APPENDIX B – MANATEE COUNTY DISCHARGE PERMIT #IW-0025S

Perdicaris, Jason

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Utilities
Wastewater Compliance
5101 65th Street West
Bradenton, FL 34210
Phone: (941) 792-8811, ext. 5180
www.mymanatee.org/utilities

MANATEE COUNTY INDUSTRIAL PRETREATMENT PROGRAM

CERTIFICATION STATEMENT FOR RECEIPT OF INDUSTRIAL WASTEWATER DISCHARGE PERMIT

Industrial User Name: **Lockheed Martin Corporation**

Discharge Permit No.: **IW-0025S**

Address: **1600 Tallevast Road**

Sarasota, FL 34242

I certify that I have received Industrial Wastewater Discharge Permit # IW-0025S from Manatee County's authorized representative. I understand that signing this statement in no way voids my right to appeal this permit as specified in the Manatee County Sewer Use Ordinance.

Signature of Authorized Representative: Paul E Calligan

Title: Project Manager

Print Name: Paul E. Calligan

Date: 11-10-2015

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Local Limits

No person shall discharge wastewater containing pollutants in excess of the following instantaneous maximum allowable discharge limits:

2.51 mg/L Arsenic
7290 mg/L cBOD5
287 mg/L Chloride
0.73 mg/L Cadmium
9.90 mg/L Chromium
28.48 mg/L Copper
4.70 mg/L Cyanide
1.87 mg/L Lead
0.38 mg/L Mercury
1.26 mg/L Molybdenum
11.08 mg/L Nickel
2.11 mg/L Selenium
16.06 mg/L Silver
1830 mg/L Total Suspended Solids
4.78 mg/L Zinc

The above limits apply at the point where the wastewater is discharged to Manatee County's sanitary sewer collection system. All concentrations for metallic substances are for "total" metals unless indicated otherwise. The Director may impose limitations in addition to, or in place of, the concentration-based limitations above.

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October 30, 2015

Mr. Paul E. Calligan, P.G.
Project Manager, Environmental Remediation
Lockheed Martin Corporation
1195 Sarasota Center Boulevard
Sarasota, FL 34240

Re: Issuance of **Industrial Wastewater Discharge Permit** to **Lockheed Martin Corporation** by Manatee County Utilities Department, **Permit # IW – 0025S**

Dear Mr. Calligan,

Enclosed, please find your revised discharge **Permit # IW- 0025S** which covers the current operations from the location identified in your permit application dated **September 4, 2015**. All discharges, actions, and reports relating thereto shall be in accordance with the terms and conditions of this permit.

Please review your permit carefully; if you wish to appeal or challenge any conditions imposed in this permit, you must file a petition for modification or reissuance of this permit in accordance with the requirements of the Manatee County Sewer Use Ordinance within 30 days of receipt of this correspondence. Failure to petition for reconsideration of the permit within the allotted time is deemed a waiver by the permittee of his right to challenge the terms of this permit.

Please complete, as applicable, the enclosed **Authorization of Approved Representative** form, and return to the MCUD Compliance Section address indicated above. Please note that a **Type II Discharge Permit fee of $1500.00** will be included in your next utility billing statement.

Thank you for your continued cooperation, and please do not hesitate to contact me at the number listed above should you have questions regarding this matter.

Sincerely,

Andre Rachmaninoff, Wastewater Compliance Superintendent

cc: Jeff Goodwin, Wastewater Division Manager, MCUD (email only)

Enclosures

LARRY BUSTLE * CHARLES B. SMITH * JOHN R. CHAPPIE * ROBIN DiSABATINO * VANESSA BAUGH * CAROL WHITMORE * BETSY BENAC
District 1 District 2 District 3 District 4 District 5 District 6 District 7

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MANATEE COUNTY UTILITIES DEPARTMENT
WASTEWATER DIVISON
OFFICE OF INDUSTRIAL COMPLIANCE

INDUSTRIAL WASTEWATER DISCHARGE PERMIT

PERMIT: IW 0025S

In accordance with the provisions of the Manatee County Sewer Use Ordinance:

Lockheed Martin Corporation
1600 Tallevast Road
Sarasota, FL 34243

is hereby authorized to discharge pretreated industrial wastewater from the location identified above in accordance with the conditions set forth in this permit. Compliance with this permit does not relieve the permittee of its obligation to comply with any or all applicable pretreatment regulations, standards or requirements under local, State, and Federal laws, including any such regulations, standards, requirements, or laws that may become effective during the term of this permit.

