

**CHAPTER 62-625**  
**PRETREATMENT REQUIREMENTS FOR EXISTING AND OTHER SOURCES OF POLLUTION**

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**62-625.100 Scope/Intent/Purpose.**

*Rulemaking Authority 403.061(7), (31), 403.0885 FS. Law Implemented 403.0885 FS. History—New 11-29-94, Amended 5-10-10, Repealed 2-16-12.*

**62-625.110 Applicability/References.**

- (1) This chapter applies:
- (a) No change.
  - (b) To public utilities which receive wastewater from sources subject to pretreatment standards and that discharge to surface waters of the State, or public utilities required to implement a pretreatment program in accordance with Chapter 62-610, F.A.C. or 40 C.F.R. parts 146.15 and 146.16, as of July 1, 2009, hereby adopted and incorporated by reference; and,
  - (c) To public utilities required to implement a pretreatment program in accordance with state requirements in Chapter 62-610, F.A.C.; and,
  - ~~(d) (e)~~ To any new or existing source subject to pretreatment standards.
- (2) through (3) No change.

*Rulemaking Authority 403.061(7), (31), 403.0885 FS. Law Implemented 403.0885 FS. History—New 11-29-94, Amended 5-10-10, 5-23-18, X-x-xx.*

**62-625.200 Definitions.**

Terms used in this chapter shall have the meaning specified below. The meaning of any term not defined below shall be taken from definitions in other rules of the Department, unless the context clearly indicates otherwise.

- (1) through (2) No change.
- (3) “Categorical Industrial User” means an industrial user subject to categorical pretreatment standards under Rule 62-625.410, F.A.C., including 40 C.F.R. Chapter I, Subchapter N, Parts 405 through 471, as of July 1, 2009, hereby adopted and incorporated by reference.
- (4) No change.
- (5) “Control Authority” means any public utility that administers a pretreatment program that has been approved by the Department in accordance with the requirements of Rule 62-625.510, F.A.C. In cases where categorical or significant noncategorical industrial users discharge to domestic WWFs that are not included in an approved pretreatment program, the Department shall function as the control authority until an approved pretreatment program has been established by the public utility.
- (6) “Discharge” means the introduction of pollutants into a WWF from any nondomestic source regulated under Chapter 403, F.S.

(7) through (8) No change.

(9) “Interference” means a discharge which, alone or in conjunction with a discharge or discharges from other sources, both:

(a) Inhibits or disrupts the WWF or potable reuse system, its treatment processes or operations, or its biosolids ~~domestic wastewater residuals~~ processes, use or disposal; and,

(b) Is a cause of a violation of any requirement of the WWF’s or potable reuse system’s permits ~~permit~~ (including an increase in the magnitude or duration of a violation) or prevents use or disposal of biosolids ~~domestic wastewater residuals~~ in compliance with local regulations or rules of the Department and Chapter 403, F.S.

(10) through (12) No change.

(13) “New Source” means:

(a) 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:

1. through 3. No change

(b) through (c) No. change.

(14) No change.

(15) “Pass Through” means a discharge which exits the WWF into waters of the State or is used as a drinking water source 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 WWF’s or potable reuse system’s permits ~~permit~~ (including an increase in the magnitude or duration of a violation).

(16) “Permit” means a permit issued to a WWF in accordance with Chapter 62-620, F.A.C.

(17) No change.

(18) “Pretreatment Program” means a program administered by a public utility that meets the criteria established in Rule 62-625.500, F.A.C.

(19) No change.

(20) “Pretreatment Standard” means any regulation containing pollutant discharge limits promulgated by the EPA under Sections 307(b) and (c) of the CWA or by the Department under Chapter 403, F.S., which applies to industrial users. This term includes prohibitive discharge limits established in Rule 62-625.400, F.A.C.

(21) through (24) No change.

(25) “Significant Industrial User” means, except as provided in paragraphs (c) and (d), below, the following:

(a) No change.

(b) Any other industrial user that discharges an average of 25,000 gallons per day or more of process wastewater to the WWF (excluding domestic wastewater, noncontact cooling and boiler blowdown wastewater); contributes a process waste stream which makes up 5 percent or more of the average dry weather hydraulic or organic capacity of the treatment plant; or is designated as such by the control authority on the basis that the industrial user has a reasonable potential for adversely affecting the WWF’s operation, any portion of the potable reuse system, or for violating any pretreatment standard or requirement in accordance with paragraph 62-625.500(2)(e), F.A.C.

(c) The control authority (except where the Department is acting as the control authority) may determine that an industrial user subject to 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.

(d) No change.

(26) through (28) No change.

(29) “Wastewater Facility” or “WWF” means any facility which discharges wastes into waters of the State or which can reasonably be expected to be a source of water pollution and includes any or all of the following: the collection and transmission system, the wastewater treatment works, the reuse or disposal system, and the biosolids ~~residuals~~ management facility.

(30) No change.

*Rulemaking Authority 403.061(7), (31), 403.0885 FS. Law Implemented 403.0885 FS. History—New 11-29-94, Amended 5-10-10, X-x-xx.*

### **62-625.300 Local Law.**

*Rulemaking Authority 403.061(7), (31), 403.0885 FS. Law Implemented 403.0885, 403.08851 FS. History—New 11-29-94, Repealed 11-26-15.*

### **62-625.400 Pretreatment Standards: Prohibited Discharges.**

#### (1) General prohibitions.

(a) An industrial user shall not introduce into a WWF or potable reuse system any pollutant which causes pass through or interference. These general prohibitions and the specific prohibitions in subsection (2), below, apply to each industrial user introducing pollutants into a WWF or potable reuse system whether or not the industrial user is subject to other pretreatment standards, or any national, State, or local pretreatment requirements.

