and steps being taken to reduce, eliminate, and prevent recurrence of non-compliance.

The permittee shall be responsible for any and all damages which may result, and may be subject to enforcement action by the City for penalties or revocation of this permit.

7. In accepting this permit, the permittee understands and agrees that all records, notes, monitoring data and other information relating to the operation of this permitted source, which are submitted to the City, may be used by the City as evidence in any enforcement action pursuant to Sections 28.51-58 St. Petersburg Code, unless such use is otherwise prescribed by law.
8. The permittee agrees to comply with changes in the City of St. Petersburg Ordinance Code, Florida Statutes, and/or Federal Laws after a reasonable time for compliance.
9. The permittee shall comply with the following monitoring and record keeping requirements:
 - a. The permittee shall retain at the facility or other location designated by this permit, records of all monitoring information (including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation), copies of all reports required by this permit, and records of all data used to complete the application for this permit. All records of monitoring activity and results shall be retained for at least three years from the date of the sample, measurement, report, or application. Retention period for all records shall be extended automatically during the course of any unresolved enforcement action.
 - b. Records of monitoring information shall include:
 - The date, exact place, and time of sampling or measurements;
 - The person responsible for performing the sampling or measurement;

Attachement A: General Conditions (Continued)

- The date(s) analyses were performed;
 - The person responsible for performing the analyses;
 - The analytical techniques or methods used; and
 - The results of such analyses
10. The permittee shall install, maintain, and provide safe accessible inspection and sampling facilities together with such necessary meters and appurtenances in the user's sewer to facilitate observation, sampling and measurement of waste.
11. If the permittee becomes aware that relevant facts were not submitted or were incorrect in the permit application or any report to the City, such facts or information shall be submitted or corrected promptly.

PERMITTEE: Howco Environmental Services, Inc. PERMIT NO.: SPFL-5093-86-32
4320 - 8th Avenue South
St. Petersburg, Florida 33711

ATTACHMENT B - SPECIFIC CONDITIONS

1. Analysis for monitoring requirements shall be performed by a laboratory approved by the Department of Health and Rehabilitative Services to conduct analysis pursuant to Section 403.863 F.S., the State Water Supply Laboratory Certification Program or by a lab approved by the Florida Department of Environmental Regulations or approved or certified by a comparable regulatory agency.
2. Sample monitoring and analytical results are to be based upon a batch representative sample taken on the treated wastewater discharged to the sanitary sewer.

Analytical results are to be summarized and submitted within 45 days of sampling. All monitoring data can be assembled and reported on the attached Non-Residential Self-Monitoring Summary Report form.
3. A copy of all analytical results required by Florida Regulatory Agents on received waste oil which is to be reclaimed or/and treated shall be submitted with the monthly self-monitory report.
4. A daily log, such as the attached, shall be kept on site and a copy of the information shall be submitted on a monthly basis to Glenn Greer, Assistant Director, Public Utilities, City of St. Petersburg, Post Office Box 2842, St. Petersburg, Florida 33731 and a copy is also to be included with the self-monitoring report sent to Nancy Neely at same address. The daily log, at a minimum, shall contain information on number and volume of batches of wastewater discharged to the sanitary sewer.
5. Discharged treated wastewater flow shall be restricted to 10 gal./minute.
6. If an adverse toxic impact is observed at the receiving sewage treatment plant, site discharge operation shall be halted immediately and the discharge acceptance re-evaluated.
7. The discharged wastewater is to be monitored for the following parameters.

<u>Parameter*</u>	<u>Concentration in mg/l</u> <u>Daily Maximum</u>	<u>Monitoring/</u> <u>Reporting</u> <u>Frequency</u>
pH		
Biochemical Oxygen Demand, 5 day (BOD ₅)	≥ 5.5; ≤10.0	1x/mo.
Chemical Oxygen Demand (COD)		"
Total Organic Carbon (TOC)		"
Total Halogens		"
Copper, Total (Cu)		"
Cadmium, Total (Cd)	4.5 -	"
Chromium, Total (Cr)	1.2	"
	7.0	"

PERMITTEE: Howco Environmental Services, Inc.
PERMIT NO.: SPFL-5093-86-32
ATTACHMENT B - SPECIFIC CONDITIONS (continued)
Page 2

<u>Parameter*</u>	<u>Concentration in mg/l</u> <u>Daily Maximum</u>	<u>Monitoring/</u> <u>Reporting</u> <u>Frequency</u>
Zinc, Total (Zn)	4.2	1x/mo.
Lead, Total (Pb)	0.7	"
Nickel, Total (Ni)	4.1	"
Arsenic, Total (As)	2.1	"
Oil and Grease	100	"
Phenol	5.0	"
Priority Pollutant Scan**		1x/2 yrs.
Ethylene Dibromide (EDB)		1x/year
Volatiles and Base/Neutrals		4x/year

8. If any conditions of the permit are violated, a written report shall be submitted within (5) days upon discovery of said violation(s) outlining the violation(s), date of violation(s), proposed action that will correct the violation and compliance time schedule.
- * If analysis on the received oil to be treated indicates concentrations lower than the above, not to exceed limits on the treated wastewater, then Howco will not be required to conduct analysis for those particular parameters on the wastewater.
- ** Scan is to be conducted on a representative grab sample after batch treatment. Submittal of scan is due November, 1987.

CITY OF ST. PETERSBURG
INDUSTRIAL USER SELF-MONITORING
SUMMARY REPORT ANALYTICAL RESULTS

Permit number : SPFL-5093-86-32
Report date : _____
Facility name : Howco Environmental Services, Inc.
Facility premise : 4320 - 8th Avenue South
St. Petersburg, Florida 33711
Company contact : _____
Telephone number : _____

Sampling

Collected by : _____
Collection date & time : _____ thru _____
Sample point location : _____
Type of sample: _____ Grab; _____ Time composite _____ hours;
_____ Flow proportional composite _____ hours

Laboratory performing analysis : _____

FDHRS laboratory certification I.D. No. : _____

The parameters marked with an X must be monitored, and results reported.

Wastewater discharged from the wastewater treatment operation is to be sampled on a monthly basis. Reporting of the first analysis shall be due two months after actual operation startup. The Analytical results on a check for the presence of ethylene dibromide and volatiles will be due six months after operation startup. The next priority pollutant scan will be due November 1987.

REPORT TO BE SENT TO: Nancy Neely
Industrial Pretreatment Coordinator
Environmental Affairs Section
City of St. Petersburg
P. O. Box 2842
St. Petersburg, FL 33731

City of St. Petersburg
Industrial User Self-Monitoring
Summary Report Analytical Results
Page II

Analysis

	Parameter	Unit	Result	Limit	Method
	Flow - Average	GPD			
	Flow - Peak	GPD			
X	Flow - Total (Daily)	GPD		10,000	
X	pH - Composite (average)	Std.		>5.5;<10.0	
	pH - Range	Std.			
X	BOD ₅	mg/l			
X	COD	mg/l			
X	TOC	mg/l			
	Total Toxic Organics	mg/l			
	Total Solids	mg/l			
	Total Volatile Solids	mg/l			
	Turbidity	FTU			
	Temperature - range	°F			
X	Oil & Grease (Petroleum &/or Mineral)	mg/l		100	
	Aluminum (Al) - Total	mg/l			
	Antimony (Sb) - Total	"			
X	Arsenic (As) - Total	"		2.1	
	Barium (Ba) - Total	"			
	Boron (B) - Total	"			

City of St. Petersburg
Industrial User Self-Monitoring
Summary Report Analytical Results
Page III

Analysis (Cont.)

	Parameter	Unit	Result	Limit	Method
X	Cadmium (Cd) - Total	mg/l		1.2	
X	Chromium (Cr) - Total	"		7.0	
	Chromium (Cr+++)-Hexavalent	"			
	Cobalt (Co) - Total	"			
X	Copper (Cu) - Total	"		4.5	
	Cyanide (Cn) - Total	"			
	Fluoride (F) - Total	"			
	Gold (Au) - Total	"			
	Iron (Fe) - Total	"			
X	Lead (Pb) - Total	"		0.7	
	Manganese (Mn) - Total	"			
	Mercury (Hg) - Total	"			
X	Nickel (Ni) - Total	"		4.1	
X	Phenols	"		5.0	
	Selenium (Se) - Total	"			
	Silver (Ag) - Total	"			
	Titanium (Ti) - Total	"			
	Tin (Sn) - Total	"			
	Zinc (Zn) - Total	"			
	Total Kjeldahl Nitrogen(TKN)	"			
	Ammonia Nitrogen (NH ₃ -N)	"			
X	Total Halogens				
X	Volatiles & Base/Neutrals 4 x 1/yr				
X	Ethylene Dibromide (1x/yr.				
X	Priority Pollutant Scan (1x/2yr)				

City of St. Petersburg
Industrial User Self-Monitoring
Summary Report: Analytical Results
Page IV

I have personally examined the information presented in this monitoring report and based upon my inquiry of those individuals responsible for sample gathering and analytical testing/reporting, I believe that the information submitted is true, accurate, and representative of the industrial wastewater discharged from my facility to the sewer system.