Non-compliance with any term or condition of this permit shall constitute a clear and direct violation of the Manatee County Utilities Department's Sewer Use Ordinance.

This permit shall become effective on: **November 9, 2015** and expires at midnight on: **November 8, 2018**.

If the permittee wishes to continue to discharge after the expiration date of this permit, an application must be filed for a renewal permit in accordance with the requirements of the most recent version of the Manatee County Sewer Use Ordinance, a minimum of 60 days prior to the expiration date.

Andre Rachmaninoff
Wastewater Compliance Superintendent

Issued this 30th day of October 2015.

PART 1 – DESCRIPTION AND REGULATION OF OPERATION

A. **Lockheed Martin Corporation, located at 1600 Tallevast Road, Sarasota, FL 34243** is identified for the purposes of this wastewater discharge permit as a **Significant Industrial User.** The facility will remediate impacted groundwater, per Florida Department of Environmental Protection consent order OGC#04-1328-FDEP. The discharge will be directed to the **Southwest Water Reclamation Facility**.

B. **Lockheed Martin Corporation** is identified as a **Significant Industrial User** as defined in **40 CFR 403.3, Florida Administrative Code 62-625** and the **Manatee County Sewer User Ordinance**.

C. All relevant process wastewater must pass through all pretreatment processes as submitted in the wastewater discharge permit application dated **September 4, 2015.** No pretreatment processes may be bypassed without the prior written permission of the Director.

D. Waste streams from the facility consist of the following:

1. **Pretreated groundwater.**
2. **Facility sanitary waste.**

E. This permit is issued for a specific operation as submitted in the wastewater discharge permit application dated **September 4, 2015**. If the permittee wishes to discharge any other types of wastewater, a written request must be submitted to the County's Office of Industrial Compliance in advance. Failure to notify the County may result in enforcement actions up to and including termination of this wastewater discharge permit.

PART 2 – EFFLUENT LIMITATIONS

A. During the period of **November 9, 2015** to **November 8, 2018** the permittee is authorized to discharge treated wastewater into the Manatee County's Sanitary Sewer System from the discharge location listed below.

Description of outfall:

001 – Discharge from the sample port on the effluent discharge line downstream from the effluent flow meter (FIT-500) as identified in schematic DI-009, and on the north side of the interior of the building as identified in schematic D-100, provided with the discharge permit application dated September 4, 2015.

B. During the period of **November 9, 2015** to **November 8, 2018** the discharge from **Outfall 001** shall not exceed the following effluent limitations applied to the end of pipe.

Effluent Limits

Parameter	Units	Daily Minimum	Daily Maximum	Monthly Average	Applicable Standard
flow[1]	gpd	N/A	432,000	N/A	N/A
pH	S.U.	5.0	11.5	N/A	Local Limit
aluminum (total)	mg/L	N/A	report	N/A	N/A
arsenic (total)	mg/L	N/A	2.51	N/A	Local Limit
beryllium (total)	mg/L	N/A	0.004	N/A	FAC 62-550 Primary DW Std
cadmium (total)	mg/L	N/A	0.73	N/A	Local Limit
chromium (total)	mg/L	N/A	9.90	N/A	Local Limit
copper (total)	mg/L	N/A	28.48	N/A	Local Limit
iron (total)	mg/L	N/A	report	N/A	N/A
lead (total)	mg/L	N/A	1.87	N/A	Local Limit
molybdenum (total)	mg/L	N/A	1.26	N/A	Local Limit
nickel (total)	mg/L	N/A	11.08	N/A	Local Limit
zinc (total)	mg/L	N/A	4.78	N/A	Local Limit
1,1-dichloroethane	mg/L	N/A	0.070	N/A	FAC 62-777 GCTL
1,1-dichloroethene	mg/L	N/A	0.007	N/A	FAC 62-550 Primary DW Std
cis-1,2-dichloroethene	mg/L	N/A	0.070	N/A	FAC 62-550 Primary DW Std
1,4-dioxane	mg/L	N/A	report	N/A	N/A
tetrachloroethene	mg/L	N/A	0.003	N/A	FAC 62-550 Primary DW Std
trichloroethene	mg/L	N/A	0.003	N/A	FAC 62-550 Primary DW Std
vinyl chloride	mg/L	N/A	0.001	N/A	FAC 62-550 Primary DW Std

