

ORDINANCE NO. 2020-30

AN ORDINANCE OF THE CITY OF LARGO, FLORIDA AMENDING THE CITY OF LARGO CODE OF ORDINANCES BY AMENDING SECTION 23-117 (F), SECTION 23-118 (B), AND ENACTING SECTION 23-118 (P) TO ESTABLISH REGULATIONS FOR DENTAL AMALGAM AND PHARMACEUTICAL HAZARDOUS WASTE; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Chapter 23, Article II, Division 4 of the City of Largo Code of Ordinances codifies the City's industrial pretreatment program in compliance with all applicable state and federal laws required by the Clean Water Act of 1977, (33 USC Section 1251 et seq.), federal General Pretreatment Regulations (Title 40 of the C.F.R. Part 403), and Chapter 62-625, F.A.C.; and

WHEREAS, the Effluent Limitations Guidelines and Standards for the Dental Category (Title 40 Code of Federal Regulations (CFR) Part 441 (the "Dental Amalgam Rule")) and Rule 62-625.110(3), Florida Administrative Code (F.A.C.) have been enacted; and

WHEREAS, the pharmaceutical waste sewer ban (Title 40 CFR Part 266.505) has been enacted; and

WHEREAS, the City Commission determines that it is in the public interest to amend its codified industrial pretreatment program to establish regulations for dental amalgam and pharmaceutical hazardous waste, corresponding with applicable federal and state laws and regulations.

NOW, THEREFORE, THE CITY OF LARGO CITY COMMISSION HEREBY ORDAINS:

SECTION 1. The above recitals are true, correct, and are hereby incorporated by reference as the findings of the City Commission.

SECTION 2. Section 23-117 (f) of the City of Largo Code of Ordinances is hereby amended to read as follows:

- (f) *Definitions.* The following words, terms and phrases, when used in this Division, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

Act or the Act means the Federal Water Pollution Control Act, also known as the Clean Water Act, as amended, 33 USC 1251 et seq.

Approval authority means the State Department of Environmental Protection, hereinafter referred to as DEP or its successor agencies.

Authorized or duly authorized representative of industrial user means:

- (1) If the user is a corporation: a principal as designated in the annual report submitted to the Secretary of State, Division of Corporations and/or an individual who is authorized pursuant to formal action taken by the Board/registered principals, or is a responsible corporate officer as defined in paragraph 62-625.200(23), F.A.C.;
- (2) If the user is a general partnership or sole proprietorship: a general partner or proprietor, respectively as designated in the annual report submitted to the Secretary of State, Division of Corporations;
- (3) If the user is a Federal, State, or local governmental entity: a director or highest official appointed or designated to oversee the operation and performance of the activities of the subject government facility, or their designee.

- (4) The individuals described in paragraphs (1) through (3), above, may designate a Duly Authorized Representative if the authorization is in writing, the authorization specifies that individual or position is responsible for the overall operation of the facility from which the discharge originates or has overall responsibility for environmental matters for the company, and the written authorization is submitted to the control authority.

Best Management Practices or BMPs means schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to implement the prohibitions listed in 40 CFR 403.5(a)(1) and (b) and are considered pretreatment standards for the purposes of this Division. BMPs include treatment requirements, operation procedures, and practices to control plant site runoff, spillage or leaks, industrial sludge or waste disposal or drainage from raw materials storage.

Biochemical oxygen demand (BOD) means the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure five (5) days at 20 degrees Celsius expressed in terms of weight and volume (milligrams per liter — mg/L). Carbonaceous biochemical oxygen demand (CBOD) uses the same methodology as BOD except that nitrogen demand is suppressed.

Building sewer means a sewer conveying wastewater from the premises of a user to the WWRF.

Bypass means the intentional diversion of wastewater streams from any portion of an industrial user's treatment facility.

Categorical standards means pretreatment standards specifying quantities or concentrations of pollutants or pollutant properties which are discharged to a WWRF by existing or new industrial users, in specific industrial subcategories, established as separate federal regulations under Rule 62-625.410, F.A.C., which includes 40 CFR Chapter I, Subchapter N, Parts 405 through 471, hereby adopted and incorporated by reference.

Categorical industrial user means an industrial user subject to categorical pretreatment standards or categorical standards.

City means the City of Largo.

Chemical Oxygen Demand or COD means a measure of the oxygen required to oxidize all compounds, both organic and inorganic, in water.

Consistent removal means the average of the lowest 50 percent of the removal measured in accordance with subsection 62-625.420(2), F.A.C.

Control authority means the city's Environmental Services Department Director or his/her designee who administers the pretreatment program sanctioned by the approval authority in accordance with the requirements of Rule 62-625.510, F.A.C.

