Florida Department of Environmental Protection
Pretreatment Program
Chapter 62-625, F.A.C.

Legal Authority Checklist (Sewer Use Ordinance)

Program Name: _____
Submission Date: _____
Permit Number: _____

		Y or comment number	Document reference and page #
1.	GENERAL PROVISIONS		
1.1	Purpose and Policy		
	Enable Pretreatment Program to comply with all applicable state and federal laws including the Clean Water Act (33 U.S.C. 1251 et. seq.) and Chapter 62-625, F.A.C.		
	Objectives:		
	A. Prevent interference with operation of WWF; ***[40 CFR 403.2(a)]***		
	B. Prevent pass through of pollutants; ***[40 CFR 403.2(b)]***		
	C. Protect general public and WWF personnel;		
	D. Improve opportunities to recycle and reclaim wastewater and sludge; ***[40 CFR 403.2(c)]***		
	E. ***(optional)*** Provide for equitable distribution of the cost of operation, maintenance and improvement of WWF;		
	F. Enable Control Authority to comply with NPDES permit conditions, sludge use and disposal requirements and any other federal or state laws.		
	Authorization for the issuance of individual wastewater discharge permits, monitoring, compliance, enforcement, administrative review procedures, and IU reporting.		
1.2	Administration		
1.3	Abbreviations *(If abbreviation is not used in SUO, it is not needed)*		
1.4	Definitions (I*f definition is not used in SUO, it is not needed)*		
	A. Act/The Act/Clean Water Act ***[40 CFR 403.3(b)]***		
	B. Approval Authority		
	C. Authorize Representative of the User ***[62-625.600(11), F.A.C.]***		
	D. Bypass ***[62-625.200(1), F.A.C.]***		
	E. Best Management Practices ***[62-625.200(2), F.A.C.]***		
	F. Biochemical Oxygen Demand		
	G. Categorical Industrial User ***[62-625.200(3), F.A.C.]***		
	H. Categorical Pretreatment Standard/Categorical Standard		
	I. Chemical Oxygen Demand (COD)		
	J. {City/County/District} (or representative)		
	K. Control Authority ***[62-625.200(5), F.A.C]***		
	L. Daily Maximum		
	M. Daily Maximum Limit		
	N. Discharge ***[62-625.200(6), F.A.C.]***		

		Y or comment number	Document reference and page #
O.	Environmental Protection Agency (EPA)		
P.	Existing Source		
Q.	Grab Sample ***[62-625.200(7), F.A.C.]***		
R.	Industrial User/User ***[62-625.200(8), F.A.C.]***		
S.	Instantaneous Limit ***[62-625.200(10), F.A.C.]***		
T.	Interference ***[62-625.200(9), F.A.C.]***		
U.	Local Limit		
V.	Medical Waste		
W.	Method Detection Limit ***[62-625.200(12), F.A.C.]***		
X.	Monthly Average		
Y.	Monthly Average Limit		
Z.	New Source ***[62-625.200(13), F.A.C.]***		
AA.	Noncontact Cooling Water		
BB.	***(Optional)*** Non-Significant Categorical Industrial User ***[62-625.200(14), F.A.C.]***		
CC.	Pass Through ***[62-625.200(15), F.A.C.]***		
DD.	Person		
EE.	pH		
FF.	Pollutant		
GG.	Pretreatment ***[62-625.200(17), F.A.C.]***		
HH.	Pretreatment Requirements ***[62-625.200(19), F.A.C.]***		
II.	Pretreatment Standards/Standards ***[62-625.200(20), F.A.C.]***		
JJ.	Prohibited Discharge Standards/Prohibited Discharges		
KK.	Responsible Corporate Officer ***[62-625.200(23), F.A.C.]***		
LL.	Septic Tank Waste		
MM.	Severe Property Damage ***[62-625.200(24), F.A.C.]***		
NN.	Sewage		
OO.	Significant Industrial User ***[62-625.200(25), F.A.C.]***		
PP.	Slug Discharge ***[62-625.200(26), F.A.C.]***		
QQ.	State		
RR.	Storm Water		
SS.	Superintendent or Duly Authorized Representative of the Superintendent		
TT.	Total Suspended Solids/Suspended Solids		
UU.	Treatment Plant ***[62-625.200(27), F.A.C.]***		
VV.	Upset ***[62-625.200(28), F.A.C.]***		
WW.	Wastewater		
XX.	Wastewater Facility/Publicly Owned Treatment Works ***[62-625.200(29), F.A.C.]***		