(b) Affirmative Defenses. An industrial user shall have an affirmative defense in any action brought against it alleging a violation of the general prohibitions established in paragraph (a), above, and the specific prohibitions in paragraphs (2)(c)-(g), below, where the industrial user can demonstrate that:

1. No change.

2. Either of the following:

a. No change.

b. If a local limit designed to prevent pass through or interference has not been developed in accordance with subsection (3), below, for the pollutants that caused the pass through or interference, and the industrial user's discharge directly prior to and during the pass through or interference did not change substantially in nature or constituents from the industrial user's discharge activity when the WWF or potable reuse system was regularly in compliance with ~~its~~ ~~the WWF's~~ permit requirements and applicable requirements for ~~biosolids domestic wastewater residuals~~.

(2) Specific prohibitions. The following pollutants shall not be introduced into a WWF:

(a) through (b) No change.

(c) Solid or viscous pollutants in amounts which will cause obstruction to the flow in the WWF or potable reuse system resulting in interference;

(d) Any pollutant, including oxygen demanding pollutants, released in a discharge at a flow rate or pollutant concentration which will cause interference with the WWF or potable reuse system;

(e) Heat in amounts which will inhibit biological activity in the WWF resulting in interference, but in no case heat in such quantities that result in the discharge from the treatment plant having a temperature that exceeds 40° C (104° F) unless the Department, upon request of the control authority, approves alternate temperature limits in accordance with Rule 62-302.520, F.A.C.;

(f) No change.

(g) Pollutants which result in the presence of toxic gases, vapors, or fumes within the WWF in a quantity that will cause acute worker health and safety problems; ~~or~~

(h) Any trucked or hauled pollutants, except at discharge points designated by the control authority; ~~or~~

(i) Any hazardous waste pharmaceuticals from healthcare facilities or reverse distributors in accordance with Rule 62-730.181, F.A.C.

(3) Specific limits developed by the control authority.

(a) Each public utility required to have a pretreatment program in accordance with Rule 62-625.500, F.A.C., shall develop and enforce specific limits to implement the prohibitions listed in paragraph (1)(a), and subsection (2), above. Each public utility shall continue to develop these limits as necessary and effectively enforce such limits.

(b) All other public utilities shall develop and enforce specific effluent limits which, together with appropriate changes in the treatment plant or operation, are necessary to ensure compliance with the WWF's or potable reuse system's permit(s) ~~permit~~ or ~~biosolids domestic wastewater residuals~~ use or disposal practices.

(c) through (d) No change.

(4) No change.

(5) State enforcement actions. If, within 30 days after notice of an interference or pass through violation has been sent by the Department to the control authority, and to persons or groups who have requested such notice from the Department, the control authority fails to commence appropriate enforcement action to correct the violation, the Department shall take appropriate enforcement action in accordance with Sections 403.121, 403.131 and 403.161, F.S.

*Rulemaking Authority 403.061(7), (31), 403.0885 FS. Law Implemented 403.0885 FS. History—New 11-29-94, Amended 5-10-10, X-x-xx.*

### **62-625.410 Pretreatment Standards: Categorical Standards.**

(1) Pretreatment standards specifying quantities or concentrations of pollutants or pollutant properties which have the potential to be discharged in accordance with 40 C.F.R. Part 403.6, as of July 1, 2009, hereby adopted and incorporated by reference, to a WWF by existing or new industrial users, in specific industrial subcategories, are established as separate Federal regulations under the appropriate subpart of 40 C.F.R. Chapter I, Subchapter N, Parts 405 through 471. These pretreatment standards, unless specifically noted otherwise, shall be in addition to all applicable pretreatment standards and requirements set forth in this chapter.

(2) Category determination request.

(a) through (d) No change.

(e) Requests for administrative hearing. Within 14 days following the date of receipt of the copy of the final determination as provided for by subparagraph (d)4., above, the industrial user or control authority may submit a petition for administrative hearing under Section 120.57, F.S., to reconsider or contest the decision.

(3) Deadline for compliance with categorical standards. Compliance by existing sources with categorical pretreatment standards shall be within 3 years of the date the standard is effective in the appropriate subpart of 40 C.F.R. Chapter I, Subchapter N, Parts 405 through 471, unless a shorter compliance time is specified as part of the categorical standard. Existing sources which become industrial users subsequent to promulgation of an applicable categorical pretreatment standard shall be considered existing industrial users except where such sources meet the definition of a new source as defined in subsection 62-625.200(13), F.A.C. New sources shall install and have in operating condition, and shall “start-up,” all pollution control equipment required to meet applicable pretreatment standards before beginning to discharge. Within 90 days of initiating discharge, new sources must meet all applicable pretreatment standards.

(4) Concentration and mass limits.

(a) through (f) No change.

(g) A control authority which chooses to establish equivalent mass limits:

1. through 2. No change.

3. May retain the same equivalent mass limit in subsequent control mechanism terms if:

a. through b. No change.

c. The industrial user is in compliance with Rule 62-625.860, F.A.C.

(h) No change.

(i) The control authority may convert the mass limits of the categorical pretreatment standards in 40 C.F.R. Parts 414, 419, and 455 to concentration limits for purposes of calculating limitations applicable to individual industrial users under the following conditions:

1. through 2. No change.

(j) Equivalent limitations calculated in accordance with paragraphs (c), (d), (e) and (i), above, are deemed pretreatment standards for the purposes of Section 307(d) of the CWA and this chapter. The control authority must document how the equivalent limits were derived and make this information available in the industrial user’s file for public review. Once incorporated into its control mechanism, the industrial user must comply with the equivalent limitations in lieu of the categorical pretreatment standards from which the equivalent limitations were derived.

(k) through (l) No change.

(5) No change.