Cooling water means the water discharged from any use such as air conditioning, cooling or refrigeration, or to which the only pollutant added is heat.

Daily discharge or daily maximum means the average of all effluent samples for a pollutant collected during a calendar day. Where limits are expressed in units of mass, the daily discharge is the total mass discharged over the course of the single calendar day. Where limits are expressed in terms of a concentration, the daily discharge is the arithmetic average measurement of the pollutant concentration derived from all measurements taken during that single calendar day.

Daily maximum limit means the maximum allowable daily discharge of a pollutant during a calendar day.

Direct discharge means the discharge of treated or untreated wastewater directly to the waters of the state.

Director means the City of Largo Environmental Services Department Director.

Discharge or Indirect Discharge means the introduction of pollutants into a WWRF from any nondomestic source regulated under Chapter 403, F.A.C., or Sections 307(b), (c), or (d) of the Act, (33 USC 1317), including holding tank waste discharged into the system.

Environmental Protection Agency (EPA) means the U.S. Environmental Protection Agency, or, where appropriate, the term may also be used as a designation for the administrator or other duly authorized official of said agency.

Existing source means any source of discharge that is not a "New Source".

Food service facility means any business or food service establishment, which prepares, processes, and/or packages food for sale or consumption, on or off site, with the exception of domestic users at private residences. Food service facilities shall include, but are not limited to: food courts, food manufacturers, food packagers, restaurants, cafés, coffee house, grocery stores, delicatessens, bakeries, retail and wholesale meat markets, retail and wholesale seafood markets, lounges, hospitals, nursing homes, or assisted congregate living facilities. The city reserves the right to regulate by permit, or other means, any other food service facilities not specifically listed above. For the purpose of this Division, food service facilities shall not include an establishment that only prepares beverages; an establishment that only sells prepackaged foods, or an establishment that is currently classified as a Significant Industrial User under this Division.

Food service facility owner/user means, in the case of individual food service facilities, the owner, or proprietor of the food service operations. Where the food service facility is a franchise operation, the owner of the franchise is the responsible person or entity. Where the food service facility is owned by a corporation, the corporate representative is the responsible entity. Where two or more food service facilities share a common grease interceptor, the owner shall be the individual who owns or assumes control of the grease interceptor or the property on which the grease interceptor is located.

Grab sample means a sample which is taken from a wastestream on a one-time basis with no regard to the flow in the wastestream and over a period not to exceed fifteen (15) minutes.

Grease interceptor means an interceptor whose rated flow exceeds 50 gallons per minute or has a minimum storage capacity of 750 gallons or more and is located outside the building as defined in the 2010 State of Florida Plumbing Code. Grease interceptors are required where grease waste is produced in quantities that could otherwise cause line stoppage or hinder sewage disposal.

Grease trap means an interceptor whose rated flow is 50 gallons per minute or less and is located inside the building as defined in the 2010 State of Florida Plumbing Code. Grease traps are required where grease waste is produced in quantities that could otherwise cause line stoppage or hinder sewage disposal.

Hazardous waste pharmaceutical is a pharmaceutical that is a solid waste, as defined in Title 40 of the Code of Federal Regulations (40 CFR) section 261.2, and exhibits one or more characteristics identified in 40 CFR part 261 subpart C or is listed in 40 CFR part 261 subpart D.

Healthcare facility means any person that is lawfully authorized to:

- (1) Provide preventative, diagnostic, therapeutic, rehabilitative, maintenance or palliative care, and counseling, service, assessment or procedure with respect to the physical or mental condition, or functional status, of a human or animal or that affects the structure or function of the human or animal body; or

- (2) Distribute, sell, or dispense pharmaceuticals. This definition includes, but is not limited to, wholesale distributors, third-party logistics providers that serve as forward distributors, military medical logistics facilities, hospitals, psychiatric hospitals, ambulatory surgical centers, health clinics, physicians' offices, optical and dental providers, chiropractors, long-term care facilities, ambulance services, pharmacies, long-term care pharmacies, mail-order pharmacies, retailers of pharmaceuticals, veterinary clinics, and veterinary hospitals.

Healthcare facility does not include pharmaceutical manufacturers.

Holding tank waste means any waste from holding tanks such as vessels, chemical toilets, campers, trailers, septic tanks, and vacuum-pump tank trucks.

Industrial user means a source of discharge or indirect discharge, as defined in subsection 62-625.200(8), F.A.C.

Instantaneous limit means the maximum concentration of a pollutant allowed to be discharged at any time as determined from the analysis of any grab or composite sample collected, independent of the industrial flow rate and the duration of the sampling event.

