Summary of IU Compliance Evaluations

Evaluating Compliance

- **Limitations**
  - ◊ **Maximum -** Where a maximum limit is imposed for a given parameter, any exceedance of that maximum limit by any magnitude is a violation

  - ◊ **Ranges -** Where a parameter limitation specifies a range to stay within, e.g., pH 5-12 S.U. (Standard Unit), any result reported as less than the lower limit or in excess of the upper limit of the specified range is a violation.

  - ◊ **Minimum -** Where a parameter limitation specifies a minimum limitation, e.g., flashpoint 140°F, any result reported as less than the minimum limitation is considered a violation.

  - ◊ **Simple vs. technical review criteria**
    - A simple violation is defined as any violation of a limitation (instantaneous, daily maximum, or average), regardless of magnitude.
    - Technical review criteria (TRC) is defined as any violation equal to or in excess of the product of the limitation (instantaneous, daily maximum, or average) multiplied by the applicable TRC factor.
      - TRC factor for BOD, TSS, fats, oil, and grease = 1.4.
      - TRC factor for all other pollutants, excluding pH = 1.2.

- **Deadlines**
  - ◊ Appendix 8-B details potential reports required of IUs and the corresponding deadline(s) for submission.
  - ◊ Where the actual report receipt date (or postmark date if so determined) succeeds the required submission date, the IU is considered in violation.

- **Other**
  - ◊ Incomplete reports, failing to use approved sample handling protocols and analytical methodologies, etc. typically require manual evaluation by the control authority.

Evaluating Significant Noncompliance (SNC)

SNC is evaluated on a rolling quarter basis, in six-month increments
(i.e., Jan 1-Jun 30, Apr 1-Sep 30, Jul 1-Dec 31, Oct 1-Mar 31).

- **Sub-subparagraph 62-625.500(2)(b)8.a., F.A.C.**
  - ◊ Defined as 66% or more of all measurements taken during the six-month evaluation period which exceed the limitation, by any magnitude (chronic SNC).
  - ◊ Evaluated for each limitation (i.e., instantaneous, daily maximum, and/or average) imposed for a parameter.
  - ◊ e.g., Chromium (Cr)-daily maximum limit, 10 measurements, 6 violations ≠ SNC
    Cr-monthly average limit, 3 measurements, 2 violation = SNC
    Zinc (Zn)-daily maximum limit, 30 measurements, 0 violations ≠ SNC
    Zn-monthly average limit, 3 measurements, 1 violation ≠ SNC

- **Sub-subparagraph 62-625.500(2)(b)8.b., F.A.C.**
  - ◊ Defined as 33% or more of all measurements taken during the six-month evaluation period which equal or exceed the TRC value.
  - ◊ Evaluated for each limitation (i.e., instantaneous, daily maximum, and/or average) imposed for a parameter at the TRC level.
  - ◊ e.g., Cr-daily maximum limit, 10 measurements, 6 violations (4 are TRC violations) = SNC
    Cr-monthly average limit, 3 measurements, 2 violation (1 is a TRC violation) = SNC
    Zn-daily maximum limit, 30 measurements, 0 violations ≠ SNC
    Zn-monthly average limit, 3 measurements, 1 violation (a TRC violation) = SNC

- **Sub-subparagraph 62-625.500(2)(b)8.c., F.A.C.**
  - ◊ Any effluent limitation violation that has caused, alone or in conjunction with other discharges, interference, pass through, or endangerment to control authority personnel or the public.
  - ◊ This requires manual determination by control authority personnel.

- **Sub-subparagraph 62-625.500(2)(b)8.d., F.A.C**
  - ◊ Any discharge of a pollutant that has caused imminent endangerment or has resulted in the control authority exercising its emergency authority.
  - ◊ This requires manual determination by control authority personnel.

- **Sub-subparagraph 62-625.500(2)(b)8.e., F.A.C**
  - ◊ Defined as failure to meet, within 90 (calendar) days after the schedule date, a compliance schedule milestone contained in a local control mechanism or enforcement order for starting constructing, completing construction, or attaining final compliance.

- **Sub-subparagraph 62-625.500(2)(b)8.f., F.A.C**
  - ◊ Failure to provide, within 45 calendar days after the due date, a required report.

- **Sub-subparagraph 62-625.500(2)(b)8.g., F.A.C.**
  - ◊ Failure to accurately report noncompliance.
  - ◊ This requires manual determination by control authority personnel.

- **Sub-subparagraph 62-625.500(2)(b)8.h., F.A.C.**
  - ◊ Any other violation or group of violations, including a violation of best management practices, determined by the control authority to adversely affect operation or implementation of the pretreatment program.
  - ◊ This requires manual determination by control authority personnel.