(6) Combined waste stream formula. Where process effluent is mixed prior to treatment with wastewaters other than those generated by the regulated process, fixed alternative discharge limits may be derived by the control authority or by the industrial user with the written concurrence of the control authority. When the Department is acting as the control authority, the Department shall allow the development of fixed alternative discharge limits when direct sampling of the regulated waste stream is not technically feasible. These alternative limits shall be applied to the mixed effluent. When deriving alternative categorical limits, the control authority or industrial user shall calculate both an alternative daily maximum value using the daily maximum values specified in the appropriate categorical pretreatment standards and an alternative consecutive sampling day average value using the monthly average values specified in the appropriate categorical pretreatment standards. The industrial user shall comply with the alternative daily maximum and monthly average limits fixed by the control authority until the control authority modifies the limits or approves an industrial user modification request. Modification is authorized whenever there is a material or significant change in the values used in the calculation to fix alternative limits for the regulated pollutant. An industrial user must immediately report any such material or significant change to the control authority. Where appropriate, new alternative categorical limits shall be calculated within 30 days.

(a) Alternative limit calculation. For purposes of these formulas, the “average daily flow” means a reasonable measure of average daily flow for a 30-day period of production during a representative year. For new sources, flows shall be estimated using projected values. The alternative limit for a specified pollutant shall be derived by the use of either of the following formulas:

1. Alternative concentration limit.

$$C_T = \left( \frac{\sum_{i=1}^N C_i F_i}{\sum_{i=1}^N F_i} \right) \left( \frac{F_T - F_D}{F_T} \right)$$

$$C_T = \left( \frac{\sum_{i=1}^N C_i F_i}{\sum_{i=1}^N F_i} \right) \left( \frac{F_T - F_D}{F_T} \right)$$

2. Alternative mass limit.

$$M_T = \left( \sum_{i=1}^N M_i \right) \left( \frac{F_T - F_D}{\sum_{i=1}^N F_i} \right)$$

$$M_T = \left( \sum_{i=1}^N M_i \right) \left( \frac{F_T - F_D}{\sum_{i=1}^N F_i} \right)$$

3. The terms used in the equations in 1. and 2. above are defined as follows:

|       |   |   |
|-------|---|---|
| $C_T$ | = | The alternative concentration limit for the combined waste stream.  |
| $C_i$ | = | The categorical pretreatment standard concentration limit for a pollutant in the regulated stream i.  |
| $M_T$ | = | The alternative mass limit for a pollutant in the combined waste stream.  |
| $M_i$ | = | The categorical pretreatment standard mass limit for a pollutant in the regulated stream i (the categorical pretreatment mass limit multiplied by the appropriate measure of production). |

|       |   |  |
|-------|---|--|
| $F_i$ | = | The average daily flow (at least a 30-day average) of stream $i$ to the extent that it is regulated for such pollutant.                      |
| $F_D$ | = | The average daily flow (at least a 30-day average) from waste streams identified in subsection (7), below.                                   |
| $F_t$ | = | The average daily flow (at least a 30-day average) through the combined treatment facility (includes $F_i$ , $F_d$ and unregulated streams). |
| $N$   | = | The total number of regulated streams.   |

(b) No change.

(c) Self-monitoring. Self-monitoring required to ensure compliance with the alternative categorical limit shall be conducted in accordance with the requirements of Rule 62-625.600, F.A.C.

(d) No change.

(7) No change.

*Rulemaking Authority 403.061(7), (31), 403.0885 FS. Law Implemented 403.0885 FS. History—New 11-29-94, Amended 5-10-10, X-x-xx.*

**62-625.420 Removal Credits.**

(1) Introduction. Rule 62-625.420, F.A.C., does not apply where the Department is acting as the control authority.

(a) No change.

(b) Conditions for authorization to give removal credits. A control authority is authorized to give removal credits only if all of the following conditions are met:

1. through 2. No change.

3. Pretreatment program. The public utility has a pretreatment program approved by the Department in accordance with Rule 62-625.510, F.A.C.

4. ~~Biosolids domestic wastewater residuals~~ (referred to as “sewage sludge” in the federal regulations which is defined at 40 C.F.R. 503.9) requirements. The granting of removal credits will not cause the WWF to violate the local, State, and Federal requirements which apply to the ~~biosolids domestic wastewater residuals~~ management method chosen by the WWF. Alternatively, the WWF can demonstrate to the Department that (even though it is not presently in compliance with applicable domestic wastewater residual requirements) it will be in compliance when the industrial user (to whom the removal credit would apply) is required to meet its categorical pretreatment standard, as modified by the removal credit. Removal credits may be made available for the following:

a. Any pollutant listed in subsections 62-625.880(2) and (3), F.A.C., for the use or disposal practice employed by the WWF, when the requirements in Chapter 62-640, F.A.C., for that practice are met;

b. Arsenic, Beryllium, Cadmium, Chromium, Lead, Mercury and Nickel, when incinerated, when the concentration for these pollutants does not exceed the requirements of 40 C.F.R. Part 503.43, as of July 1, 2009, hereby adopted and incorporated by reference;

c. No change.

d. For any pollutant in ~~biosolids domestic wastewater residuals~~, when the WWF disposes all of its ~~biosolids domestic wastewater residuals~~ in a municipal solid waste landfill that meets the criteria in Chapter 62-701, F.A.C.

5. No change.

(c) Calculation of revised discharge limits. Revised discharge limits for a specific pollutant shall be derived by use of the following formula:

$$y = \left( \frac{x}{1 - r} \right)$$

~~$$y = \left( \frac{x}{1 - r} \right)$$~~

|       |   |  |
|-------|---|--|
| where |   |  |
| y     | = | Revised discharge limit for the specified pollutant (expressed in same units as x).  |
| x     | = | Pollutant discharge limit specified in the applicable categorical pretreatment standard.   |
| r     | = | Removal credit for that pollutant as established under subsection (2), below (percentage removal expressed as a proportion, i.e., a number between 0 and 1). |

(2) Establishment of removal credits; demonstration of consistent removal. Influent and effluent operational data demonstrating consistent removal, or other information as provided for in paragraph (g), below, which demonstrates consistent removal of the pollutants for which discharge limit revisions are proposed, shall be provided to the Department. These data shall meet the following requirements:

(a) through (d) No change.

(e) Analytical methods. The sampling referred to in paragraphs (c) and (d), above, and an analysis of these samples, shall be performed in accordance with Chapter 62-160, F.A.C.