Interference means a discharge which, alone or in conjunction with a discharge or discharges from other sources, both:

- (1) Inhibits or disrupts the WWRF, its treatment processes or operations, or its domestic wastewater residuals processes, use or disposal; and
- (2) Is a cause of a violation of any requirement of the WWRF's permit (including an increase in the magnitude or duration of a violation) or prevents use or disposal of domestic wastewater residuals in compliance with local regulations or rules of the DEP and Chapter 403, F.S.

Laundry waste interceptor means an interceptor designed to prevent the discharge of lint, fabric or other settleable debris to the WWRF. Laundry waste interceptors are required at all laundry facilities where laundry wastes are discharged in quantities that could hinder the WWRF as determined by the control authority.

Local limit means specific discharge limits developed and enforced by the control authority upon industrial or commercial facilities, as required by paragraph 62-625.400(3)(a), F.A.C., to implement the general and specific discharge prohibitions listed in subsections 23-118(a) and (b) of this Division.

Medical waste includes, but is not limited to, isolation wastes, infectious agents, human blood and blood products, pathological wastes, sharps, body parts, contaminated bedding, surgical wastes, potentially contaminated laboratory wastes, and dialysis wastes.

Minor industrial user means any commercial, industrial, or other nonresidential user of the city's wastewater disposal system who is not designated as a significant industrial user as such term is defined in this Section. Minor industrial users may be required by the control authority to be permitted pursuant to Section 23-120.

Monthly average means the sum of all daily discharges measured during a calendar month divided by the number of daily discharges measured during that calendar month.

Monthly average limit means the highest allowable average of daily discharges over a calendar month, calculated as the sum of all daily discharges measured during a calendar month divided by the number of daily discharges measured during that calendar month.

National categorical pretreatment standard or *pretreatment standard* means any regulation containing pollutant discharge limits promulgated by the EPA in accordance with Section 307(b) and (c) of the Act (33 USC 1317) which applies to a specific category of industrial users.

National Pollution Discharge Elimination System permit or *NPDES permit* means a permit issued pursuant to section 402 of the Act (33 USC 1342).

New source.

- (1) The term "new source" means any building, structure, facility or installation from which there is or may be a discharge, the construction of which commenced after the publication of proposed pretreatment standards under section 307(c) of the CWA which will be applicable to such source if such standards are thereafter promulgated in accordance with that Section, provided that:
 - a. The building, structure, facility or installation is constructed at a site at which no other source is located; or

- b. The building, structure, facility or installation totally replaces the process or production equipment that causes the discharge of pollutants at an existing source; or
 - c. The production or wastewater generating processes of the building, structure, facility or installation are substantially independent of an existing source at the same site. In determining whether these are substantially independent, factors such as the extent to which the new facility is integrated with the existing plant, and the extent to which the new facility is engaged in the same general type of activity as the existing source shall be considered.
- (2) Construction on a site at which an existing source is located results in a modification rather than a new source if the construction does not create a new building, structure, facility or installation meeting the criteria of subsection (1)b or (1)c of this definition, but otherwise alters, replaces, or adds to existing process or production equipment.
- (3) Construction of a new source, as defined in this Division, has commenced if the owner or operator has:
- a. Begun, or caused to begin as a part of a continuous on-site construction program:
 - 1. Any placement, assembly, or installation of facilities or equipment; or
 - 2. Significant site preparation work including clearing, excavation, or removal of existing buildings, structures, or facilities which is necessary for the placement, assembly, or installation of new source facilities or equipment; or
 - b. Entered into a binding contractual obligation for the purchase of facilities or equipment which are intended to be used in its operation within a reasonable time. Options to purchase or contracts which can be terminated or modified without substantial loss, and contracts for feasibility, engineering, and design studies do not constitute a contractual obligation under this rule.

Noncontact cooling water means water used for cooling that does not come into direct contact with any raw material, intermediate product, waste product, or finished product.

North American Industrial Classification System (NAICS) is an industry coding system designed to facilitate the collection, analysis, and presentation of economic data in the United States (U.S.), Canada, and Mexico, which are all member nations of the North America Free Trade Agreement (NAFTA). First implemented in 1997, as amended or supplemented, by the U.S. Office of Management and Budget (OMB), it is the successor to the Standard Industrial Classification (SIC) system.

Oil/water interceptor means an interceptor designed to segregate oil and water to prevent the discharge of oils to the WWRF. Oil/water interceptors are required where oils are discharged in quantities that could hinder the WWRF as determined by the control authority.

Pass through means a discharge which exits the WWRF into waters of the state of the United States in quantities or concentrations which, alone or in conjunction with a discharge or discharges from other sources, is a cause of a violation of any requirement of the WWRF's permit (including an increase in the magnitude or duration of a violation).