[1] Flow may not exceed 300 gallons per minute (gpm)

C. All discharges shall comply with all other applicable laws, regulations, standards and requirements contained in the most recent version of the Manatee County Sewer Use Ordinance and any applicable State and Federal pretreatment laws, regulations, standards and requirements, including any such laws, regulations, standards or requirements that may become effective during the term of this permit.

PART 3 – MONITORING REQUIREMENTS

A. From the period beginning on the effective date of the permit until **November 8, 2018** the permittee shall monitor **Outfall 001** for the following parameters at the indicated frequency.

Sample Parameter	**Frequency**	**Sample Type**
[1]flow	continuous	metered
[2]pH	continuous	metered
aluminum (total)	quarterly	composite
arsenic (total)	quarterly	composite
beryllium (total)	quarterly	composite
cadmium (total)	quarterly	composite
chromium (total)	quarterly	composite
copper (total)	quarterly	composite
iron (total)	quarterly	composite
lead (total)	quarterly	composite
molybdenum (total)	quarterly	composite
nickel (total)	quarterly	composite
zinc (total)	quarterly	composite
1,1-dichloroethane	quarterly	grab
1,1-dichloroethene	quarterly	grab

Sample Parameter	Frequency	Sample Type
cis-1,2-dichloroethene	quarterly	grab
1,4-dioxane[3]	quarterly	grab
tetrachloroethene	quarterly	grab
trichloroethene	quarterly	grab
vinyl chloride	quarterly	grab

[1]Flow meters must be calibrated according to manufacturer's instructions but in no case less than once per year.
[2]pH meter shall be calibrated per manufacturer's specifications but in no case less than once per month. Calibration records shall be maintained and available for inspection.
[3]Analysis for 1,4-dioxane must be performed by EPA 522, or EPA 1624 or 8260C with heated purge, isotope dilution and selective ion monitoring.

B. All handling and preservation of collected samples and laboratory analysis of samples shall be performed in accordance with Chapter 62-160, Florida Administrative Code, and amendments thereto, unless specified otherwise in the monitoring conditions of this permit.

C. Monitoring results shall be summarized and reported twice per year. All reports shall be submitted as hard copy (electronic reporting not permitted) with original signature. Reporting periods are **January 1 – June 30** (report due no later than **August 15**); and **July 1 – December 31** (report due no later than **February 15**). The report(s) shall indicate the nature and concentration of all pollutants in the effluent for which sampling and analysis were performed up to the end of the reporting period. Report(s) must include the average daily flow and minimum and maximum pH readings for each month of the reporting period.

D. If the permittee monitors any pollutant more frequently than required by this permit using test procedures prescribed in Chapter 62-160, Florida Administrative Code, or amendments thereto, or otherwise approved by the Florida Department of Environmental Protection or as specified in this permit, the results of such monitoring shall be included in any calculations of actual daily maximum or monthly average pollutant discharge and results shall be reported in the semi-annual report(s) submitted to the MCUD Office of Industrial Compliance.

E. The County will monitor the discharge from the permittee facility at a minimum of once per year. Monitoring will include the collection and analysis of wastewater samples in order to determine pollutant concentrations and compliance with effluent limits. The County may also provide sampling and analysis services to the permittee in order to comply with self-monitoring requirements. The permittee will be charged according to the rate schedules identified in the current Manatee County Rate Resolution. Should the permittee request a test for which the County laboratory is not equipped, an independent private laboratory will be utilized at permittee expense.