Signature of Official

Date

Howco Environmental Services, Inc.
4320 - 8th Avenue South
St. Petersburg, FL 33711

PERMIT NO.: SPFL-5093-86-32

DAILY LOG OF SYSTEM CHECK

[illegible]

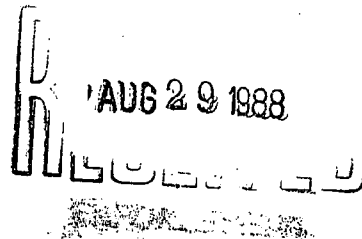
CERTIFIED MAIL
RETURN RECEIPT REQUESTED



CITY OF ST. PETERSBURG

August 24, 1988

Mr. Tim Hagan
President
HOWCO
843 43rd Street South
St. Petersburg, Florida 33711



RE: Notice of Violation of Wastewater Discharge
Permit #SPFL-5093-86-32.

Dear Mr. Hagan:

It is the responsibility of each permitted St. Petersburg business to monitor and take necessary action to insure that wastewater from their operation does not adversely impact the receiving sewage treatment plant.

This letter is to formally inform you that Howco has been found to be in serious violation of its wastewater discharge permit in the following manner.

The self monitoring report for May 1988 indicated 188 mg/l oil and grease and 6.0 mg/l phenol in your discharge. The limits for these parameters are 100 mg/l and 5.0 mg/l respectively.

Following these violations, the City of St. Petersburg began unscheduled monitoring of Howco's wastewater discharges beginning at 8:30 am on July 20, 1988. Under Section 28-54 (g) of St. Petersburg's City Code, you are directly responsible for all costs of unscheduled monitoring and you will be billed at the end of this investigation.

The following results were obtained:

A) METAL CONCENTRATIONS

At 8:50 am on July 20, 1988, the flow of the wastewater stream from Howco appeared to be less than permit limitations. At 9:00 am, an increase in flow of a blue colored effluent occurred. An Isco automatic sampler installed in the sewer took samples every 4 minutes and composited 4 successive samples in individual bottles throughout the rest of this day. The following analyses were carried out on these samples by the Water Quality Assessment Laboratory of the City of St. Petersburg.

AUG 26 1988

SOUTH WEST DISTRICT
TAMPA

Mr. Tim Hagan
President
August 24, 1988
Page 2

TIME	9.02	10.00	11.10	12.14	13.18	14.22	15.26
Cadmium	0.05*	0.008	0.008	0.01	0.008	0.005	0.005
Chromium	1.10	0.08	0.08	0.08	0.08	0.08	0.08
<u>Copper</u>	<u>7300</u>	<u>290</u>	<u>12.3</u>	<u>9.0</u>	<u>16.3</u>	<u>48.0</u>	<u>729</u>
<u>Lead</u>	<u>8.7</u>	0.3	0.2	0.2	0.08	0.08	0.3
Nickel	0.91	0.51	0.53	0.58	0.53	0.39	0.24
<u>Zinc</u>	<u>15.0</u>	1.24	0.59	1.17	0.21	0.50	4.07

*Concentrations of all samples are in mg/l.

A copy of your wastewater discharge permit is enclosed. This permit defines daily maximum limits for copper (4.5 mg/l), lead (0.7 mg/l) and zinc (4.2 mg/l). The above results indicate excessive copper violations throughout the day and lead and zinc violations in the 9:02 am sample.

On July 21, 1988, a composite sample for the whole working day indicated a copper violation of 5.7 mg/l.

On August 10, 1988, a composite sample for the working day indicated copper levels of 20.6 mg/l and zinc levels of 54.6 mg/l.

A composite sample taken from 4:05 pm on August 11, 1988 until 9:53 am on August 12, 1988, contained 20.5 mg/l copper and 7.5 mg/l zinc.

A serious increase in copper levels has recently occurred in the sludge at the Southwest Wastewater Treatment Plant which receives your wastestream. This increase has resulted in a grade II sludge rating at this plant which has caused restrictions in sludge disposal.

B) OIL AND GREASE

On July 21 and 22, 1988, composite samples were analyzed for oil and grease content and results were within permit limits.

On July 26, 1988, at 9:40 am, a grab sample of Howco wastewater was analyzed for oil and grease and found to be within permit limits (34 mg/l). A considerable increase in flow of an extremely oily discharge occurred at 12:25 pm on July 26, 1988. An analysis of a grab sample of this wastewater discharge indicated an oil and grease level of 737 mg/l. When the sampling crew left the area at 13:00 pm, this flow was continuing. Permit limits for oil and grease are 100 mg/l.

Oil and grease levels in a composite sample taken between 3:35 pm on August 10, 1988, and 9:15 am on the following day were 564 mg/l.

Discharges from 9:22 am until 3:55 pm on August 11, 1988 indicated oil and grease levels of 460 mg/l.

Mr. Tim Hagan
President
August 24, 1988
Page 3

C) FLOW RATES

A flow meter connected to an 8 inch Palmer Bowlus flume was installed in your sewer line at 4:30 pm on August 12, 1988. Your discharge flow rates for the period from 8:00 am on Monday, August 15th to Friday, August 19th were read from continuous charts. Copies of parts of these charts are enclosed. These charts indicated that you were discharging batches of wastewater to the sanitary sewer at flow rates in excess of 100 gallons per minute for periods of up to 2 hours at a time, throughout this period. Your permit limit is 20 gallons per minute and your daily maximum discharge is 28,000 gallons.

Discharges of this magnitude containing excessive concentrations of metals and high oil and grease content upset the biological treatment process at the receiving wastewater treatment plant and can cause the facility to violate its NPDES operating permit. The quality of the reclaimed water is also affected, preventing it from being discharged into the distribution irrigation system.

D) UNAUTHORIZED DEVIATION FROM APPROVED DISCHARGE

The excessively high concentrations of copper and high lead and zinc levels in your wastewater over extended periods of time leads us to believe that these wastes originated from processes other than oil recycling for which you are permitted. The observed rapid fluctuations in your discharge flow rate and sudden increases in oil and grease levels suggest that not all of your wastewater is being uniformly treated prior to discharge to the sewers.

Copies of correspondence between Mr. Haijen and Mr. Gonzales of DER from March to July, 1988, indicate that you have been processing electroplating wastes for several months in addition to used oil recycling. You have not informed the City of this change in your operation, and thus, violated section A (2) of your permit. This constitutes grounds for revocation and other enforcement action by the City of St. Petersburg.

In view of the above serious violations, a conciliation meeting in accordance with St. Petersburg's City Code, Chapter 28.55 (c) between yourself and City officials has been scheduled for 9:30 am on September 2, 1988 at 1635 3rd Avenue North, St. Petersburg. At this meeting you will be asked to discuss and submit, in writing, responses to these violations. You should treat each violation as a separate offense and each and every day of violation as an offense.

You are advised to contact me as soon as possible if this date is not convenient.

Mr. Tim Hagan
President
August 24, 1988
Page 4

Failure to appear at this meeting will result in the institution of such actions as the Director of Public Utilities deems advisable to ensure compliance with permit requirements. These requirements are included in, but not limited to, Sections 28.55 (d thru i) of the St. Petersburg City Code (copy enclosed).