Permit means a permit for the discharge of wastes to the WWRF, including a no discharge (ND) permit, issued to a WWRF, significant industrial user, minor industrial user, or commercial user.

Person means any individual, partnership, co partnership, 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.

pH means a measure of the acidity or alkalinity of a solution, expressed in standard units.

Pharmaceutical means any drug or dietary supplement for use by humans or other animals; any electronic nicotine delivery system (e.g., electronic cigarette or vaping pen); or any liquid nicotine (e-

liquid) packaged for retail sale for use in electronic nicotine delivery systems (e.g., pre-filled cartridges or vials). This definition includes, but is not limited to, dietary supplements, as defined by the Federal Food, Drug and Cosmetic Act; prescription drugs, as defined by Title 21 of the Code of Federal Regulations part 203.3(y); over-the-counter drugs; homeopathic drugs; compounded drugs; investigational new drugs; pharmaceuticals remaining in non-empty containers; personal protective equipment contaminated with pharmaceuticals; and clean-up material from spills of pharmaceuticals. Pharmaceutical does not include dental amalgam or sharps.

Plant manager means the person designated by the city to supervise the operation of the WWRF and who is charged with certain duties and responsibilities by this Division, or the duly authorized representative.

Pollutant means any direct or indirect cause of pollution, including, but not limited to, dredged spoil, solid waste, incinerator residue, filter backwash, sewage, garbage, sewage sludge, munitions, medical wastes, chemical wastes, biological materials, hazardous waste, radioactive materials, heat, wrecked or discharged equipment, rock, sand, cellar dirt and industrial, municipal and agricultural waste, and certain characteristics of wastewater (e.g., pH, temperature, total suspended solids, turbidity, color, biochemical oxygen demand, carbonaceous biochemical oxygen demand, toxicity, and/or odor).

Pollution means the manmade or man-induced alteration of the chemical, physical, biological and radiological integrity of water.

Pretreatment or treatment means 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 WWRF. The reduction or alteration can be obtained by physical, chemical or biological process, process changes or other means, except as prohibited by subsection 62-625.410(5), F.A.C. Appropriate pretreatment technology includes control equipment, such as equalization tanks or facilities for protection against surges or slug discharges that might interfere with or otherwise be incompatible with the WWRF. However, where wastewater from a regulated process is mixed in an equalization facility with unregulated wastewater or with wastewater from another regulated process, the effluent from the equalization facility must meet an adjusted pretreatment limit calculated in accordance with subsection 62-625.410(6), F.A.C.

Pretreatment program means a program administered by a public utility that meets the criteria established in Rule 62-625.500, F.A.C.

Pretreatment requirements means any substantive or procedural requirement related to pretreatment, other than a national pretreatment standard imposed on an industrial user.

Pretreatment Standards means prohibited discharge standards, categorical pretreatment standards, best management practices, and local limits.

Prohibitive discharge standard means any regulation developed under the authority of Rule 62-625.400, F.A.C.

Removal means a reduction in the amount of a pollutant in the WWRF's effluent or alteration of the nature of a pollutant during treatment at the WWRF. The reduction or alteration can be obtained by physical, chemical or biological means and may be the result of specifically designed WWRF capabilities or may be incidental to the operation of the treatment system. The term "removal" as used in this Division shall not mean dilution of a pollutant in the WWRF.

Reverse distributor means any person that receives and accumulates prescription pharmaceuticals that are potentially creditable hazardous waste pharmaceuticals for the purpose of facilitating or verifying manufacturer credit. Any person, including forward distributors, third-party logistics providers, and pharmaceutical manufacturers, that processes prescription pharmaceuticals for the facilitation or verification of manufacturer credit is considered a reverse distributor.

Septic tank waste means any sewage from any form of holding tank including, but not limited to, vessels, chemical toilets, campers, trailers, or septic tanks.

Severe property damage means substantial physical damage to property, damage to an industrial user's treatment facilities which causes them to become inoperable, or substantial and permanent loss of natural resources which can reasonably be expected to occur in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production.

Sewage means human excrement and gray water (e.g. water from household showers, dishwashing operations, toilets, etc.)

Shall means mandatory; *may* means permissive.