(f) No change.

(g) All sample data obtained for the measured pollutant during the time period prescribed in this section, must be reported to the Department and used in computing consistent removal. If a substance is detectable in the influent but not in the effluent, the effluent level shall be assumed to be the method detection limit, and those data may be used by the WWF at its discretion if the method detection limit meets the requirements of Rule 62-4.246, F.A.C. If the substance is not detectable in the influent, the data shall not be used to calculate consistent removal. Where the number of samples with concentrations equal to or above the method detection limit is between 8 and 12, the average of the lowest 6 removals shall be used. If there are less than 8 samples with concentration equal to or above the method detection limit, the Department shall require alternate means for demonstrating consistent removal.

(3) No change.

(4) Control authority request for authorization to give removal credits and Department review.

(a) through (c) No change.

(d) The request for authorization to give removal credits must be supported by the following information:

1. through 3. No change.

4. Biosolids Domestic wastewater residuals management certification. A specific description of the WWF's current methods of using or disposing of its biosolids residuals and a certification that the granting of removal credits will not cause a violation of the biosolids domestic wastewater residuals requirements identified in subparagraph (1)(b)4., above.

5. No change.

(e) Department review. The Department shall review the control authority's request for authorization to give or modify removal credits in accordance with the procedures of Rule 62-625.510, F.A.C., and shall, in no event, have more than 180 days from public notice of the request to complete review.

(f) through (g) No change.

(h) Upon Department and EPA approval of a control authority's request to grant removal credits, the WWF's permit shall be revised in accordance with Rule 62-620.325, F.A.C., to include the revised discharge limits and any additional monitoring and reporting requirements.

(5) Continuation and withdrawal of authorization.

(a) through (c) No change.

(d) Modification or withdrawal of removal credits.

1. through 2. No change.

3. Public notice of withdrawal or modification. The Department shall not withdraw or modify revised discharge limits unless it first notifies, in writing, the control authority and all industrial users to whom revised discharge limits have been applied, of the reasons for such withdrawal or modification. The Department shall publish a notice of withdrawal or modification of revised discharge limits in a newspaper(s) of general circulation within the jurisdiction served by the WWF that meets the requirements of Sections 50.011 and 50.031, F.S., and shall provide an opportunity for an administrative hearing. Following such notice and withdrawal or modification, all industrial users to whom revised discharge limits had been applied, shall be subject to the modified discharge limits or the discharge limits prescribed in the applicable categorical pretreatment standards, as appropriate, and shall achieve compliance with such limits in accordance with subsection 62-625.410(3), F.A.C.

*Rulemaking Authority 403.061(7), (31), 403.0885 FS. Law Implemented 403.0885 FS. History—New 11-29-94, Amended 1-8-97, 5-10-10, X-x-xx.*

### **62-625.500 Pretreatment Program Development and Submission Requirements.**

(1) Public utilities required to develop a pretreatment program.

(a) Except as provided in paragraph (1)(b), below, public utilities shall establish a pretreatment program under the following conditions:

1. No change.

2. The public utility discharges to surface waters of the State or is required to implement a pretreatment program in accordance with Chapter 62-610, F.A.C., or 40 C.F.R. Parts 146.15 and 146.16; and,

3. The public utility owns or operates one or more WWFs with a total design flow greater than 5 million gallons per day (mgd). The Department shall also require that a public utility that owns or operates one or more WWFs with a design flow of 5 mgd or less to establish a pretreatment program if it finds that the nature or volume of the industrial influent, treatment process upsets, violations of WWF effluent limitations, contamination of ~~biosolids domestic wastewater residuals~~, or other circumstances require a pretreatment program in order to prevent interference with the WWF or pass through.

(b) Public utilities that own or operate one or more WWFs that are required to implement a pretreatment program in accordance with Chapter 62-610, F.A.C., or 40 C.F.R. Parts 146.15 and 146.16 shall develop a pretreatment program that meets the requirements of subsections (2) and (3), below, unless the public utility can provide an affirmative demonstration in accordance with subsection 62-610.330(2), F.A.C., or 40 C.F.R. Part 146.15(e)(1) that the WWF has no significant industrial users.

(c) No change.

(2) Pretreatment program requirements. A pretreatment program shall be based on the following legal authority and include the following procedures. These authorities and procedures shall at all times be fully and effectively exercised and implemented.

(a) Legal authority. The public utility shall operate under legal authority enforceable in Federal, State, or local courts which authorizes or enables the public utility to apply and to enforce the requirements of this chapter. Such authority shall be contained in a statute, ordinance, or series of contracts or joint powers agreements which the public utility is authorized to enact, enter into or implement, and which are authorized by State law. At a minimum, this legal authority shall enable the public utility to:

1. through 3. No change.

4. Carry out all inspection, surveillance and monitoring procedures necessary to determine, independent of information supplied by industrial users, compliance or noncompliance with applicable pretreatment standards and requirements by industrial users. Representatives of the control authority shall be authorized to enter any premises of any industrial user in which a discharge source or treatment system is located or in which records are required to be kept under subsection 62-625.600(14), F.A.C., to assure compliance with pretreatment standards. Such authority shall be at least as extensive as the authority provided under Section 403.091, F.S.;

5. No change.

6. Comply with the confidentiality requirements set forth in Rule 62-625.800, F.A.C.

7. No change.

8. To be covered by the general control mechanism, the significant industrial user must file a written request for coverage that provides:

a. through e. No change

f. Any other industrial user information the control authority deems appropriate.

A monitoring waiver pursuant to paragraph 62-625.600(4)(b), F.A.C., is not effective in the general control mechanism until after the control authority has provided written notice to the significant industrial user that such a waiver request has been granted. The control authority must retain a copy of the general control mechanism, documentation to support the control authority's determination that a specific significant industrial user meets the criteria in sub-subparagraphs (2)(a)7.a. through e., above, and a copy of the industrial user's written request for coverage for three (3) years after the expiration of the general control mechanism. A control authority may not control a significant industrial user through a general control mechanism where the facility is subject to production-based categorical pretreatment standards or categorical pretreatment standards expressed as mass of pollutant discharged per day or for industrial users whose limits are based on the combined wastestream formula or net/gross calculations as outlined in subsection 62-625.410(6), and Rule 62-625.820, F.A.C., respectively.