F. The permittee shall notify the County immediately upon the occurrence of an accidental discharge of substances prohibited by the most recent version of the Manatee County Sewer

Use Ordinance or any slug loads or spills that may enter the sanitary sewer. During normal business hours, the County shall be notified by telephone at **(941) 792-8811, ext. 5157**. At all other times, the Director shall be notified by telephone at **(941) 747-4357** (after 5 p.m. Monday – Friday, weekends and holidays). The notification shall include location of the discharge, date and time thereof, type of waste including concentration and volume, and corrective actions taken. Permittee notification of accidental releases in accordance with this section does not relieve it of other reporting requirements that arise under local, State or Federal laws.

G. Within five (5) days following an accidental discharge, the permittee shall submit to the Director a detailed written report. The report shall specify:

1. Description and cause of the upset, slug load or accidental discharge, the cause thereof, and the impact on permittee compliance status. The description shall also include the location of the discharge as well as the type, concentration, and volume of waste.

2. Duration of noncompliance, including exact dates and times, if the noncompliance is continuing, and the time by which compliance is reasonably expected to occur.

3. All steps taken or to be taken to reduce, eliminate, and/or prevent recurrence of such an upset, slug load, accidental discharge, or other conditions of noncompliance.

4. All reports required by this permit shall be submitted as hard copy (electronic reporting not permitted) with original signature to:

Manatee County Utilities
Office of Wastewater Compliance
5101 65th Street West
Bradenton, FL 34210

PART 4 – SPECIAL CONDITIONS

A. REOPENER CLAUSE

1. This permit may be reopened and modified to incorporate any new or revised requirements contained in the Florida Administrative Code (F.A.C) Chapter 62-625.

2. This permit may be reopened and modified to incorporate any new or revised requirements resulting from the Manatee County Utilities Department's reevaluation of local discharge limits.

3. This permit may be reopened and modified to incorporate any new or revised requirements developed by Manatee County Utilities Department as are necessary to ensure POTW compliance with applicable biosolid management requirements promulgated by F.A.C. Chapter 62-625.

B. ACCIDENTAL SPILL/SLUG CONTROL PLAN

The Permittee shall implement a Spill/Slug Discharge Plan for the control of accidental spills and or slug discharges for the duration of this permit and shall meet the following requirements:

1. Provide a description of discharge practices, including non-routine batch discharges;
2. Provide a description of all stored chemicals;
3. Describe procedures for immediately notifying the County of any accidental spill or slug discharge;
4. Describe procedures to prevent adverse impact from any accidental spill or slug discharge;
5. Be approved by the County.

The Plan shall be valid for a maximum of two years upon which time a new Plan shall be submitted. If changes occur to the facility before the two years has expired that may affect permittee accidental spill or slug discharge procedures, a new plan shall be submitted to the County for approval. The Permittee must notify Manatee County immediately if there is a change that affects the potential for a slug discharge.

C. COMPLIANCE SCHEDULE

The permittee shall accomplish the following tasks in the designated time period:

1. **N/A**

PART 5 – SPECIFIC PROHIBITIONS

A. Any commercial or industrial waste that may cause pass through of pollutants or interference with the wastewater treatment plant operations or that violates Federal, State, or local restrictions shall not be discharged to the wastewater treatment facility.

B. Any waste transported from an industry subject to categorical pretreatment standards must meet the applicable Federal categorical standards. Authorization by the Manatee County Utilities Department prior to discharging must be obtained for the hauling of categorical wastes.

C. Any waste generated and/or collected outside of Manatee County shall not be discharged to the wastewater treatment facility.

D. The permittee is prohibited from discharging wastes with the following characteristics:
   1. Having a pH lower than 5.0 or greater than 11.5

   2. Pollutants which create a fire or explosive hazard in the sanitary sewer collection system, including, but not limited to, waste streams with a closed cup flashpoint of less than 140^{o} F (60^{o} C) using the test methods specified in Chapter 62-730, Florida Administrative Code (F.A.C.)