Significant industrial user means any industrial or commercial user of the city's wastewater disposal system, except as provided in paragraphs (3) and (4) of this definition, who:

- (1) Is an industrial user subject to categorical pretreatment standards; or
- (2) Is an industrial user that:
 - a. Has an average discharge flow of twenty-five thousand (25,000) gallons or more per workday of process wastewater to the WWRF (excluding domestic wastewater, noncontact cooling and boiler blow down wastewater);
 - b. Contributes a processed wastestream of water into the WWRF which comprises five (5) percent or more of the average dry weather hydraulic or organic capacity of the WWRF; or
 - c. Is designated as such by the control authority on the basis that it has a reasonable potential to adversely affect the WWRF's operation or for violating any federal, state, or local pretreatment standard or requirement.
- (3) Provided however, the control authority may determine that an industrial user subject to the criteria of subsections (1) of this definition and categorical pretreatment standards under Rule 62-625.410, F.A.C., including 40 CFR Chapter I, Subchapter N, Parts 405 through 471, is a non-significant categorical industrial user (NSCIU) rather than a significant industrial user on a finding that the industrial user never discharges more than 100 gallons per day (gpd) of total categorical wastewater (excluding sanitary, non-contact cooling and boiler blowdown wastewater, unless specifically included in the pretreatment standard) and the following conditions are met:
 - a. The industrial user, prior to control authority's finding, has consistently complied with all applicable categorical Pretreatment Standards and Requirements;
 - b. The industrial user annually submits the certification statement required in subsection 23-121(n) of this Division, together with any additional information necessary to support the certification statement; and
 - c. The industrial user never discharges any untreated concentrated wastewater.
- (4) Upon finding that an industrial user meeting the criteria of subsection (2) of this definition has no reasonable potential for adversely affecting the WWRF's operation or for violating any federal, state, or local pretreatment standard or requirement, the control authority may at any time, on his/her own initiative or in response to a petition received from an industrial user, and in accordance with 40 CFR 403.8(f)(6) and paragraph 62-625.500(2)(e), F.A.C., determine that such industrial user is not a significant industrial user. The control authority, at any time and in its sole discretion, may review the status of a non-significant industrial user and reclassify said user as a significant industrial user.

Slug discharge or slug load means any discharge at a flow rate or concentration, which could cause a violation of the prohibited discharge standards. A slug discharge is any discharge of a nonroutine, episodic nature, including but not limited to an accidental spill or a non-customary batch discharge, which has a reasonable potential to cause interference or pass through, or in any other way violate the WWRF's regulations, local limits or permit conditions.

State means the State of Florida.

Stormwater means any flow occurring during or following any form of natural precipitation and resulting therefrom.

Surcharge Fee means the fee for discharges in excess of the surcharge limit and shall be calculated monthly as follows:

$$\text{Surcharge Fee} = (\text{CA} - \text{CS}) \times \text{Flow (MG)} \times 8.34 \text{ lbs/gal} \times \$0.25/\text{lb.}$$

Where:

CA= Arithmetic average concentration of all samples taken during a calendar month.

CS= The surcharge limit concentration for a specific pollutant.

Surcharge limit means the concentration of compatible pollutants above which a surcharge fee may be assessed. The surcharge limit shall be stated in the permit and set, based on conditions at the WWRF, at no more than 10% of the local limit concentration for the compatible pollutants total suspended solids, total nitrogen, total phosphorus, and oil and grease; and no more than 50% of the local limit concentration for the compatible pollutant CBOD.

Suspended solids or total suspended solids means the total suspended matter that floats on the surface of, or is suspended in, water, wastewater or other liquids, and which are removable by laboratory filtering.

Toxic pollutants means any pollutant or combination of pollutants listed as toxic in regulations promulgated by the administrator of the Environmental Protection Agency under the provision of CWA 307(a) or other acts. The specific compounds are listed in 40 CFR 122, appendix D.

Treatment plant means that portion of a WWRF which is designed to provide treatment (including recycling and reclamation) of domestic and industrial wastewater.

Upset means an exceptional incident in which there is unintentional and temporary noncompliance with categorical pretreatment standards because of factors beyond the reasonable control of the industrial user.

User or Industrial User means any person or entity who contributes, causes or permits the contribution of wastewater into the city's WWRF, including any person or entity that contributes a source of indirect discharge.

Wastewater means the liquid and water-carried industrial or domestic wastes from dwellings, commercial buildings, industrial facilities and institutions, together with any solids and other pollutants which may be present, whether treated or untreated, which is contributed into or permitted to enter the WWRF.

Wastewater discharge permit means a permit issued by the control authority stipulating the conditions under which a user may discharge to the city sewer system. Unless specifically otherwise identified, this definition includes an individual wastewater discharge permit and a general wastewater discharge permit.

Wastewater reclamation facility (WWRF) means a treatment works, as defined by section 212 of the Act (33 USC 1292) which is owned in this instance by the city. This definition includes any sewers that convey wastewater to the WWRF treatment plant, but does not include pipes, sewers or other conveyances not connected to the city treatment plant. For the purposes of this Division, the term "WWRF" shall also include any sewers that convey wastewater to the WWRF from persons outside the city who are, by contract or agreement with the city, users of the city's WWRF.