(b) Pretreatment program implementation procedures. The public utility shall develop and implement procedures to ensure compliance with the requirements of a pretreatment program. At a minimum, these procedures shall enable the control authority to:

1. through 2. No change

3. Notify industrial users identified under subparagraph 1., above, of applicable pretreatment standards and any applicable



requirements under Parts I and IV of Chapter 403, F.S., regarding disposal of sludge. Within 30 days of approval of a list of significant industrial users, in accordance with paragraph (e), below, notify each significant industrial user of its status as such and of all requirements applicable to it as a result of such status,

4. Receive and analyze self-monitoring reports and other notices submitted by industrial users in accordance with the self-monitoring requirements in Rule 62-625.600, F.A.C.,

5. through 6. No change.

7. Investigate instances of noncompliance with pretreatment standards and requirements, as indicated in the reports and notices required under Rule 62-625.600, F.A.C., or indicated by analysis, inspection, and surveillance activities described in subparagraph 5., above. Sample taking, analyses and the collection of other information shall be performed with sufficient care to produce evidence admissible in enforcement proceedings or in judicial actions; and,

8. Comply with the public participation requirements of Chapter 120, F.S., in enforcement of pretreatment standards. In addition, these procedures shall include provision for at least annual public notification of industrial users which were in significant noncompliance with applicable pretreatment requirements at any time during the previous 12 months. Public notification shall be included in a newspaper(s) of general circulation within the jurisdiction served by the WWF that meets the requirements of Sections 50.011 and 50.031, F.S. For the purpose of this provision, an industrial user is in significant noncompliance if its violation meets one or more of the following criteria:

a. through h. No change.

(c) Local limits. The public utility shall develop local limits as required in paragraph 62-625.400(3)(a), F.A.C., or submit to the Department documentation that demonstrates that they are not necessary to prevent pass through, interference, protection of WWF employees, or adversely affect biosolids residuals disposal. A plan of study shall be submitted to the Department prior to initiating the sampling required to develop local limits.

(d) No change.

(e) Significant industrial users. The public utility shall prepare and maintain a list of its industrial users meeting the criteria in paragraphs 62-625.200(25)(a) and (b), F.A.C. The list shall identify the criteria in paragraphs 62-625.200(25)(a) and (b), F.A.C., applicable to each industrial user and, shall also indicate whether the public utility has made a determination in accordance with paragraphs 62-625.200(25)(c) and (d), F.A.C., that such industrial user should not be considered a significant industrial user. The list shall be submitted to the Department in accordance with Rule 62-625.510, F.A.C., or as a non-substantial program modification in accordance with paragraph 62-625.540(2)(b), F.A.C. Modifications to the list shall be submitted to the Department in accordance with paragraph 62-625.600(8)(a), F.A.C.

(3) through (4) No change.

*Rulemaking Authority 403.061(7), (31), 403.0885 FS. Law Implemented 403.0885 FS. History—New 11-29-94, Amended 1-8-97, 5-10-10, X-x-xx.*

#### **62-625.510 Pretreatment Program Review and Approval Procedures.**

(1) No change.

(2) Public notice and opportunity for hearing. Within 20 working days after making a determination that a submission meets the requirements of paragraph 62-625.500(4)(a), F.A.C., the Department shall:

(a) Provide the public utility with a copy of a notice of request for approval of a pretreatment program. The public utility shall publish the notice in a newspaper(s) of general circulation within the jurisdiction served by the WWF, that meets the requirements of Sections 50.011 and 50.031, F.S., within 14 days of receipt of the request for publication. The public utility shall provide proof of publication to the Department, at the address specified in the request for publication, within 7 days of publication;

(b) through (f) No change.

(3) through (7)

(8) Permit reissuance or revision. If a WWF is required to develop a pretreatment program, the Department shall revise, or alternatively revoke and reissue, the WWF's permit in order to incorporate requirements for pretreatment program development and implementation as enforceable conditions of the permit. The revision of a WWF's permit for the purpose of incorporating these requirements shall be deemed a minor permit revision subject to the procedures in Rule 62-620.325, F.A.C.

*Rulemaking Authority 403.061(7), (31), 403.0885, 403.815 FS. Law Implemented 403.0885, 403.815 FS. History—New 11-29-94, Amended 1-8-97, 5-10-10, X-x-xx.*

#### **62-625.540 Modification of Pretreatment Programs.**

(1) General. Pretreatment programs shall be modified in accordance with this rule whenever there is a significant change in the operation of a pretreatment program that differs from the information in the control authority's submission to the Department, as approved under Rule 62-625.510, F.A.C.

(2) Procedures. Pretreatment program modifications shall be accomplished as follows:

(a) For substantial modifications, as defined in subsection (3), below.

1. No change.

2. The Department shall approve or disapprove the modification based on the requirements of subsection 62-625.500(2), F.A.C., following the procedures in Rule 62-625.510, F.A.C.,

3. If not already incorporated into the WWF's permit, the modification shall be incorporated after approval in accordance with Rule 62-620.325, F.A.C.; and,

4. No change.

(b) The control authority shall notify the Department of any non-substantial modifications to its pretreatment program at least 45 days prior to when they are to be implemented by the control authority, in a statement similar to that provided for in subparagraph (a)1., above. Such non-substantial program modifications shall be deemed to be approved by the Department 45 days after the submission of the control authority's statement unless the Department determines that a modification submitted is a substantial modification. Following such "approval" by the Department, if not already incorporated in to the WWF's permit, such modifications shall be incorporated in accordance with Rule 62-620.325, F.A.C. If the Department determines that a modification reported by a control authority in its statement is in fact a substantial modification, the Department shall notify the control authority and initiate the procedures in paragraph (a), above.