   3. Solid or viscous substances in amounts which will cause obstruction of the flow in the POTW resulting in interference but in no case solids greater than (15) millimeters in any dimension.

4. Pollutants, including oxygen-demanding pollutants (cBOD, BOD, COD, etc.), released in a discharge flow rate and/or pollution concentration which, either singly or by interaction with other pollutants, will cause interference with Manatee County's receiving wastewater treatment facilities

5. Heat in amounts which will inhibit biological activity in a wastewater treatment plant resulting in interference, but in no case heat in any quantity that results in the discharge from the wastewater treatment plant having a temperature greater than 104^{o}F (40^{o}C), unless the director approves alternate temperature limits in accordance with Rule 62-302.520, Florida Administrative Code (F.A.C.).

6. Petroleum oil, non-biodegradable cutting oil, or products of mineral oil origin, in amounts that will cause interference or pass through

7. Pollutants which result in the presence of toxic gases, vapors, or fumes within the POTW in a quantity that may cause corrosion or destruction of pumps, lines, pipes, manholes, or other portions of the POTW or acute worker health or safety problems.

8. Trucked or hauled pollutants, except at discharge points designated by the director in accordance with this division.

9. Noxious or malodorous liquids, gases, solids, or other wastewater which, either singly or by interaction with other wastes, are sufficient to create a public nuisance or a safety hazard, or to prevent entry into the sewers for maintenance or repair

10. Wastewater which imparts color which cannot be removed by the treatment process, such as, but not limited to, dye wastes and vegetable tanning solutions, which consequently imparts color to the treatment plant's effluent, thereby violating Manatee County's FDEP permit.

11. Wastewater containing any radioactive wastes or isotopes, except in compliance with applicable State or Federal regulations

12. Storm water, surface water, ground water, artesian well water, roof runoff, subsurface drainage, swimming pool drainage, condensate, deionized water, noncontact cooling water, and unpolluted wastewater, unless specifically authorized by the Director

13. Biosolids, screenings, or other residues from the pretreatment of industrial wastes

14. Medical wastes, except as specifically authorized by the Director in a wastewater discharge permit

15. Wastewater causing, alone or in conjunction with other sources, a treatment plant's effluent to fail a toxicity test, or rendering the treatment plant's effluent unsuitable or unusable for reuse, including agricultural or landscape irrigation.

16. Detergents, surface-active agents, or other substances which may cause excessive foaming in the POTW

17. Wastewater causing two (2) readings on an explosion hazard meter at the point of discharge into the POTW, or at any point in the POTW, of more than [5%], or any single reading over [10%] of the Lower Explosive Limit of the meter

18. The permittee is prohibited from discharging wastes which exceed the Local Limits as established in Resolution No. R-12-110 for the County's water reclamation facilities.

PART 6 – STANDARD CONDITIONS

A. GENERAL CONDITIONS AND DEFINITIONS:

1. DEFINITIONS:

Unless a provision explicitly states otherwise the following terms and phrases, as used in this division, shall have the meanings hereinafter designated:

a. Act: The Federal Water Pollution Control Act, also known as the Clean Water Act, as amended, 33 U.SC. § 1251 et seq.
b. Approval Authority: State of Florida Department of Environmental Protection.
c. Authorized Representative of the User:
    i. If the user is a corporation:
        - The president, secretary, treasurer, or a vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision making functions for the corporation; or
        - The manager of one or more manufacturing, production, or operation facilities, provided the manager is authorized to make management decisions that govern the operation of the regulated facility, including having the explicit or implicit duty o making major capital investment recommendations, initiating and directing other comprehensive measures to assure long-term environmental compliance with environmental laws and regulations, and ensuring that the necessary systems are established or actions taken to gather complete and accurate information for wastewater discharge permit requirements, where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.
    ii. If the user is a partnership or sole proprietorship, a general partner or proprietor, respectively.
    iii. If the user is a federal, state, or local governmental facility, a director or highest official appointed or designated to oversee the operation and performance of the activities of the government facility, or his/her designee.
    iv. The individuals described in subparagraphs i. through iii. Above, may designate another authorized representative if the authorization is in writing, the authorization specifies the individual or position responsible for the overall operation of the facility from which the discharge originates or having overall responsibility for environmental matters for the user, and the written authorization is submitted to the County.
d. Baseline Monitoring Report or BMR: A report that documents a user's compliance status with all applicable pretreatment standards.
e. Best Management Practices or BMPs: Schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to implement the prohibitions

listed in this division. This definition includes treatment requirements, operating procedures, and practices to control plant site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw materials storage.