Waters of the state means all streams, lakes, ponds, marshes, watercourses, waterways, wells, springs, reservoirs, aquifers, irrigation systems, drainage systems, and all other bodies or accumulations of water, surface or underground, natural or artificial, public or private, which are contained within, flow through, or border upon the state or any portion thereof.

SECTION 3. Section 23-118 (b) of the City of Largo Code of Ordinances is hereby amended to read as follows:

(b) *Specific discharge prohibitions.* A user shall not contribute the following substances to the WWRF:

- 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 WWRF or to the operation of the WWRF. No component or wastestream shall cause the 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. Wastestreams with a closed-cup flashpoint of less than 140 degrees Fahrenheit (60 degrees Celsius) are prohibited. In conjunction with the closed-cup flashpoint limit, in no case shall a user discharge wastewater with a temperature at the point of introduction into the city sanitary sewer which exceeds 150 degrees Fahrenheit (65.6 degrees Celsius). Prohibited materials include, but are not limited to, gasoline, kerosene, naphtha, benzene, toluene, xylene, ethers, alcohols, ketones, aldehydes, peroxides, chlorates, perchlorates, bromates, carbides, hydrides, and sulfides, and any other substance that is a fire hazard, a hazard to the system, or that may cause acute worker health and safety problems.
- (2) Solid or viscous substances which may cause obstruction to the flow in a sewer or other interference with the operation of the wastewater treatment facilities such as, but not limited to: grease, garbage with particles greater than one-half inch in any dimension, animal guts or tissues, paunch manure, bones, hair, hides or fleshings, entrails, whole blood, feathers, ashes, cinders, sand, spent lime, stone or marble dust, metal, glass, straw, shavings, grass clippings, rags, spent grains, spent hops, foaming and/or wetting agents, waste paper, wood, plastics, gas, tar, powdered lubricants, asphalt residues, residues from refining or processing of fuel or lubricating oil, mud, or glass grinding or polishing wastes. To insure compliance with this subsection, all restaurants and food processing and/or serving facilities, commercial vehicle wash facilities, and commercial or industrial laundries, will be required to be permitted in accordance with Section 23-120(c). At a minimum, such facilities will be required to pump out and remove the entire contents of their grease traps, interceptors, and/or filter systems at a frequency determined necessary by the control authority to maintain proper operation. The general requirement to remove the contents of grease interceptors for all food service facilities shall be at a frequency of one time per 30 operational days. Prior approval for an alternate frequency of pumping may be obtained from the control authority in accordance with Section 23-120(c)(8)c.
- (3) Any wastewater having a pH in violation of the local limit or having any other corrosive property capable of causing damage or hazard to structures, equipment, and/or personnel of the WWRF.
- (4) 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, constitutes a hazard to humans or animals, create a toxic effect in receiving waters of the WWRF, or to exceed the limitation set forth in a categorical pretreatment standard. A toxic pollutant shall include, but not be limited to, any pollutant identified pursuant to section 307(a) of the Act.
- (5) Any noxious or malodorous, liquids, gases, or solids which, either singly or by interaction with other wastes, are sufficient to create a public nuisance hazard to life or are sufficient to prevent entry into the sewers for maintenance and repair.
- (6) Any substances that may cause the WWRF's effluent or any other product of the WWRF such as residues, residuals, sludges or scums, to be unsuitable for reclamation and reuse or to interfere with the reclamation process. In no case shall a substance discharged to the WWRF cause the WWRF to be in noncompliance with sludge use or disposal criteria, guidelines or regulations developed under section 405 of the Act, and criteria, guidelines or regulations affecting sludge use or disposal developed pursuant to the Solid Waste Disposal Act, or state criteria applicable to the sludge management method being used.