(3) No change.

*Rulemaking Authority 403.061(7), (31), 403.0885 FS. Law Implemented 403.0885 FS. History—New 11-29-94, Amended 5-10-10, X-x-xx.*

#### **62-625.600 Reporting Requirements for Control Authorities and Industrial Users.**

(1) Baseline Report for industrial users upon effective date of categorical pretreatment standard. Within 180 days after the effective date of a categorical pretreatment standard, or 180 days after the final administrative decision made upon a category determination request under paragraph 62-625.410(2)(d), F.A.C., whichever is later, existing industrial users subject to such categorical pretreatment standards and currently discharging to, or scheduled to discharge to a WWF shall submit to the control authority a report which contains the information listed in paragraphs (a)-(g), below. At least 90 days prior to commencement of discharge, new sources, and sources that become industrial users subsequent to the promulgation of an applicable categorical pretreatment standard, shall submit to the control authority a report which contains the information listed in paragraphs (a)-(e), below. New sources shall include in this report information on the method of pretreatment it intends to use to meet applicable pretreatment standards. New sources shall give estimates of the information requested in paragraphs (d) and (e), below.

(a) through (d) No change.

(e) Measurement of pollutants.

1. through 4. No change.

5. All activities related to sampling and analysis shall comply with paragraphs (6)(d) and (e), and Chapter 62-160, F.A.C.

a. Sampling activities shall be performed according to procedures specified in "The Department of Environmental Protection Standard Operating Procedures for Field Activities," DEP-SOP-001/01, January 2017 ~~March 31, 2008~~, hereby adopted and incorporated by reference. A copy of this document is available for inspection at the Department's district offices and 2600 Blair Stone Road, MS 3540, Tallahassee, Florida 32399-2400 and is also available on the Department's internet site.

b. Analytical tests shall be performed in accordance with applicable test procedures identified in 40 C.F.R. Part 136, as of July 1, 2009, hereby adopted and incorporated by reference. If a test for a specific component is not listed in 40 C.F.R. Part 136, or if the test procedure has been determined to be inappropriate for the analyte in question (e.g., insufficient sensitivity) the laboratory, with the approval of the industrial user and control authority, shall identify and propose a method for use in accordance with Rules 62-160.300 and 62-160.330, F.A.C.

c. If a sampling procedure is not available or none of the approved procedures are appropriate for collecting the samples, the sampling organization, with the approval of the industrial user and control authority, shall identify and propose a method for use in accordance with Rule 62-160.220, F.A.C.

6. through 7. No change.

(f) No change.

(g) Compliance schedule. If additional pretreatment or O & M will be required to meet the pretreatment standards, the industrial user shall provide such additional pretreatment or O & M as specified in a compliance schedule. The completion date in this schedule shall not be later than the compliance date established for the applicable pretreatment standard.

1. If the categorical pretreatment standard has been modified by the combined waste stream formula in accordance with subsection 62-625.410(6), F.A.C., a removal credit in accordance with Rule 62-625.420, F.A.C., or a fundamentally different factor variance in accordance with Rule 62-625.700, F.A.C., at the time the industrial user submits the report required by this subsection, the information requested in paragraphs (f) and (g), of this subsection, shall pertain to the modified limits.

2. No change.

(2) through (3)

(4) Periodic reports on continued compliance.

(a) through (b) No change.

(c) This authorization of the monitoring waiver is subject to the following conditions and does not supersede certification processes and requirements established in categorical pretreatment standards, except as specified in the categorical pretreatment standard:

1. No change.

2. In making a demonstration that a pollutant is not present, the industrial user must provide data from at least one sampling of the facility's process wastewater prior to any treatment present at the facility that is representative of all wastewater from all processes. Non-detectable sample results may only be used as a demonstration that a pollutant is not present if the Department approved method from Rule 62-4.246, F.A.C., with the lowest method detection limit for that pollutant was used in the analysis.

3. through 6. No change.

(d) through (g) No change.

(5) No change.

(6) Monitoring and analysis to demonstrate continued compliance.

(a) Except in the case of non-significant categorical industrial users, the reports required in subsections (1), (3), and (4), above, shall contain the results of sampling and analysis of the discharge, including the flow and the nature and concentration, or production and mass where requested by the control authority, of pollutants contained therein which are limited by the applicable pretreatment standards. This sampling and analysis may be performed by the control authority in lieu of the industrial user, except when the Department is acting as the control authority. Where the control authority performs the required sampling and analysis in lieu of the industrial user, the industrial user shall not be required to submit the compliance certification required under paragraph (1)(f) and subsection (3), above. In addition, where the control authority itself collects all the information required for the report, including flow data, the industrial user shall not be required to submit the report. All laboratory analytical reports prepared by the industrial user or the control authority shall comply with Rule 62-160.340, F.A.C.

(b) through (c) No change.

(d) For all sampling required by this chapter, grab samples must be used for pH, cyanide, total phenols, oil and grease, sulfide, and volatile organic compounds. For all other pollutants, 24-hour composite samples must be obtained through flow-proportional composite sampling techniques, unless time-proportional composite sampling or grab sampling is authorized by the control authority. Where time-proportional composite sampling or grab sampling is authorized by the control authority, the sample must be representative of the discharge and the decision to allow the alternative sampling must be documented in the industrial user file for that facility. Using protocols (including appropriate preservation) specified in Chapter 62-160, F.A.C., and DEP-SOP-001/01, multiple grabs collected during a 24-hour period may be composited prior to analysis as follows:

1. through 3. No change.

(e) through (h) No change.

(7) Reporting requirements for industrial users not subject to categorical pretreatment standards.

(a) No change.