2. GENERAL SEWER USE REQUIREMENTS

2.1 Prohibited Discharge Standards

A.	General Prohibitions.		
	(1) No IU shall introduce or cause to be introduced in the WWF any pollutant or wastewater which causes pass through or interference. ***[62-625.400(1)(a), F.A.C.]***		
	(2) Affirmative Defenses ***[62-625.400(1)(b), F.A.C.]***		
B.	Specific Prohibitions ***[62-625.400(2), F.A.C.]***		
	(1) Fire or explosive hazard ***[62-625.400(2)(a), F.A.C.]***		

		Y or comment number	Document reference and page #
(2)	pH or corrosive ***[62-625.400(2)(b), F.A.C.]***		
(3)	Solid or viscous obstruction ***[62-625.400(2)(c), F.A.C.]***		
(4)	Flow rate/concentration ***62-625.400(2)(d), F.A.C.]***		
(5)	Heat (exceeds 40°C (104°F) at WWF) ***[62-625.400(2)(e), F.A.C.]***		
(6)	Petroleum/non-biodegradable cutting oil/mineral oil ***[62-625.400(2)(f), F.A.C.]***		
(7)	Toxic gases/vapors/fumes ***[62-625.400(2)(g), F.A.C.]***		
(8)	Trucked/hauled waste ***[62-625.400(2)(h), F.A.C.]***		
(9)-(18)	***(optional)*** Other prohibitions		
C.	Pollutant, substances or wastewater shall not be processed or stored in manner that they could be discharge into WWF.		
D.	Local Limits ***[62-625.400(4), F.A.C.]***		
(1)	No user shall discharge in excess of local limits		
(2)	Local limits are subject to changes		
(3)	Where local limits will be applied		
(4)	BMPs may be developed to implement local limits ***[62-625.400(3)(d), F.A.C.]***		
2.2	National Categorical Pretreatment Standards		
A.	CIUs must comply with categorical standards ***[62-625.410(1), F.A.C.]***		
B.	***(optional)*** Equivalent mass/concentration ***[62-625.410(4)(a), F.A.C.]***		
C.	***(optional)*** Production-based limitations ***[62-625.410(4)(b), F.A.C.]***		
D.	***(optional)*** Equivalent mass limitations ***[62-625.410(4)(e), F.A.C.]***		
E.	***(optional)*** Equivalent mass limit requirements ***[62-625.410(4)(f), F.A.C.]***		
F.	***(optional)*** Developing equivalent mass limits ***[62-625.410(4)(g), F.A.C.]***		
G.	***(optional)*** Mass limits 40 CFR Parts 141, 419, and 455 ***[62-625.410(i), F.A.C.]***		
H.	Compliance with equivalent limitations ***[62-625.410(j), F.A.C.]***		
I.	***(optional)*** Production and flow calculation ***[62-625.410(k), F.A.C.]***		
J.	***(optional)*** Notification of production ***[62-625.410(l), F.A.C.]***		
K.	Alternative limitations for mixed wastestreams ***[62-625.410(6), F.A.C.]***		
L.	***(optional)*** Net/Gross adjustment ***[62-625.820, F.A.C.]***		
2.3	Dilution is prohibited except where expressly authorized by an applicable pretreatment standard or requirement. ***[62-625.410(5), F.A.C.]***		
2.4	{City/County/District}'s Right of Revision		
3	PRETREATMENT OF WASTEWATER		
3.1	Pretreatment Facilities. IUs shall provide necessary wastewater treatment to comply with this ordinance, categorical standards, local limits, and established prohibitions. The IU shall maintain pretreatment facilities and provide plans and operating procedures as required.		
3.2	***(optional)*** Additional Pretreatment Measures		
3.3	Accidental Discharge/Slug Discharge Control Plan. SIUs shall be evaluated at least every two years, and new SIUs must be evaluated within one year whether the SIU needs a plan. Plans shall include the following: ***[62-625.500(2)(b)6, F.A.C.]***		
A.	Description of discharge practices;		
B.	Description of stored chemical and containment areas;		
C.	Notification procedures;		
D.	Procedures to prevent adverse impact.		
3.4	Hauled Wastewater Procedures		