- (7) Any substance which will cause the WWRF to violate its NPDES and/or state disposal system permit or the receiving water quality standards.
- (8) Any wastewater with objectionable color not removed in the treatment process, such as, but not limited to, dye wastes and vegetable tanning solutions.
- (9) Any wastewater having a temperature which will inhibit biological activity in the WWRF treatment plant resulting in interference or pass through. In no case shall a user discharge wastewater which causes the temperature at the point of introduction to the treatment plant to exceed 104 degrees Fahrenheit (40 degrees Celsius). To protect worker safety and in keeping with the provisions of subsection (b)(1) of this Section, in no case shall wastewater with a temperature which exceeds 150 degrees Fahrenheit (65.6 degrees Celsius) be introduced into the WWRF collection system.
- (10) Any pollutants, including oxygen-demanding pollutants (CBOD, etc.) released at a flow rate and/or pollutant concentration which a user knows or has reason to know will cause interference to the WWRF. In no case shall a slug load have a flow rate or contain concentration or qualities of pollutants that exceed for any time period longer than 15 minutes more than five (5) times the average 24-hour concentration, quantities or flow during normal operation.
- (11) Any wastewater containing any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the control authority in compliance with applicable state or federal regulations.
- (12) Petroleum oil, nonbiodegradable cutting oil, products of mineral oil origin, or edible oils and greases in amounts that will cause obstruction of the sanitary sewer, interference, or pass through.
- (13) Trucked, tanked, or hauled pollutants, except at discharge points expressly designated per event by the control authority in accordance with this Division. This includes any waste placed into a tank vehicle with the intent to discharge, even indirectly, into the WWRF.
- (14) Any wastewater which causes a hazard to human life or creates a public nuisance.
- (15) Any storm water, surface water, ground water, artesian well water, roof runoff, subsurface drainage, swimming pool drainage, condensate, deionized water, noncontact cooling water, or unpolluted wastewater, unless specifically authorized by the control authority.
- (16) Any detergents, surface-active agents, or other substances which might cause excessive foaming in the WWRF, as determined by the control authority.
- (17) Pollutants which result in the presence of toxic gases, vapors, or fumes within the WWRF in a quantity that may cause immediate health and safety effects and/or long term health and safety effects to the health or safety of any person.
- (18) Any water or waste containing fats, wax, grease, oils, or related substances, whether or not emulsified, in excess of numeric local limit (as measured using EPA method 1664) which may solidify or become viscous at temperatures between 4.5 degrees Celsius (40 degrees Fahrenheit) and 65.5 degrees Celsius (150 degrees Fahrenheit). Specifically prohibited is the heating of the contents of grease traps and subsequent discharge to the sewer system. The control authority may, allow discharges in excess of the numeric standard as a permit condition upon the submission by the user of a technical evaluation prepared by a qualified professional, as determined by the control authority, demonstrating that the subject wastewater will have no adverse effects to the wastewater collection and treatment facilities or to the biosolids and reclaimed water generated from those facilities. Wastewater exceeding the limitations provided herein shall contain no visible sheen, shall not discharge any solid grease particles, shall not cause an accumulation of grease or create other unacceptable impact to the collection system downstream of the permitted facility, and shall not cause or contribute to any unacceptable impacts to the water reclamation facility or the biosolids and reclaimed water generated by that facility.
- (19) Any hazardous waste pharmaceuticals from healthcare facilities and reverse distributors.

- (20) When the control authority determines that a user is contributing to the WWRF any of the above-enumerated substances in such amounts as to interfere with the operation of the WWRF, the control authority shall advise the user of the impact of the contribution on the WWRF, and develop effluent limitations for such user to correct the interference with the WWRF.

SECTION 4. Section 23-118 (p) of the City of Largo Code of Ordinances is hereby created to read as follows:

(p) Requirements for dental facilities that remove or place amalgam fillings.

- (1) *Definitions.* For the purposes of this section, the following words and phrases shall be as defined herein.

Amalgam separator is a device that employs filtration, settlement, centrifugation, or ion exchange to remove amalgam and its metal constituents from a dental office vacuum system before it discharges to the sewer.

Amalgam waste means and includes non-contact amalgam (amalgam scrap that has not been in contact with the patient); contact amalgam (including, but not limited to, extracted teeth containing amalgam); amalgam sludge captured by chairside traps, vacuum pump filters, screens, and other amalgam trapping devices; used amalgam capsules; and leaking or unusable amalgam capsules.

ANSI/ADA Standard No. 108 is the American National Standards Institute and American Dentistry association standard for amalgam separators.

Existing Source is any facility subject to this Section whose first discharge to the sewer collection system occurred on or before July 14, 2017.

ISO 11143 is the International Organization for Standardization's standard for amalgam separators.

New Source is any facility subject to this Section whose first discharge to the sewer system occurs after July 14, 2017 and must comply immediately upon commencement of discharge.

- (2) All owners and operators of dental facilities that remove or place amalgam fillings shall comply with the following reporting and waste management practices:

(a) For existing sources, the One-Time Compliance Report is due no later than October 12, 2020 or no later than 90 days after transfer of ownership.

(b) For new sources, the One-Time Compliance Report is due within 90 days of the start of discharge to the sewer collection system.

(c) No person shall rinse chairside traps, vacuum screens, or amalgam separators equipment in a sink or other connection to the sanitary sewer.

(d) Owners and operators of dental facilities shall ensure that all staff members who handle amalgam waste are trained in the proper handling, management and disposal of mercury-containing material and fixer-containing solutions and shall maintain training records that shall be available for inspection by the control authority or designee during normal business hours.