(b) The reports must be based on sampling and analysis performed in the period covered by the report, and are subject to the same requirements specified in paragraphs (6)(d) and (e), above. The sampling and analysis may be performed by the control authority in lieu of the significant non-categorical industrial user and is subject to the same requirements specified in paragraphs (6)(d) and (e),

above, except when the Department is acting as the control authority. Where the control authority itself collects all the information required for the report, the significant non-categorical industrial user shall not be required to submit the report. All laboratory analytical reports prepared by the industrial user or the control authority shall comply with Rule 62-160.340, F.A.C.

(8) Annual control authority reports. Control authorities shall provide the Department with a report that briefly describes the control authority's program activities, including activities of all participating agencies if more than one jurisdiction is involved in the pretreatment program. The report shall be submitted no later than one year after approval of the pretreatment program, and at least annually thereafter as specified in the WWF's permit, and shall include at a minimum, the following:

(a) through (f) No change.

(g) A summary of all analytical results of biosolids residuals for each WWF covered by the pretreatment program for those pollutants identified under 40 C.F.R. Part 503.13, as of July 1, 2009, hereby adopted and incorporated by reference; and,

(h) A summary of analytical results of influent and effluent for each WWF covered by the pretreatment program for those nonpriority pollutants which the permittee believes may be causing or contributing to interference, pass through or adversely impacting biosolids residuals quality.

(9) No change.

(10) Compliance schedule for control authorities. The following conditions and reporting requirements shall apply to the compliance schedule for development of a pretreatment program required by Rule 62-625.500, F.A.C.:

(a) through (c) No change.

(11) through (12) No change.

(13) Provisions governing fraud and false statements. Any person, including a responsible corporate officer, submitting or maintaining reports and other documents required under this chapter shall be subject to the civil and criminal penalties of Section 403.161, F.S., for any falsification described in that section.

(14) Record-keeping requirements.

(a) Any industrial user and control authority subject to the reporting requirements established in this chapter shall maintain records of all information resulting from any monitoring activities required by this chapter, including documentation associated with best management practices. All sampling and analysis activities shall be subject to the record-keeping requirements specified in Chapter 62-160, F.A.C.

(b) through (d) No change.

(15) Provisions governing hazardous waste.

(a) The industrial user shall notify the control authority and the Department's hazardous waste and pretreatment authorities in writing of any discharge into the WWF of a substance which, if otherwise disposed of, would be hazardous waste under Chapter 62-730, F.A.C. Such notification must include the name of the hazardous waste, the EPA hazardous waste number, and the type of discharge (continuous, batch, or other). If the industrial user discharges more than 100 kilograms of such waste per calendar month to the WWF, the notification shall also contain the following information to the extent such information is known and readily available to the industrial user:

1. through 3. No change.

(b) Discharges are exempt from the requirements of paragraph (a), above, during a calendar month in which they discharge no more than fifteen kilograms of hazardous wastes, unless the wastes are acute hazardous wastes as specified in Chapter 62-730, F.A.C. Discharge of more than fifteen kilograms of non-acute hazardous wastes in a calendar month, or of any quantity of acute hazardous wastes as specified in Chapter 62-730, F.A.C., requires a one-time notification. Subsequent months during which the industrial user discharges more than such quantities of any hazardous waste do not require additional notification.

(c) through (d) No change.

(16) through (17) No change.

*Rulemaking Authority 403.061(7), (31), 403.0885, 403.161 FS. Law Implemented 403.0885 FS. History—New 11-29-94, Amended 1-8-97, 5-10-10, X-x-xx.*

#### **62-625.700 Fundamentally Different Factors Variance.**

(1) In establishing categorical pretreatment standards for existing sources, the EPA takes into account all the information it can collect, develop and solicit regarding the factors relevant to pretreatment standards under Section 307(b) of the CWA. In some cases, information which may affect these pretreatment standards will not be available or, for other reasons, will not be considered

during their development. As a result, it may be necessary on a case-by-case basis to adjust the limits in categorical pretreatment standards, making them either more or less stringent, as they apply to a certain industrial user within an industrial category or subcategory. This will only be done if data specific to that industrial user indicates it presents factors fundamentally different from those considered by EPA in developing the limit at issue. Any interested person or industrial user believing that factors relating to an industrial user are fundamentally different from the factors considered during development of a categorical pretreatment standard applicable to that industrial user and further, that the existence of those factors justifies a different discharge limit than specified in the applicable categorical pretreatment standard, may request a fundamentally different factors variance under this rule or such a variance request may be initiated by the EPA.

(2) Criteria.

(a) No change.

(b) Criteria applicable to less stringent limits. A variance request for the establishment of limits less stringent than required by the pretreatment standard shall be approved only if:

1. No change.

2. The alternative limit will not result in a violation of prohibitive discharge standards prescribed by or established under Rule 62-625.400, F.A.C.;

3. through 4. No change.

(c) No change.

(3) through (12) No change.

*Rulemaking Authority 403.061(7), (31), 403.0885 FS. Law Implemented 403.0885 FS. History–New 11-29-94, Amended 1-8-97, 5-10-10, X-x-xx.*

**62-625.800 Confidentiality.**

(1) Authority. In accordance with Chapter 119, F.S., all information and documents submitted to the Department are considered to be public information, and as such are available to the public for reading and copying. However, in accordance with Section 403.111, F.S., any information submitted to the Department in accordance with this chapter may be claimed as confidential by the submitter. Any such claim must be asserted at the time of submission in the manner prescribed on the application form or instructions, or, in the case of other submissions, by stamping the words “confidential business information” on each page containing such information. If no claim is made at the time of submission, the Department shall make the information available to the public without further notice. If a claim is asserted, the information will be treated in accordance with the procedures in Section 403.111, F.S.

(2) No change.

*Rulemaking Authority 403.061(7), (31), 403.0885, 403.111 FS. Law Implemented 403.0885, 403.08851 FS. History–New 11-29-94, X-x-xx.*

**62-625.820 Net/Gross Calculation.**

(1) through (2) No change.