Sincerely,



John R. Parnell, Ph.D.
Industrial Pretreatment Coordinator
Water Quality Assessment Division

JRP:lh
Enclosures

xc: Albert B. Herndon, Chief, Pretreatment/O&M Unit, EPA/Atlanta
Armando Gonzalez, Hazardous Waste Program, DER/Tampa
Michael X. Redig, Hazardous Waste Section, DER/Tallahassee
C. William Hargett, Deputy City Manager, Public Works
William D. Johnson, Director, Department of Public Utilities
A. Glenn Greer, Asst. Director, Department of Public Utilities
Alfredo J. Crafa, Manager, Water Quality Assessment Division
Janet L. Gifford, Attorney, Legal Section, City of St. Petersburg

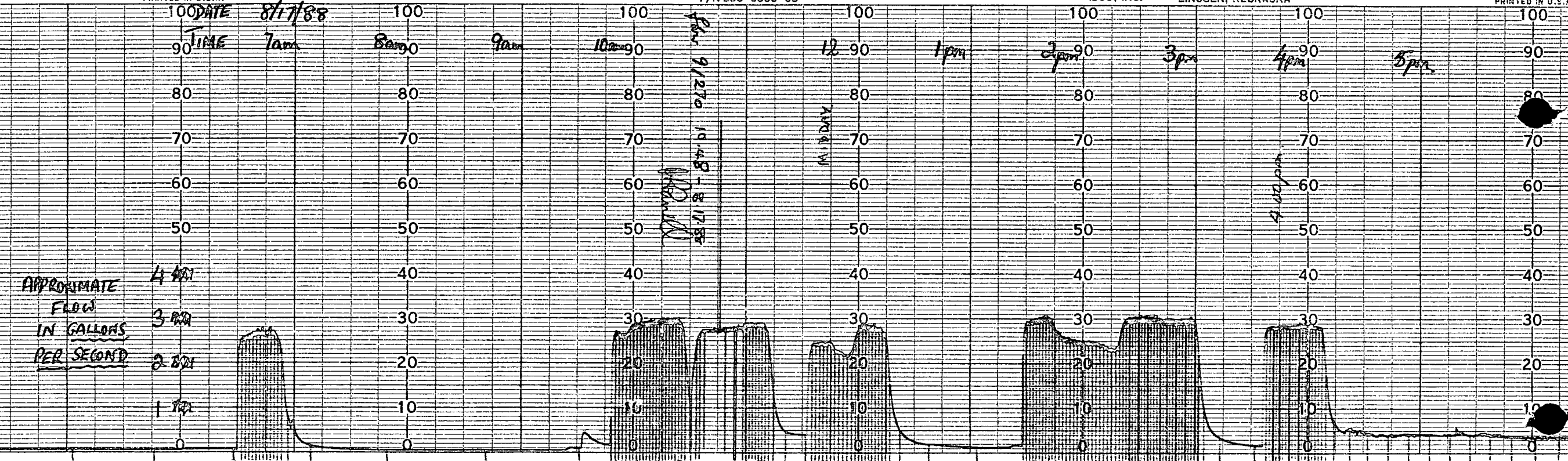
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P/N 250-C800-03

ISCO, INC.

LINCOLN, NEBRASKA

PRINTED IN U.S.A.



-odor records

SOUTHWEST TREATMENT PLANT #4
UNKNOWN SUBSTANCE ENTERING PLANT

3-28-88

DATE	TIME	DATE	TIME
1-8-87		8-13-87	9:00 PM
2-4-87		8-18-87	11:00 AM
2-10-87	2:00 PM	8-22-87	4:00 PM
2-11-87	12:00 PM	8-28-87	11:00 PM
2-12-87	7:45 PM	8-31-87	8:00 PM
2-13-87	1:00 PM	9-3-87	3:00 AM
2-13-87	6:00 PM	9-21-87	1:00 PM
2-17-87	6:00 PM	9-22-87	10:00 AM
2-19-87	4:30 PM	9-28-87	4:00 PM
2-20-87	2:00 PM	9-29-87	1:00 PM
2-23-87	1:30 PM	9-30-87	6:00 PM
2-24-87	1:00 PM	10-5-87	6:30 PM
2-25-87	5:00 PM	10-6-87	2:00 PM
3-2-87	1:00 PM	10-7-87	2:00 PM
3-3-87	12:00 PM	10-12-87	3:30 PM
3-4-87	1:00 PM	10-13-87	12:30 PM
3-4-87	6:00 PM	10-22-87	7:20 PM
3-6-87	12:00 PM	10-29-87	7:00 PM
3-12-87	1:00 PM	10-30-87	5:30 PM
3-26-87		10-31-87	4:00 PM
3-28-87	2:00 PM	11-1-87	12:00 AM
4-21-87	6:00 PM	11-2-87	11:00 AM
4-23-87	2:00 PM	11-7-87	6:15 PM
4-30-87	3:00 PM	12-4-87	1:30 PM
5-14-87	4:30 PM	12-8-87	1:30 PM
5-20-87	2:30 PM	12-9-87	12:30 PM
5-23-87	1:45 PM	12-15-87	11:45 AM
5-29-87	4:00 PM	12-16-87	9:00 PM
6-1-87	4:30 PM	1-4-88	12:00 PM
6-4-87	7:30 PM	1-5-88	12:00 PM
6-8-87	4:45 PM	1-6-88	4:45 PM
6-9-87	6:30 PM	2-5-88	1:00 AM
6-9-87	2:30 PM	2-6-88	7:00 PM
6-10-87	2:00 PM	2-7-88	7:30 PM
6-11-87	4:30 PM	2-8-88	11:30 AM
6-12-87	4:30 PM	2-12-88	11:00 AM
6-14-87	5:00 PM	2-16-88	6:00 PM
6-15-87	2:30 PM	2-19-88	4:00 PM
6-15-87	3:00 PM	2-23-88	1:00 PM
6-17-87	2:00 PM	2-24-88	11:15 AM
6-18-87	6:30 PM	2-28-88	7:45 PM
6-19-87	1:00 PM	2-29-88	12:00 PM
6-23-87	4:30 PM	3-3-88	1:00 PM
7-4-87	2:00 PM	3-4-88	12:00 PM
7-14-87	3:50 PM	3-8-88	1:30 PM
7-15-87	1:30 PM	3-16-88	1:30 PM
7-30-87	7:30 PM	3-21-88	5:30 PM
8-10-87	1:30 PM	3-27-88	1:30 PM
		3-28-88	11:15 AM

DIVISION 2. WASTEWATER COLLECTION AND TREATMENT*

Sec. 28-51. Definitions.

(a) For purposes of this division the following phrases and words shall have the meaning assigned below, except in those instances where the content clearly indicates a different meaning:

- (1) *Act or the Act*: The Federal Water Pollution Control Act, also known as the Clean Water Act, as amended, 33 U.S.C. 1251, et seq.
- (2) *Approval authority*: The regional administrator, U.S. Environmental Protection Agency, Atlanta, Georgia.
- (3) *Authorized representative of industrial users*: An authorized representative of an industrial user may be
 - (1) a principal executive officer of at least the level of vice-president, if the industrial user is a corporation;
 - (2) a general partner or proprietor if the industrial user is a partnership or proprietorship, respectively;
 - (3) a duly authorized representative of the individual designated above if such representative is responsible for the overall operation of the facility from which the indirect discharge originates.
- (4) *Categorical standards*: National pretreatment standards or any regulation containing pollutant discharge limits promulgated by the EPA in accordance with Section 307(b) and (c) of the Act.
- (5) *City*: The legal governing body of the City of St. Petersburg, Florida or its duly authorized representative.
- (6) *Compatible pollutant*: Biochemical oxygen demand, suspended solids, pH, fecal coliform bacteria and any additional pollutants identified in the POTW's NPDES

*Editor's note—Ord. No. 480-F, §§ 1—8, adopted Dec. 5, 1980, not specifically amendatory of the Code, has been included as §§ 28-51—28-58, Div. 2 of Art. III of Ch. 28, at the discretion of the editor.

Cross reference—Code enforcement board, § 2-90 et seq.

permit, for which the POTW is designed to treat such pollutants and in fact does remove such pollutants to a substantial degree.

- (7) *Control authority.* The term "control authority" shall refer to the "approval authority" defined hereinabove; or the director when the city receives approval of its pretreatment program.
- (8) *Direct discharge.* The discharge of treated or untreated wastewater directly to the waters of the State of Florida.
- (9) *Environmental Protection Agency or EPA.* The Environmental Protection Agency, or agency of the United States, or where appropriate the term may also be used as a designation for the administrator or other duly authorized official of said agency.
- (10) *Grab sample.* A sample which is taken from a waste stream on a one-time basis with no regard to the flow in the waste stream and without consideration of time.
- (11) *Incompatible pollutant.* All pollutants other than compatible pollutants as defined in subparagraph (6) of this section.
- (12) *Indirect discharge.* The discharge or the introduction of nondomestic pollutants from any source regulated under Section 307(b) or (c) of the Act, into the POTW (including holding tank waste discharged into the system) for treatment before direct discharge to the waters of the state.
- (13) *Industrial user.* A source of indirect discharge which does not constitute a "discharge of pollutants" under regulations issued pursuant to Section 402 of the Act.
- (14) *Interference.* Inhibition or disruption of the sewer system, treatment processes or operations or which

contributes to a violation of any requirement of the city's NPDES permit. The term includes prevention of sewage sludge use or disposal by the POTW in accordance with Section 405 of the Act, or any criteria, guidelines or regulations developed pursuant to the Solid Waste Disposal Act (SWDA), the Clean Air Act, the Toxic Substances Control Act, or more stringent state criteria (including those contained in any state sludge management plan) prepared pursuant to Title IV of SWDA applicable to the method of disposal or use employed by the POTW.