		Y or comment number	Document reference and page #
4.	INDIVIDUAL WASTEWATER DISCHARGE PERMITS		
4.1	Wastewater Analysis		
4.2	Permit Requirements		
4.3	Permitting: Existing Connections		
4.4	Permitting: New Connections		
4.5	Permit Application Contents:		
A.	Permit application information:		
(1)	Identifying information		
(2)	Permit information		
(3)	Description of operations		
(4)	Time and duration of discharges		
(5)	Monitoring locations		
(6)	Flow measurements		
(7)	Measurement of pollutants		
(8)	Monitoring waiver requests ***(required if section 6.4 is included)***		
(9)	General permit requests ***(required if section 4.6 is included)***		
(10)	Any other information		
B.	Incomplete or inaccurate applications		
4.6	***(optional)*** Wastewater Discharge Permitting: General Permits		
4.7	Application, Signatories, and Certifications		
4.8	Permit Decisions		
5.	INDIVIDUAL WASTEWATER DISCHARGE PERMIT ISSUANCE		
5.1	Permit Duration		
5.2	Permit Contents		
A.	Permit contents:		
(1)	Permit duration (in no case more than 5 years) ***[62-625.500(2)(a)2.a, F.A.C.]***		
(2)	Statement of non-transferability ***[62-625.500(2)(a)2.b, F.A.C.]***		
(3)	Effluent limits, including BMPs, based on pretreatment standards ***[62-625.500(2)(a)2.c, F.A.C.]***		
(4)	Self-monitoring, sampling, reporting, notification and record keeping requirements, including an identification of the pollutants to be monitored, sampling locations, sampling frequency, and sample type ***[62-625.500(2)(a)2.d, F.A.C.]***		
(5)	Waiver for pollutants not present process or grant of a monitoring waiver ***(required if section 6.4 is included) [62-625.500(2)(a)2.e, F.A.C.]***		
(6)	Civil and criminal penalties ***[62-625.500(2)(a)2.f, F.A.C.]***		
(7)	Slug discharge control requirements ***[62-625.500(2)(a)2.g, F.A.C.]***		
B.	***(optional)*** Other contents		
5.3	Permit Issuance Process		
5.4	Permit Modification		
5.5	Permit Transfer		
5.6	Permit Revocation		
5.7	Permit Reissuance		
5.8	Regulation of Waste Received from Other Jurisdictions		