*Rulemaking Authority 403.061(7), (31), 403.0885 FS. Law Implemented 403.0885 FS. History–New 11-29-94, Amended 1-8-97, 5-10-10.*

**62-625.840 Upset Provision.**

(1) through (4) No change.

*Rulemaking Authority 403.061(7), (31), 403.0885 FS. Law Implemented 403.0885, 403.08851 FS. History–New 11-29-94, Amended 1-8-97.*

**62-625.860 Bypass.**

(1) through (3) No change.

*Rulemaking Authority 403.061(7), (31), 403.0885 FS. Law Implemented 403.0885, 403.08851 FS. History–New 11-29-94.*

**62-625.880 Tables.**

(1) No change.

(2) Regulated pollutants eligible for a removal credit.

| Biosolids Residuals Use or Disposal Practice |                          |                          |
|--|--------------------------|--------------------------|
| Pollutant                                    | Land Application (mg/Kg) | Surface Disposal (mg/Kg) |
|  |                          |                          |

|            |      |     |
|------------|------|-----|
| Arsenic    | 75   | 73  |
| Cadmium    | –    | 85  |
| Chromium   | –    | 600 |
| Copper     | 4300 | –   |
| Lead       | 840  | –   |
| Mercury    | 57   | –   |
| Molybdenum | 75   | –   |
| Nickel     | 420  | 420 |
| Selenium   | 100  | –   |
| Zinc       | 7500 | –   |

(3) The following organic pollutants are eligible for a removal credit if the requirements for total hydrocarbons (or carbon monoxide) in Chapter 62-296, F.A.C., are met when sewage sludge is fired in a sewage sludge incinerator: Acrylonitrile, Aldrin/Dieldrin (total), Benzene, Benzidine, Benzo(a)pyrene, Bis(2-chloroethyl)ether, Bis(2-ethylhexyl)phthalate, Bromodichloromethane, Bromoethane, Bromoform, Carbon tetrachloride, Chlordane, Chloroform, Chloromethane, DDD, DDE, DDT, Dibromochloromethane, Dibutyl phthalate, 1,2-dichloroethane, 1,1-dichloroethylene, 2,4-dichlorophenol, 1,3-dichloropropene, Diethyl phthalate, 2,4-dinitrophenol, 1,2-diphenylhydrazine, Di-n-butyl phthalate, Endosulfan, Endrin, Ethylbenzene, Heptachlor, Heptachlor epoxide, Hexachlorobutadiene, Alphahexachlorocyclohexane, Betahexachlorocyclohexane, Hexachlorocyclopentadiene, Hexachloroethane, Hydrogen cyanide, Isophorone, Lindane, Methylene chloride, Nitrobenzene, N-Nitrosodimethylamine, N-Nitrosodi-n-propylamine, Pentachlorophenol, Phenol, Polychlorinated biphenyls, 2,3,7,8-tetrachlorodibenzo-p-dioxin, 1,1,2,2-tetrachloroethane, Tetrachloroethylene, Toluene, Toxaphene, Trichloroethylene, 1,2, 4-Trichlorobenzene, 1,1,1-Trichloroethane, 1,1,2-Trichloroethane, and 2,4,6-Trichlorophenol.

(4) Additional pollutants eligible for a removal credit.

| Pollutant                  | Biosolids Residuals-Use or Disposal Practice Surface Disposal |        |        |      |
|----------------------------|---|--------|--------|------|
|                            | LA  | UL     | L      | I    |
| Arsenic                    | –   | –      | 100(1) | –    |
| Aldrin/Dieldrin (Total)    | 2.7   | –      | –      | –    |
| Benzene                    | 16(1)   | 140    | 3400   | –    |
| Benzo(a)pyrene             | 15  | 100(1) | 100(1) | –    |
| Bis(2-ethylhexyl)phthalate | –   | 100(1) | 100(1) | –    |
| Cadmium                    | –   | 100(1) | 100(1) | –    |
| Chlordane                  | 86  | 100(1) | 100(1) | –    |
| Chromium (Total)           | 100   | –      | 100(1) | –    |
| Copper                     | –   | 46(1)  | 100(1) | 1400 |
| DDD, DDE, DDT (Total)      | 1.2   | 2000   | 2000   | –    |
| 2,4-Dichlorophenoxy-aceti  | –   | 7      | 7      | –    |
| Fluoride                   | 730   | –      | –      | –    |
| Heptachlor                 | 7.4   | –      | –      | –    |
| Hexachlorobenzene          | 29  | –      | –      | –    |
| Hexachlorobutadiene        | 600   | –      | –      | –    |
| Iron                       | 78(1)   | –      | –      | –    |
| Lead                       | –   | 100(1) | 100(1) | –    |
| Lindane                    | 84  | 28(1)  | 28(1)  | –    |
| Malathion                  | –   | 0.63   | 0.63   | –    |
| Mercury                    | –   | 100(1) | 100(1) | –    |
| Molybdenim                 | –   | 40     | 40     | –    |
| Nickel                     | –   | –      | 100(1) | –    |
| N-Nitrosodimethylamine     | 2.1   | 0.088  | 0.088  | –    |
| Pentachlorophenol          | 30  | –      | –      | –    |

|                           |       |       |       |      |
|---------------------------|-------|-------|-------|------|
| Phenol                    | –     | 82    | 82    | –    |
| Polychlorinated biphenyls | 4.6   | <50   | <50   | –    |
| Selenium                  | –     | 4.8   | 4.8   | 4.8  |
| Toxaphene                 | 10    | 26(1) | 26(1) | –    |
| Trichloroethene           | 10(1) | 9500  | 10(1) | –    |
| Zinc                      | –     | 4500  | 4500  | 4500 |

(a) through (b) No change.

The subsection (1), above, table indicates that the units are grams per kilograms – dry weight basis. All other values have the units milligrams per kilogram – dry weight basis.

*Rulemaking Authority 403.061(7), (31), 403.0885 FS. Law Implemented 403.0885 FS. History–New 11-29-94, Amended 1-8-97, 5-10-10, X-x-xx.*