- (15) *Mass emission rate*: The weight of material discharged to the POTW during a given time interval. Unless otherwise specified, the mass emission rate shall mean pounds per day of the particular constituent or combination of constituents.
- (16) *Maximum concentration*: The maximum amount of a specified pollutant in a volume of water or wastewater.
- (17) *New source*: Any source, the construction of which is commenced after the publication of proposed regulations prescribing a Section 307(c) of the Act categorical pretreatment standard which will be applicable to such source, if such standard is thereafter promulgated within one hundred twenty (120) days of proposal in the Federal Register. Where the standard is promulgated later than one hundred twenty (120) days after proposal, a new source means any source, the construction of which is commenced after the date of promulgation of the standard.
- (18) *National Pollution Discharge Elimination System or NPDES permit*: A permit issued to a POTW pursuant to Section 402 of the Act.
- (19) *Person*: Any individual, partnership, copartnership, firm, company, corporation, association, joint stock company, trust estate, governmental entity or any other legal entity, or their legal representatives, agents or assigns. The masculine gender shall include the

feminine, the singular shall include the plural where indicated by the context.

- (20) *Premises*: A parcel of real estate or portion thereof including any improvements thereon which is determined by the director to be a single user for purposes of receiving, using and paying for services.
- (21) Reserved.
- (22) *Pretreatment*: The reduction of the amount of pollutants, the elimination of pollutants, or the alteration of the nature of pollutant properties in wastewater to a less harmful state prior to or in lieu of discharging or otherwise introducing such pollutants into a POTW. The reduction or alteration can be obtained by physical, chemical or biological processes, process changes or by other means, except as prohibited by 40 C.F.R., Section 403.6(d).
- (23) *Pretreatment requirements*: Any substantive or procedural requirement related to pretreatment, other than a national pretreatment standard imposed on an industrial user.
- (24) *Publicly owned treatment works or POTW*: A treatment works as defined by Section 212 of the Act, which is owned in this instance by the city. This definition includes any sewers that convey wastewater to such a treatment works, but does not include pipes, sewers or other conveyances not connected to a facility providing treatment. The term also means the City of St. Petersburg, a municipality, as defined in Section 502(4) of the Act, which has jurisdiction over the indirect discharges to and the discharges from such treatment works.
- (25) *Significant industrial user*: Industrial user included in a categorical standard or having an average discharge of twenty-five thousand (25,000) gallons per production day to the POTW, or having an average consumption of potable water of twenty-five thousand (25,000) gallons per production day or discharging

potentially incompatible pollutants which may cause interferences with the POTW or may cause the city to violate NPDES permit limitations or may cause the city to violate residual solids disposal permits.

- (26) *Standard industrial classification*: A classification pursuant to the Standard Industrial Classification Manual issued by the Executive Office of the President, Office of Management and Budget.
- (27) *Director*: The person designated by the city to head the public utilities division and who is charged with certain duties and responsibilities by this article, or his duly authorized representative.
- (28) *Toxic pollutant*: Any pollutant or combination of pollutants listed as toxic in regulations promulgated by the administrator of the Environmental Protection Agency under the provisions of Section 307(a), (b) and (c) and Section 402(b)(8) of the Act.
- (29) *Treatment works*: Any devices and systems used in the storage, treatment, recycling and reclamation of domestic sewage or industrial wastes of a liquid nature including interceptor sewers, outfall sewers, sewage collection systems, pumping, power and other equipment and appurtenances; extensions, improvements, remodeling, additions and alternations thereof; elements essential to provide a reliable recycled supply such as standby treatment units and clear well facilities; and any works, including land that will be an integral part of the treatment process or is used for ultimate disposal of residues resulting from such treatment; and including sanitary sewer systems.
- (30) *Twenty-four-hour, flow proportional composite sample*: A sample consisting of several effluent portions collected during a twenty-four-hour period in which the portions of a sample are proportionate to the flow and combined to form a representative sample.
- (31) *Waste*: Includes sewage and any and all other waste substances, liquid, solid, gaseous or radioactive,

associated with human habitation, or of human or animal origin, or from any producing, manufacturing or processing operation or whatever nature, including such waste placed within containers of whatever nature prior to, and for purposes of, disposal.

(32) *Wastewater*: Waste and water, whether treated or untreated discharged into or permitted to enter POTW.

(33) *Wastewater constituents and characteristics*: The individual chemical, physical bacteriological and radiological parameters, including volume and flow rate and such other parameters that serve to define, classify or measure the contents, quality, quantity and strength of wastewater.

(34) *Waters of the State of Florida*: Any water, surface or underground, within the boundaries of the state.

(b) The following abbreviations shall have the following meanings:

- (1) *BOD*: Biochemical oxygen demand.
- (2) *C.F.R.*: Code of Federal Regulations.
- (3) *COD*: Chemical oxygen demand.
- (4) *EPA*: Environmental Protection Agency.
- (5) *l*: Liter.
- (6) *mg*: Milligrams.
- (7) *mg/l*: Milligrams per liter.
- (8) *NPDES*: National Pollutant Discharge Elimination System.
- (9) *pH*: Logarithm of the reciprocal of the hydrogen ion activity in moles per liter.
- (10) *POTW*: Publicly owned treatment works.
- (11) *SIC*: Standard Industrial Classification.
- (12) *SWDA*: Solid Waste Disposal Act, U.S.C. 6901, et seq.

(13) *U.S.C.*: United States Code. (Ord. No. 480-F, § 1, 12-5-80)

Sec. 28-52. Prohibitions and limitations on discharge into the publicly owned treatment works.

(a) *Purpose and policy*: This section establishes limitations and prohibitions on the quantity and quality of wastewater which may be lawfully discharged into the publicly owned treatment works. Pretreatment of some wastewater discharge will be required to achieve the goals established by this division and the Clean Water Act. The specific limitations set forth in subsection (b)(1) hereof, and other prohibitions and limitations of this division, are subject to change as necessary to enable the city to provide efficient wastewater treatment to protect the public health and the environment, and to enable the city to meet requirements contained in its NPDES permit. The director shall review said limitations from time to time to ensure that they are sufficient to protect the operation of the treatment works, that they are sufficient to enable the treatment works to comply with the NPDES permit, and that they are sufficient to provide for a cost effective means of operating the treatment works, and that they are sufficient to protect the public health and the environment. The director shall recommend changes or modifications as necessary.

(b) *Prohibited pollutants*: No person shall introduce into the publicly owned treatment works any of the following pollutants which acting either alone or in conjunction with other substances present in the POTW interfere with the operation of the POTW as follows:

- (1) Any liquids, solids or gases which by reason of their nature or quantity are, or may be sufficient either alone or by interaction with other substances to cause fire or explosion or be injurious in any other way to the POTW or to the operation of the POTW. At no time, shall two (2) successive readings on an explosion hazard meter, at the point of discharge into the system (or at any point in the system) be more than

- five (5) percent nor any single reading over ten (10) percent of the lower explosive limit (LEL) of the meter. Prohibited materials include, but are not limited to, gasoline, kerosene, naptha, benzene, toluene, xylene, ethers, alcohols, ketones, aldehydes, peroxides chlorates, perchlorates, bromates, carbides, hydrides and sulfides and any other substances which the city, the state, or EPA has notified the user is a fire hazard or a hazard to the system;
- (2) Pollutants which cause corrosive structural damage to the POTW, but in no case discharges with a pH lower than 5.5 or higher than 10.0;
 - (3) Solid or viscous pollutants in amounts which cause obstruction to the flow of the sewers, or other interference with the operation of or which cause injury to the POTW, including waxy or other materials which tend to coat and clog a sewer line or other appurtenances thereto;
 - (4) Any pollutant, including oxygen demanding pollutants (BOD, etc.) released in a discharge of such volume or strength as to cause interference in the POTW. In no case shall a peak discharge have a flow rate that exceeds one and five-tenths (1.5) times the average flow during normal operation;
 - (5) Heat in amounts which will inhibit biological activity in the POTW resulting in interference, but in no case heat in such quantities that the temperature at the treatment works influent exceeds forty (40) degrees centigrade (one hundred and four (104) degrees Fahrenheit). Unless a higher temperature is allowed in the user's wastewater discharge permit, no user shall discharge into any sewer line or other appurtenance of the POTW wastewater with a temperature exceeding sixty-five and five-tenths (65.5) degrees centigrade (one hundred fifty (150) degrees Fahrenheit);
 - (6) Any wastewater containing toxic pollutants in sufficient quantity, either singly or by interaction with

other pollutants, to injure or interfere with any wastewater treatment process, constitute a hazard to humans or animals, create a toxic effect in the receiving waters of the POTW, or exceed the limitation set forth in categorical pretreatment standard. A toxic pollutant shall include but not be limited to any pollutant identified pursuant to Section 307(a) of the Act;