(e) Amalgam waste shall be stored and managed in accordance with the instructions of the recycler or hauler of such materials.

(f) Bleach and other chlorine-containing disinfectants shall not be used to disinfect the vacuum line system.

(g) The use of bulk mercury is prohibited. Only pre-capsulated dental amalgam is permitted.

(3) All owners and operators of dental vacuum suction systems, except as set forth in subsections (d) and (e) of this section, shall comply with the following:

(a) An ISO 11143 or ANSI/ADA Standard No. 108 certified amalgam separator or equivalent device shall be installed for each dental vacuum suction system on or before July 14, 2020; provided, however, that all dental facilities that are newly constructed on and after the effective date of this ordinance shall include an installed ISO 11143 or ANSI/ADA Standard No. 108 certified amalgam separator device. The installed device must be ISO 11143 or ANSI/ADA Standard No. 108 certified as capable of removing a minimum of 95 percent of amalgam. The amalgam separator system shall be certified at flow rates comparable to the flow rate of the actual vacuum suction system operation. Neither the separator device nor the related plumbing shall include an automatic flow bypass. For facilities that require an amalgam separator that exceeds the practical capacity of ISO 11143 test methodology, a non-certified separator will be accepted, provided that smaller units from the same manufacturer and of the same technology are ISO-certified.

(c) Proof of certification and installation records shall be submitted to the control authority within 30 days of installation.

(d) Amalgam separators shall be maintained in accordance with manufacturer recommendations. Installation, certification, and maintenance records shall be available for immediate inspection upon request therefor by the control authority or designee during normal business hours. Records shall be maintained for a minimum of three years.

(4) Facilities with vacuum suction systems that meet all the following conditions may apply to the control authority for an exemption to the requirements of subsection (c) of this section:

(a) The system is a dry vacuum pump system with an air-water separator.

(b) The sedimentation tank is non-bottom draining, with the drain above the anticipated maximum level of accumulated sludge.

(c) Evidence of regular pump outs by a licensed hauler (a minimum of once a year, or more often if either directed by the manufacturer or necessary to keep solids from exiting through the drain) is maintained and open to inspection by the control authority during normal business hours.

(d) The system has no direct discharge pipe to the sewer on the bottom of the sedimentation tank.

An owner or operator whose facility meets conditions (1) through (4) may apply for this exemption by written letter to the environmental services department director (director). The director or designee will review the system and, if the exemption is approved, shall provide a written letter of exemption.

An exemption obtained pursuant to this subsection (d) shall expire upon installation of a new vacuum system. Upon expiration of the exemption, the facility shall comply with subsection (c) of this section before commencing further operation.

(5) Dental dischargers that exclusively practice one or more of the following specialties are not subject to the requirements of this section: (1) Orthodontics; (2) Periodontics; (3) Oral and maxillofacial surgery; (4) Radiology; (5) Oral pathology or oral medicine; (6) Endodontistry and prosthodontistry.

(6) Dental practices that do not place dental amalgam, and do not remove amalgam except in limited emergency or unplanned, unanticipated circumstances, are exempt from the requirements of this part, provided the dental practice:

(a) Submits the following statement to the control authority, signed by a responsible corporate officer, general partner, proprietor, or a duly authorized representative by the applicable compliance deadline identified in Section 23-117.(f):

"This facility is a dental discharger subject to this rule and does not place or remove dental amalgam except in limited emergency or unplanned, unanticipated circumstances. I am a responsible corporate officer, a general partner or proprietor (if the facility is a partnership or sole proprietorship), or a duly authorized representative in accordance with the requirements of § 403.12(l) of the above named dental facility, and certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.";

(b) Removes dental amalgam for limited emergency or unplanned, unanticipated circumstances, less than 9 times per year and as no more than 5% of dental procedures; and

(c) The dental practice notifies the control authority of any changes affecting the applicability of this certification.

(d) Disposal of hauled waste from dental facilities to the sanitary sewer is prohibited.

SECTION 5. All ordinances or parts thereof inconsistent herewith are hereby repealed and superseded.

SECTION 6. It is the intention of the Largo City Commission that each provision hereof be considered severable, and, if any section, subsection, sentence, or provision of this ordinance is held invalid, the remainder of the ordinance shall not be affected.

SECTION 7. This ordinance shall become effective immediately upon its final passage and adoption.

APPROVED ON FIRST READING _____

PASSED AND ADOPTED ON
SECOND AND FINAL READING _____

CITY OF LARGO, FLORIDA

Louis (Woody) L. Brown, Mayor

REVIEWED AND APPROVED:

ATTEST:

Alan S. Zimmet, City Attorney

Diane Bruner, City Clerk