		Y or comment number	Document reference and page #
6	REPORTING REQUIREMENTS		
6.1	Baseline Monitoring Report ***[62-625.600(1), F.A.C.]***		
	A. Report Deadlines ***[62-625.600(1), F.A.C.]***		
	B. Report must contain:		
	(1) Identifying information ***[62-625.600(1)(a), F.A.C.]***		
	(2) Permits ***[62-625.600(1)(b), F.A.C.]***		
	(3) Description of operations ***[62-625.600(1)(c), F.A.C.]***		
	(4) Flow measurement ***[62-625.600(1)(d), F.A.C.]***		
	(5) Measurement of pollutants ***[62-625.600(1)(e), F.A.C.]***		
	(6) Certification ***[62-625.600(1)(f), F.A.C.]***		
	(7) Compliance Schedule ***[62-625.600(1)(g), F.A.C.]***		
	(8) Signature and report certification ***[62-625.600(11), F.A.C.]***		
6.2	Compliance Schedule Progress Reports ***[62-625.600(2), F.A.C.]***		
	A. Schedule shall contain increments of progress ***[62-625.600(2)(a), F.A.C.]***		
	B. Increments must be <9 months ***[62-625.600(2)(b), F.A.C.]***		
	C. 14-day report ***[62-625.600(2)(c), F.A.C.]***		
6.3	Final Report on Compliance with Categorical Pretreatment Standard Deadline ***[62-625.600(3), F.A.C.]***		
6.4	Periodic Compliance Reports for CIUs ***[62-625.600(4), F.A.C.]***		
	A. Reporting 2 times per year ***[62-625.600(4)(a), F.A.C.]***		
	B. ***(optional)*** Pollutants not present waiver ***[62-625.600(4)(b), F.A.C.]***		
	C. ***(optional)*** Pollutants not present waiver conditions ***[62-625.600(4)(c), F.A.C.]***		
	D. ***(optional)*** Reduced reporting ***[62-625.600(4)(d), F.A.C.]***		
	E. Immediate notification of changes ***[62-625.600(4)(e), F.A.C.]***		
	F. Signature and certification ***[62-625.600(11), F.A.C.]***		
	G. Sampling and analysis ***[62-625.600(4)(a), F.A.C.]***		
	H. ***(required streamlining change)*** Grab samples for compliance ***[62-625.600(6)(g), F.A.C.]***		
	I. Monitoring more frequently must be reported ***[62-625.600(6)(h), F.A.C.]***		
6.5	Periodic Compliance Reports for non-categorical SIUs ***[62-625.600(7), F.A.C.]***		
	A. Reporting 2 times per year ***[62-625.600(7)(a), F.A.C.]***		
	B. Signature and certification ***[62-625.600(11), F.A.C.]***		
	C. Sampling and analysis ***[62-625.600(7)(b), F.A.C.]***		
	D. ***(required streamlining change)*** Grab samples for compliance ***[62-625.600(6)(g), F.A.C.]***		
	E. Monitoring more frequently must be reported ***[62-625.600(6)(h), F.A.C.]***		
6.6	Reports of Changed Conditions ***[62-625.600(9), F.A.C.]***		
6.7	Reports of Potential Problems		
	A. Immediate notification ***[62-625.600(5), F.A.C.]***		
	B. ***(optional)*** Five-day follow up report ***[62-625.500(2)(b)6.c, F.A.C.]***		
	C. ***(optional)*** Posted notice of procedures for employees		
	D. Immediate notification of changes affecting the potential to discharge ***[62-625.500(2)(b)6, F.A.C.]***		
6.8	***(optional)*** Reports from Unpermitted Industrial Users		
6.9	***(required streamlining change)*** Notice of Violation/Repeat Sampling and Reporting ***[62-625.600(6)(b), F.A.C.]***		
6.10	Notification of the Discharge of Hazardous Waste ***[62-625.600(15), F.A.C.]***		
	A. Notification of hazardous waste ***[62-625.600(15)(a), F.A.C.]***		