- (7) Any water or waste containing fats, wax, grease or oils, whether or not emulsified, in excess of one hundred (100) parts per million by weight which may solidify or become viscous at temperatures between forty (40) and one hundred fifty (150) degrees Fahrenheit;
- (8) Any storm water, surface water, groundwater, roof runoff, subsurface drainage, uncontaminated cooling water or unpolluted industrial process waters; provided, however, the same may be discharged into approved storm sewers, but not sanitary sewers;
- (9) Any noxious or malodorous gas or substance, capable of creating a public nuisance or hazard to life or preventing entry of workmen into the POTW for maintenance, inspection and repair;
- (10) Any waters containing quantities of radioactive wastes or isotopes in excess of applicable state or federal regulations or permits issued by state or federal agencies;
- (11) Any concentrated dye wastes, spent tanning solutions, or other wastes which are highly colored, or wastes which are of unusual volume, concentration of solids, or composition that may create obstruction to the flow in sewers, or other interference with the POTW.

(c) *Wastewater constituent evaluation:* The wastewater of every industrial user shall be evaluated upon the following criteria:

- (1) Wastewater containing any element or compound which is not adequately removed by the treatment works which is known to be an environmental hazard;
- (2) Wastewater causing any condition in the quality of the city's treatment works' effluent such that receiving water quality requirements established by law cannot be met;
- (3) Wastewater causing conditions at or near the city's treatment works which violate any statute, any rule or regulation or any public agency of this state or the United States;
- (4) Wastewater containing any element or compound known to act as a lacrimator, known to cause nausea or known to cause odors constituting a public nuisance.
- (5) Wastewater causing interference with the effluent or any other product of the treatment process, residues, sludges or scums causing them to be unsuitable for reclamation and reuse or causing interference with the reclamation process;
- (6) Wastewater having constituents and concentrations in excess of those listed in section 28-52.

The director shall establish reasonable limitations or prohibitions in the wastewater discharge permit of any user that discharges wastewater violating any of the above criteria as shall be reasonably necessary to achieve the purpose and policy of this article.

(d) *National pretreatment standards:* Certain industrial users are not or hereafter shall become subject to national pretreatment standards promulgated by the Environmental Protection Agency specifying 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, and shall also comply with any additional or more stringent limitations contained in this division.

Compliance with national pretreatment standards for existing sources which hereafter become subject to such standards shall be within three (3) years following promulgation of the standard unless a shorter compliance time is specified in the standard. 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 standards, 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.

(e) *Septic tank pumping, hauling, discharge:* No person owning a vacuum or cesspool pump truck or other liquid waste transport trucks shall discharge directly or indirectly such sewage into the POTW, unless such person shall first have obtained approval from the director. All operators must agree in writing to abide by the provisions of this division and any special conditions or regulations established by the director. Such operators shall be limited to the discharge of domestic sewage waste containing no industrial waste. The director shall designate the locations and times where such trucks may be discharged, and may refuse to accept any truckload of waste in his absolute discretion where it appears that the waste could interfere with the effective operation of the POTW. At his discretion the director may collect and analyze samples of waste to determine the presence of industrial waste.

(f) *Limitations on wastewater strength:* No person or user shall discharge wastewater in excess of the concentration set forth in Table 1 unless the wastewater discharge permit of the user provides as a special permit condition a higher interim concentration level in conjunction with a requirement that the user construct a pretreatment facility or institute changes in operation and maintenance procedures to reduce the concentration of pollutants to levels not exceeding the standards set forth in Table 1 within a fixed period of time.

TABLE 1

<i>Parameter</i>	<i>Concentration (mg/l)</i>
Arsenic	2.1
Cadmium	1.2
Chromium	7.0
Copper	4.5
Cyanide, T	1.9
Lead	0.7
Mercury	0.1
Nickel	4.1
Phenol	5.0
Selenium	1.0
Silver	1.2
Zinc	4.2

Samples shall be flow-proportional composites or grab samples as outlined in Part 403, Section 403.12(b)(5)(iii) of 40 CFR.

(g) *Pretreatment requirements:* Users of the POTW shall design, construct, operate and maintain other wastewater pretreatment facilities whenever necessary to reduce or modify the user's wastewater constituency to achieve compliance with the limitations in wastewater strength set forth in paragraph (f) of this section, to meet applicable national pretreatment standards, or to meet any other wastewater condition or limitation contained in the user's wastewater discharge permit.

(h) *Plans and specifications:*

- (1) Plans, specifications and operating procedures for such wastewater pretreatment facilities shall be prepared by a registered engineer, and shall be submitted to the director for review in accordance with accepted engineering practices. The director shall review said plans within forty-five (45) days and shall recommend to the user any appropriate changes. Prior to beginning construction of said pretreatment facility, the user shall also secure such building, plumbing or other permits that may be required by the city. The user shall construct said pretreatment facility within

the time provided in the user's wastewater discharge permit. Following completion of construction the user shall provide the director with as-built drawings to be maintained by the director.

- (2) Any approval by the city of a type, kind or capacity of a pretreatment installation shall not relieve a person of the responsibility of the facility's intended purpose. Nor shall any fixed or verbal agreement as to limits of constituents or volumes of waters or wastes be considered as final approval for continuing operation. These limits will be subject to constant study and change as considered necessary to serve their intended purpose.

(i) *Accidental discharges:*

- (1) All industrial users shall provide facilities and institute such procedures as are reasonably necessary to prevent or minimize the potential for accidental discharge into the POTW of waste regulated by this division from liquid or raw material storage areas, from truck and rail car loading and unloading areas from in-plant transfer or processing and materials handling areas, and from diked areas or holding ponds of any waste regulated by this division. The wastewater discharge permit of any user who has a history of significant leaks, spills or other accidental discharge or waste regulated by this division shall be subject on a case-by-case basis to a special permit condition or requirement for the construction of facilities or establishment of procedures which will prevent or minimize the potential for such accidental discharge. Plans, specifications and operating procedures for such special permit conditions shall be developed by the user and submitted to the director for review under the provisions of paragraph (h) of this section.
- (2) In the case of an accidental discharge, it is the responsibility of the user to immediately telephone and notify the POTW of the incident. The notification shall include location of discharge, type of waste.

concentration and volume, and corrective action taken:

- (3) Within five (5) days following an accidental discharge, the user shall submit to the director a detailed written report describing the cause of the discharge and the measures to be taken by the user to prevent similar future occurrences. Such notification shall not relieve the user of any expense, loss, damage or other liability which may be incurred as a result of damage to the POTW, fish kills, or any other damage to person or property; nor shall such notification relieve the user of any fines, civil penalties or other liability which may be imposed by this division or other applicable law. (Ord. No. 480-F, § 2, 12-5-80; Ord. No. 703-F, § 1, 11-3-83; Ord. No. 750-F, § 1, 6-21-84)

Sec. 28-53. Wastewater discharge permit, discharge reports and administration.

(a) *Applicability:* The provisions of this section are applicable to all industrial users of POTW. Permits issued hereunder to industrial users who are subject to or who become subject to a national pretreatment standard as that term is defined in 40 C.F.R. 403.3(i) shall be conditioned upon the industrial user also complying with all applicable substantive and procedural requirements promulgated by the Environmental Protection Agency in regard to such national pretreatment standards.

(b) *Application and permit requirements for industrial users:* All significant industrial users of the POTW prior to discharging nondomestic waste in the POTW shall apply for and obtain a wastewater discharge permit in the manner hereinafter set forth. All original applications shall be made at least ninety (90) days prior to discharging into the system and shall be accompanied by a report containing the information specified in subparagraph (c) hereof. All original applications shall include a site plan, floor plan, mechanical and plumbing plans with sufficient detail to show all sewers and appurtenances in the user's premises by size, location and elevation; and the user shall submit to the director

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revised plans whenever alterations or additions to the user's premises affect said plans. Any currently connected significant industrial user, except those for which categorical pretreatment standards have not been promulgated, discharging waste other than domestic waste who has not heretofore filed such a report shall file same with the director prior to October 1, 1981.

(c) *Report requirements.* The report required by paragraph (b) above or other provisions of this division for all significant industrial users shall contain in units and terms appropriate for evaluation the information listed in subparagraphs (1) through (5) below. Industrial users subject to national pretreatment standards shall submit to the director a report which contains the information listed in subparagraphs (1) through (7) below within one hundred and eighty (180) days after the promulgation by the Environmental Protection Agency of a national pretreatment standard under Section 307(b) or (c) (33 U.S.C. 1317(b) or (c)) of the Act or by October 1, 1981, where such national pretreatment standards have been promulgated prior to the effective date of this division; provided that industrial users

subject to the requirements of 40 C.F.R., Section 403.12, may file with the director a copy of a report submitted to the approval authority as defined in said section in lieu of the report limit set forth in section 28-53 hereof without improved operation and maintenance procedures or pretreatment and shall submit a report which contains the information listed in subparagraphs (1) through (7) of this paragraph. As specified hereinabove, the report shall contain all or applicable portions of the following:

- (1) The name and address of the industrial user;
- (2) The location of such industrial user;
- (3) The nature, average rate of production and standard industrial classification of the operation(s) carried out by such industrial user;
- (4) The average and maximum flow of the discharge from such industrial user to the POTW, in gallons per day;
- (5) The nature and concentration of pollutants in the discharge from each regulated process from such industrial user and identification of any applicable pretreatment standards and requirements. The concentration shall be reported as a maximum or average level as provided for in the applicable pretreatment standard. If an equivalent concentration limit has been calculated in accordance with any pretreatment standard, this adjusted concentration limit shall also be submitted to the director for approval;
- (6) A statement, reviewed by an authorized representative of the industrial user and certified by a qualified professional, indicating whether pretreatment standards are being met on a consistent basis and, if not, whether additional operation and maintenance procedures or additional pretreatment is required for the industrial user to meet the pretreatment standards and requirements; and
- (7) If additional pretreatment or operation and maintenance procedures will be required to meet the pretreatment standards, then the report shall contain

the shortest schedule by which the industrial user will provide such additional pretreatment. The completion date in this schedule shall not be later than the compliance date established for the applicable pretreatment standard. For purposes of this paragraph when the context so indicates, the phrase "pretreatment standard" shall include either a national pretreatment standard or a pretreatment standard imposed as a result of the user's discharging any incompatible pollutant regulated by section 28-52 hereof. For purpose of this paragraph the term "pollutant" shall include any pollutant identified in a national pretreatment standard or any incompatible pollutant identified in section 28-52 hereof.

(d) *Incomplete applications:* The director will act only on applications that are accompanied by a report which contains all the information required in paragraph (c) above. Persons who have filed incomplete applications will be notified by the director that the application is deficient and the nature of such deficiency and will be given thirty (30) days to correct the deficiency. If the deficiency is not corrected within thirty (30) days or within such extended period as allowed by the director, the director shall submit the application for a permit to the city council with a recommendation that is to be denied and notify the applicant in writing of such action.

(e) *Evaluation of applications:* Upon receipt of complete applications, the director shall review and evaluate the applications and shall propose such special permit conditions as he deems advisable. All wastewater discharge permits shall be expressly subject to all the provisions of this division and all other applicable ordinances, laws and regulations. The director may also propose that the wastewater discharge permit be subject to one or more special conditions in regard to any of the following:

- (1) The pretreatment requirements;
- (2) The average and maximum wastewater constituents and characteristics;

- (3) Limits on rate and time of discharge or requirements for flow regulations and equalization;
- (4) Requirements for the user to install suitable inspection and sampling facilities, suitable control manholes together with such necessary meters and other appurtenances in the user's sewer to facilitate observation sampling and measurement of wastes. Such facility shall be accessibly and safely located and shall be constructed in accordance with plans approved by the city. The facility shall be installed by the owner at his own expense and shall be maintained by the owner so as to be safe and accessible at all times. The facility must be located on the industrial waste service connection with all sanitary waste included.
- (5) Specifications for monitoring programs which may include sampling locations, frequency and method of sampling, number, types and standards for tests and reporting schedule;
- (6) Requirements for submission of technical reports or discharge reports;
- (7) Requirements for maintaining records relating to wastewater discharge;
- (8) Mean and maximum mass emission rates or other appropriate limits when incompatible pollutants are proposed or present in the user's wastewater discharge;
- (9) Other conditions as deemed appropriate by the director to ensure compliance with this division or other applicable ordinances, laws or regulation;
- (10) A reasonable compliance schedule, not to extend beyond July 1, 1983, or such earlier date as may be required by the applicable law or regulation, whichever is sooner, to ensure the industrial user's compliance with pretreatment requirements or improved methods of operation and maintenance;

- (11) Requirements for the installation of facilities or procedures to prevent and control accidental discharge or spills at the user's premises;
- (12) The unit charge or schedule of charges and fees for the wastewater to be discharged to the POTW.

(f) Applicant's right to object:

- (1) Upon completion of his evaluation, the director shall notify the applicant of any special permit conditions proposed [for] inclusion in the wastewater discharge permit;
- (2) The applicant shall have forty-five (45) days from and after the date of the director's recommendations for special permit conditions to review same and file written objections with the director in regard to any special permit conditions recommended by the director. The director may, but shall not be required to, schedule a meeting with applicant's authorized representative within fifteen (15) days following receipt of the applicant's objections, and attempt to resolve disputed issues concerning special permit conditions;
- (3) If applicant files no objections to special permit conditions proposed by the director, or a subsequent agreement is reached concerning same, the director shall issue a wastewater discharge permit to applicant with such special conditions incorporated therein. Otherwise, the director shall submit the disputed matters to the city council for resolution as hereinafter provided.

(g) City council to establish permit conditions; hearing:

- (1) In the event the director cannot issue a wastewater discharge permit pursuant to paragraph (f) above, the director shall submit to the city's code enforcement board his proposed permit conditions and the applicant's written objections thereto at a meeting of such board.

- (2) The code enforcement board shall schedule a hearing within ninety (90) days following the meeting referred to hereinabove unless such time be extended for just cause shown to resolve any disputed matters relevant to such permit;
 - (3) The director shall notify the applicant of the date, time, place and purpose of the hearing scheduled by the code enforcement board.
 - (4) Following such hearing or such additional hearings as shall be deemed necessary and advisable by the board, the board shall establish such special permit conditions as it deems advisable to ensure the applicant's compliance with this division or other applicable law or regulation and direct the director to issue a wastewater discharge permit to the applicant accordingly.
- (h) *Compliance schedule and reporting requirements:* The following conditions shall apply to the schedule required by paragraphs (c), (e) or (g) of this section:
- (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/or operation of additional pretreatment requirements for the industrial user to meet the applicable 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 subparagraph (h)(1) shall exceed nine (9) months.
 - (3) Not later than fourteen (14) days following each date in the schedule and the final date for compliance, the industrial user shall submit a progress report to the director including, as 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 the delay, and steps being taken by the industrial user

to return the activities to the schedule established. In no event shall more than nine (9) months elapse between such progress reports to the director.

- (4) Within ninety (90) days following the date for final compliance with applicable pretreatment standards or, in the case of a new source, following commencement of the introduction of wastewater into the POTW, any industrial user subject to pretreatment standards and requirements shall submit to the director a report indicating the nature and concentration of all pollutants in the discharge from the regulated process which are limited by pretreatment standards and requirements and the average and maximum daily flow for these process units in the industrial user which are limited by such pretreatment standards or requirements. The report shall state whether the applicable pretreatment standards or requirements are being met on a consistent basis and, if not, what additional operation and maintenance procedure or pretreatment is necessary to bring the industrial user into compliance with the applicable pretreatment standards or requirements. This statement shall be signed by an authorized representative of the industrial user and certified to by a qualified professional.
- (5) (i) Any industrial user subject to a pretreatment standard, after the compliance date of such pretreatment standard, or, in the case of a new source, after commencement of the discharge into the POTW, shall submit to the director every six (6) months, unless required more frequently in the pretreatment standard or by the director, a report indicating the nature and concentration of pollutants in the effluent which are limited by such pretreatment standards. In addition, the report shall include a record of all daily flows which during the reporting period exceeded the average daily flow reported in subparagraph (c)(4) of this section. At the discretion of the director, as applicable, and in consideration of such factors as

local high or low flow rates, holidays, budget cycles, etc., the director may agree to alter the months during which the above reports are to be submitted. (ii) The director may impose mass limitations on industrial users which are using dilution to meet applicable pretreatment standards or requirements or in other cases where the imposition of mass limitations are appropriate. In such cases, the report required by subparagraph (i) of this paragraph shall indicate the mass of pollutants regulated by pretreatment standards in the effluent of the industrial user.