		Y or comment number	Document reference and page #
	B. Exemptions ***[62-625.600(15)(b), F.A.C.]***		
	C. New Regulations ***[62-625.600(15)(c), F.A.C.]***		
	D. Program Certification ***[62-625.600(15)(d), F.A.C.]***		
	E. Right to Discharge		
6.11	Analytical Requirements ***[62-625.600(1)(e)5.b and c, F.A.C.]***		
6.12	Sample Collection		
	A. ***(required streamlining change)*** Reporting requirements ***[62-625.600(6)(a), F.A.C.]***		
	B. ***(required streamlining change)*** Sampling representative of reporting period ***[62-625.600(6)(c), F.A.C.]***		
	C. ***(required streamlining change)*** Flow proportional where feasible ***[62-625.600(6)(d), F.A.C.]***		
	D. Oil and grease samples ***[62-625.600(6)(e), F.A.C.]***		
	E. Historical data ***[62-625.600(6)(f), F.A.C.]***		
6.13	Date of Receipt of Reports		
6.14	***(required streamlining change)*** Recordkeeping ***[62-625.600(14), F.A.C.]***		
6.15	Certification Statements		
	A. Permit application and reports ***[62-625.410(2)(b)2, F.A.C.]***		
	B. ***(optional)*** NSCIU ***[62-625.600(17), F.A.C.]***		
	C. ***(optional)*** Monitoring Waiver ***(required if section 6.4 is included) [62-625.600(4)(c)5, F.A.C.]***		
7	COMPLIANCE MONITORING		
7.1	Right of Entry: Inspection and Sampling ***[62-625.500(2)(a)4, F.A.C.]***		
	A. ***(optional)*** Right to enter at reasonable times, without delay to inspect for compliance, sample or copy records		
	B. ***(optional)*** Right to set up monitoring equipment		
	C. ***(optional)*** Right to require user to install monitoring equipment		
	D. ***(optional)*** Right to require removal of obstructions for sampling		
	E. ***(optional)*** Unreasonable delays are violations		
	F. ***(optional)*** Public right-of-way or public/private property		
7.2	Search Warrants		
8.	CONFIDENTIAL INFORMATION ***[62-625.800, F.A.C.]***		
9	PUBLICATION OF INDUSTRIAL USERS IN SIGNIFICANT NONCOMPLIANCE ***[62-625.500(2)(b)8, F.A.C.]***		
9.1	***(required streamlining change)*** Chronic violations ***[62-625.500(2)(b)8.a, F.A.C.]***		
9.2	***(required streamlining change)*** TRC violations ***[62-625.500(2)(b)8.b, F.A.C.]***		
9.3	***(required streamlining change)*** Interference or pass through ***[62-625.500(2)(b)8.c, F.A.C.]***		
9.4	Emergency authority used to halt discharge ***[62-625.500(2)(b)8.d, F.A.C.]***		
9.5	Failure to meet compliance schedule milestone ***[62-625.500(2)(b)8.e, F.A.C.]***		
9.6	Report >45 days late ***[62-625.500(2)(b)8.f, F.A.C.]***		
9.7	Inaccurate reporting of compliance ***[62-625.500(2)(b)8.g, F.A.C.]***		
9.8	Any other violations ***[62-625.500(2)(b)8.h, F.A.C.]***		
10	ADMINISTRATIVE ENFORCEMENT REMEDIES		
10.1	***(optional)*** Notification of Violation		
10.2	***(optional)*** Consent Orders		

		Y or comment number	Document reference and page #
10.3	***(optional)*** Show cause hearings		
10.4	***(optional)*** Compliance Orders/schedules		
10.5	***(optional)*** Cease and desist orders		
10.6	***(optional)*** Administrative fines		
10.7	Emergency suspensions ***[62-625.500(2)(a)5b, F.A.C.]***		
10.8	Termination of service ***[62-625.500(2)(a)5b, F.A.C.]***		
11	JUDICIAL ENFORCEMENT REMEDIES		
11.1	Injunctive Relief ***[62-625.500(2)(a)5a, F.A.C.]***		
11.2	Civil Penalties ***[62-625.500(2)(a)5a, F.A.C.]***		
11.3	Criminal Prosecution		
11.4	Remedies Nonexclusive		
12	***(optional)*** SUPPLEMENTAL ENFORCEMENT ACTION		
13	AFFIRMATIVE DEFENSES TO DISCHARGE VIOLATIONS		
13.1	Upset ***[62-625.840, F.A.C.]***		
13.2	Prohibited Discharge Standards ***[62-625.400(1)(b), F.A.C.]***		
13.3	Bypass ***[62-625.860, F.A.C.]***		
14	WASTEWATER TREATMENT RATES - RESERVED		
15	***(optional)*** MISCELLANEOUS PROVISIONS		
16	EFFECTIVE DATE		

(optional) indicates sections of the EPA model pretreatment ordinance that do not have to be but may be adopted by the CA.

Comments:

Based upon this review, I have found the program legal authority to be:

☐ Adequate ☐ Inadequate ☐ Adequate, contingent on addressing comments

Date: _____ Reviewed by: _____

Note: This review is a preliminary determination and is not the final legal opinion or determination by the Department.