- (6) The industrial user shall notify the POTW immediately by telephone of any slug loading, as defined by the industrial user.
- (7) The reports required in this section shall contain the results of sampling and analysis of the discharge, including the flow and the nature and concentration, or production and mass limits where requested by the director of pollutants contained therein which are limited by the applicable pretreatment standards. The frequency of monitoring shall be prescribed in the applicable pretreatment standard or specified in the permit. All analyses shall be performed in accordance with procedures established by the Environmental Protection Agency under the provisions of Section 304(h) of the Act (33 U.S.C. 1314(h)) and contained in 40 C.F.R., Part 136, and amendments thereto or with any other test procedures approved by the Environmental Protection Agency or the director. Sampling shall be performed in accordance with the techniques approved by the Environmental Protection Agency, or the director.

(i) *Maintenance of records:* Any industrial user subject to the reporting requirements established in this section shall maintain records of all information resulting from any monitoring activities required by this section. Such records shall include for all samples:

- (1) The date, exact place, method and time of sampling, the names of the persons taking the samples, and chain of custody of the samples;
- (2) The dates analyses were performed;
- (3) Who performed the analyses;
- (4) The analytical techniques/methods used; and
- (5) The results of such analyses.

(j) *Retention of records:* Any industrial user subject to the reporting requirements established in this section shall be required to retain for a minimum of three (3) years any records of monitoring activities and results (whether or not such monitoring activities are required by this section) and shall make such records available for inspection and copying by the director, state or EPA. This period of retention shall be extended during the course of any unresolved litigation regarding the industrial user or when requested by the director, the state or the EPA.

(k) *Duration of permits:* Wastewater discharge permits shall be issued for a period of three (3) years; provided that original permits may be issued for a period between two (2) and three (3) years for the administrative convenience of the director so as to stagger the renewal dates of the permits. Notwithstanding the foregoing, users becoming subject to a national pretreatment standard shall apply for new permits on the effective date of such national pretreatment standards. A user must apply in writing for a renewal permit within the period of time not more than ninety (90) days and not less than thirty (30) days prior to expiration of the current permit. Provided further that limitations or conditions of a permit are subject to modification or change as such changes may become necessary due to changes in applicable water quality standards, changes in the city's NPDES permit, changes in section 28-52(f), changes in other applicable law or regulations, or for other just cause, users shall be notified of any proposed changes in their permit by the director at least thirty (30) days prior to the effective date of the change. Any change or new conditions

in a permit shall include a provision for a reasonable time schedule for compliance. The user may appeal the decision of the director in regard to any changed permit conditions as otherwise provided in this division.

(l) *Transfer of a permit:* Wastewater discharge permits are issued to a specific user for a specific operation. A wastewater discharge permit shall not be reassigned or transferred or sold to a new owner, new user or for different premises, unless approved by the director.

(m) *Revocation of permit:* Any permit issued under the provisions of this division is subject to be modified, suspended or revoked in whole or in part during its terms for cause including but not limited to, the following:

- (1) Violation of any terms or conditions of the wastewater discharge permit or other applicable law or regulation;
- (2) Obtaining of a permit by misrepresentation or failure to disclose fully all relevant facts; or
- (3) A change in any condition that requires either a temporary or permanent reduction or elimination of the permitted discharge. (Ord. No. 480-F, § 3, 12-5-80; Ord. No. 750-F, § 2, 6-21-84)

Sec. 28-54. Inspections, monitoring, entry.

(a) Whenever required to carry out the objective of this division, including but not limited to (1) developing or assisting in the development of any effluent limitation or other limitation, prohibition or effluent standard, pretreatment standard, standard of performance or permit condition under this division; (2) determining whether any person is in violation of any such effluent limitation or other limitation, prohibition of effluent standard, pretreatment standard, standard of performance or permit condition; (3) any requirement established under this section:

- (1) The director shall require any industrial user to (i) establish and maintain such records, (ii) make such reports, (iii) install, use and maintain such monitoring equipment or methods (including where appropriate,

biological monitoring methods), (iv) sample such effluents (in accordance with such methods, at such locations, at such intervals and in such manner as the director shall prescribe), and (v) provide such other information as he may reasonably require; and

(2) The director or his authorized representative, upon presentation of his credentials:

- a. Shall have a right of entry to, upon, or through any premises in which an effluent source is located or in which any records required to be maintained under clause (1) of this subsection are located, and
- b. May at reasonable times have access to copy any records, inspect any monitoring equipment or method required under clause (1), and sample any effluents.

(b) Any records, reports or information obtained under this section shall, in the case of effluent data, be related to any applicable effluent limitations, toxic, pretreatment or permit condition and shall be available to the public, except that upon showing satisfactory to the director by any person that records, reports or information or particular part thereof (other than effluent data), to which the director has access under this section, if made public would divulge methods of processes entitled to protection as trade secrets of such person, the director shall consider such record, report or information or particular portion thereof confidential in accordance with the purposes of this division, except that such record, report or information may be disclosed to officers, employees or authorized representatives of the State of Florida or the United States concerned with carrying out the provisions of the Clean Water Act or when relevant in any proceeding under this division or other applicable laws.

(c) Specific requirements under the provisions of paragraph (a)(1) of this section shall be established by the director, or the city council as applicable, for each industrial user and such requirements shall be included as a condition of the user's wastewater discharge permit. The nature or

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degree of any requirement under this provision shall depend upon the nature of the user's discharge, the impact of the discharge on the POTW, the volume of water discharged, and the technical feasibility of and economic reasonableness of any such requirement imposed. The user shall be required to design any necessary facility, and to submit detailed design plans and operating procedures to the director for review in accordance with accepted engineering practices. The director shall review said plans within forty-five (45) days and shall recommend to the user any change he deems appropriate.

(d) Upon approval of plans as specified in paragraph (c), the user shall secure such building, electrical, plumbing or other permits as may be required by this Code and proceed to construct any necessary facility and establish such operating procedures as are required within the time provided in the user's wastewater discharge permit.

(e) In the event any user denies the director or his authorized representative the right of entry to or upon the user's premises for purposes of inspection, sampling effluents or inspecting and copying records or performing such other duties as shall be imposed upon him by this section, the director shall seek a warrant or use such other legal procedures as shall be advisable and reasonably necessary to discharge his duties under this section.

(f) Any user failing or refusing to discharge any duty imposed upon him under the provisions of this section, or who denies the director the right to enter upon the user's premises for purposes of inspection, sampling effluents, inspecting and copying records or such other duties as may be imposed upon him by this section, shall be deemed to have violated the conditions of his wastewater discharge permit and such permit shall be subject to modification, suspension or revocation under the procedures established in this article.

(g) Annual operation costs of publicly owned treatment works for activities required under this section shall be recovered through fees charged to the industries. To assure that the operating costs

are assessed in an equitable manner, each industrial user shall be billed for each scheduled, unscheduled, or demand monitoring visit performed. The billing will include direct costs incurred by the city or its authorized contractor in sampling, inspecting, and laboratory analyses, adjusted to reflect administrative, legal and other indirect costs incurred by activities required under this section. All self-monitoring costs incurred by any user, said self-monitoring costs including, but not limited to, the cost of sampling, analysis, and reporting will be borne by said user. (Ord. No. 480-F, § 4, 12-5-80; Ord. No. 703-F, § 2, 11-3-83)

Sec. 28-55. Enforcement and abatement.

(a) *Public nuisance:* Discharge of wastewater in any manner in violation of this division, or of any condition of a wastewater discharge permit is hereby declared a public nuisance and shall be corrected or abated as provided herein.

(b) *Director to notify user of violation:* Whenever the director determines or has reasonable cause to believe that a discharge of wastewater has occurred in violation of the provisions of this division, the user's wastewater discharge permit or any other applicable law or regulation, he shall notify the user of such violation. Failure of the director to provide notice to the user shall not in any way relieve the user from any consequences of a wrongful or illegal discharge.

(c) *Conciliation meetings:* The director may, but shall not be required to, invite representatives of the user to a conciliation meeting to discuss the violation and methods of correcting the cause of the violation. Such additional meetings as the director deems advisable may be held to resolve the problem. If the user and the director can agree to appropriate remedial and preventative measures, they shall commit such agreement in writing with provisions for a reasonable compliance schedule and the same shall be incorporated as a supplemental condition of the user's wastewater discharge permit. If an agreement is not reached through the conciliation process within sixty (60) days, the

director shall institute such other actions as he deems advisable to ensure the user's compliance with the provisions of this division or other law or regulation.

(d) *Show cause hearing:* The director may issue a show cause notice to the user directing the user to appear before the city code enforcement board at a specified date and time to show cause why the user's wastewater discharge permit should not be notified, suspended or revoked for causing or suffering violation of this division or other applicable law or regulation or conditions in the wastewater discharge permit of the user. If the director seeks to modify the user's wastewater discharge permit to establish wastewater strength limitations or other control techniques to prevent future violations, he shall notify the user of the general nature of the recommendations he shall make to the city

code enforcement board. If the director seeks to suspend or revoke the user's wastewater discharge permit, he shall notify the user of the nature of the violation for which revocation or suspension is sought with sufficient specificity as to the character of the violation and the dates at which such violation occurred to enable the user to prepare his defense. Such notice shall be mailed to the user by certified mail, return receipt requested, or shall be personally delivered to the user at least twenty (20) days prior to the scheduled hearing date.

(e) *Citation to county court:* The director may cite the user to county court for violation of any provision of this division or this ordinance. A violation of any condition of the user's wastewater discharge permit shall be deemed to be a violation of this division.

(f) *Injunctive relief:* Upon resolution of the city council approving same, the director shall in the name of the City of St. Petersburg file in circuit court of Pinellas County of Florida or such other courts as may have jurisdiction, a suit seeking the issuance of an injunction, damages or other appropriate relief to enforce the provisions of this division or other applicable law or regulation. Suit may be brought to recover any and all damages suffered by the city as a result of any action or inaction of any user or other person who causes or suffers damage to occur to the POTW or for any other expense, loss or damage of any kind or nature suffered by the city.

(g) *Assessment of damages to users:* When a discharge of waste causes an obstruction, damage or any other impairment to the facilities, or any expense of whatever character or nature to the city, the director shall assess the expenses incurred by the city to clear the obstruction, repair damage to the facility, and any other expenses or damages incurred by the city. The director shall file a claim with the user or any other person causing or suffering said damages to incur seeking reimbursement for any and all expenses or damages suffered by the city. If the claim is ignored or denied, the director shall notify the city attorney to take such measures

as shall be appropriate to recover for any expense or other damages suffered by the city.

(h) *Director may petition for federal or state enforcement:* In addition to other remedies for enforcement provided herein, the director may petition the State of Florida or the United States, Environmental Protection Agency, as appropriate to exercise such methods or remedies as shall be available to such government entities to seek criminal or civil penalties, injunctive relief or such other remedies as may be provided by applicable federal or state laws to ensure compliance by industrial users of applicable pretreatment standards, to prevent the introduction of toxic pollutants or other regulated pollutants into the POTW, or to prevent such other water pollution as may be regulated by state or federal law.

(i) *Emergency termination of service:* In the event of an actual threatened discharge to the POTW of any pollutant which in the opinion of the director presents or may present an imminent and substantial endangerment to the health or welfare of persons, or cause interference with the POTW, the director, or in his absence his designee, shall immediately notify the city manager of the nature of the emergency. The director shall also attempt to notify the industrial user or other person causing the emergency and request their assistance in abating same. Following consultation with the aforementioned officials of the city or in their absence such elected officials of the city as may be available, the director shall temporarily terminate the service of such user or users as are necessary to abate the condition when such action appears reasonably necessary. Such service shall be restored by the director as soon as the emergency situation has been abated or corrected. (Ord. No. 480-F, § 5, 12-5-80)

Sec. 28-56. Director.

(a) *Director and staff:* The director and his staff shall be responsible for the administration of all sections of this division. Administratively, he shall be assigned to the public utilities division and shall report to the public works director.

(b) *Authority of director:* The director shall have the authority to enforce all sections of this division. He shall be responsible and have the authority to operate the various treatment works. He shall be responsible for the preparation of operating budgets and recommendations to the city manager concerning activities within his responsibility and authority.

(c) *Records:* The director shall keep in his office all applications required under this division, a complete record thereof, including a record of all wastewater discharge permits.

(d) *Industrial user notification:* The director shall notify industrial users identified in 40 C.F.R. 403.8(f)(2)(i) of any applicable pretreatment standards or other applicable requirements promulgated by the Environmental Protection Agency under the provisions of Section 204(b), and Section 405 of the Act, or under the provisions of Sections 3001 (42 U.S.C. 6921), 3004 (42 U.S.C. 6924) or 4004 (42 U.S.C. 6944) of the Solid Waste Disposal Act. Failure of the director to so notify industrial users shall not relieve said users from the responsibility of complying with said requirements.

(e) *Public participation requirements:* The director shall comply with all applicable public participation requirements of Section 101(e) of the Act and 40 C.F.R., Part 105, in the enforcement of national pretreatment standards. The director shall at least annually provide public notification, in the largest daily newspaper published in St. Petersburg, of industrial users during the previous twelve (12) months which at least once were not in compliance with the applicable pretreatment standards or other pretreatment requirements. The notification shall summarize enforcement actions taken by the control authorities during the same twelve (12) months. An industrial user shall be deemed to be in compliance with applicable pretreatment standards or other pretreatment requirements if he has completed applicable increments of progress under the provisions of any compliance schedule in the user's wastewater discharge permit. (Ord. No. 480-F, § 6, 12-5-80)

Sec. 28-57. Hearing procedure and judicial review.

(a) The director shall schedule an adjudicatory hearing before the city code enforcement board to resolve disputed questions of fact and law whenever provided by any provision of this division.

(b) At any such hearing, all testimony presented shall be under oath or upon solemn affirmation in lieu of oath. The board shall make a record of such hearing, but the same need not be a verbatim record. Any party coming before the city code enforcement board shall have the right to have said hearing recorded stenographically, but in such event the record need not be transcribed unless any party seeks judicial review of the order or action of the board by appropriate legal remedy, and in such event the parties seeking such judicial review shall pay for the transcription and provide the board with the original of the transcript so that it may be certified to the court.

(c) The chairman of the code enforcement board may issue subpoenas requiring attendance and testimony of witnesses or the production of evidence or both. A request for issuance of a subpoena shall be made by logging with the chairman at least ten (10) days prior to the scheduled hearing date a written request for a subpoena setting forth the name and address of the party to be subpoenaed, and identifying any evidence to be produced. Upon endorsement of a subpoena by the chairman, the same shall be delivered to the chief of police for service by any police officer of the city. If the witness does not reside in the city the chairman shall issue a written request that the witness attend the hearing.

(d) Upon agreement of all parties, the testimony of any person may be taken by deposition or written interrogatories. Unless otherwise agreed, the deposition shall be taken in a manner consistent with state law, with the chairman to rule on such matters as would require a ruling by the court under said rules.

(e) The party at such hearing bearing the affirmative burden of proof shall first call his witness, to be followed by witnesses called by other parties, to be followed by any

witnesses which the city council may desire to call. Rebuttal witnesses shall be called in the same order. The chairman shall rule on any evidentiary questions arising during such hearing, and shall make such other rulings as shall be necessary or advisable to facilitate an orderly hearing subject to approval of the board. The board shall have the right to examine any witness. The board shall not be bound by or limited to rules of evidence applicable to legal proceedings.

(f) Any person aggrieved by any order or determination of the director may appeal said order or determination reviewed by the board under the provisions of this section. A written notice of appeal shall be filed with the director and with the chairman of the board, and said notice shall set forth with particularity the action or inaction of the director complained of and the relief being sought by the person filing said appeal. A meeting of the board may be called by the chairman upon the filing of such appeal, and the board may in its discretion suspend the operation of the order of determination of the director appealed from until such time as the board has acted upon the appeal. Provided, however, that actions and determinations of the director under the provisions of subsections 28-55(e) and (i) inclusive shall not be subject to review under this section.

(g) The chairman pro tem shall possess all the authority delegated to the chairman by this section when acting in his absence or in his or her stead.

(h) Any person aggrieved by any final order of determination by the board hereunder shall have judicial review by the circuit court or such other remedy as authorized by law. (Ord. No. 480-F, § 7, 12-5-80)

Sec. 28-58. Penalties for violations.

(a) Any person who violates any provision of this division including but not limited to the following provisions:

- (1) Violates an effluent standard or limitation;
- (2) Violates the terms or conditions of a wastewater discharge permit;

- (3) Fails to complete a filing or report requirement;
- (4) Fails to perform or properly report any required monitoring;
- (5) Fails to pay any costs billed for scheduled or unscheduled or demand monitoring visit under section 28-54(g);

shall be guilty of a municipal ordinance violation, and any person so convicted of a violation shall be subject to penalty in an amount not to exceed two hundred fifty dollars (\$250.00) per violation.

(b) Each separate violation shall constitute a separate offense and upon conviction, each day of violation shall constitute a separate violation. (Ord. No. 480-F, § 8, 12-5-80; Ord. No. 703-F, § 3, 11-3-83)