f. Best Professional Judgment or BPJ: A determination made after consideration of all reasonably available and pertinent data or information.
g. Biochemical Oxygen Demand or BOD: The quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedures for five (5) days at twenty (20) degrees centigrade, usually expressed as a concentration (e.g., mg/L).
h. Biosolids: The nonhazardous and recyclable organic matter resulting from the treatment of wastewater.
i. Board: The Board of County Commissioners of Manatee County.
j. Carbonaceous Biochemical Demand or cBOD: The quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedures for five (5) days at twenty (20) degrees centigrade while inhibiting the nitrogenous demand, usually expressed as a concentration (e.g., mg/L).
k. Categorical Industrial User or CIU: An industrial user subject to a categorical pretreatment standard.
l. Categorical Pretreatment Standard or Categorical Standard: Any regulation containing pollutant discharge limits promulgated by EPA in accordance with Sections 307(b) and (c) of the Act (33 U.S.C. § 1317) which apply to a specific category of users and which appear in Rule 62-625.410, Florida Administrative code (F.A.C.).
m. Chemical Oxygen Demand: The amount of a specified oxidant that reacts with a sample under controlled conditions. It measures both the oxidizable organic and inorganic materials in the sample.
n. Collection System: The combined pipes, conduits, manholes and other structures, usually underground, which conveys wastewater to the Manatee County Wastewater Treatment Facilities.
o. Composite Sample: A sample that is collected over time, formed either by continuous sampling or by mixing discrete samples. The sample may be composited either as a time composite sample: composed of discrete sample aliquots collected in one container at constant time intervals providing representative samples irrespective of stream flow; or as a flow proportional composite sample: collected either as a constant sample volume at time intervals proportional to a stream flow, or collected by increasing the volume of each aliquot as the flow increases while maintaining a constant time interval between the aliquots.
p. County: The County of Manatee, Florida.
q. Daily Discharge: The discharge measured during a calendar day or any twenty-four (24) hour period that reasonably represents the calendar day for purposes of sampling. Typically the calendar day from 12:00 midnight to 11:59 p.m. is used. However, a permittee may specify any other twenty-four (24) hour period that corresponds to staffing shifts and their reporting day. In any case, the same period of time must be used consistently for purposes of reporting and must not vary from one day to another.
r. Daily Maximum: The arithmetic average of all effluent samples for a pollutant collected during the calendar year.
s. Daily Maximum Limit: The maximum allowable discharge limit of a pollutant during a calendar year. Where daily maximum limits are expressed in units of mass, the daily discharge is the total mass discharged over the course of the day. Where daily maximum 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 day.

t. Director: The Director of the Manatee County Utilities Department, or his/her duly appointed and authorized deputies, agents, or representatives.

u. Domestic Wastewater: The liquid and solid waterborne wastes derived from the ordinary living processes of humans of such character as to permit satisfactory disposal, without special pretreatment, into the public sewer or by means of private disposal system.

v. Effluent Reuse System: The network of pumps, lines, pipes and fixtures which provide treated wastewater from any of the County's wastewater treatment plants to any customer for the purpose of using the treated wastewater for any useful purpose.

w. Environmental Protection Agency or EPA: The U.S. Environmental Protection Agency or, where appropriate, the regional water management division director, or other duly authorized official of said agency.

x. Existing Source: Any source of discharge that is not a new source.

y. Grab Sample: A sample which is taken from a waste stream without regard to the flow in the waste stream and over a period of time not to exceed fifteen (15) minutes.

z. Groundwater: Water beneath the surface of the ground whether or not flowing through known and definite channels.

aa. Indirect Discharge or Discharge: The introduction of pollutants into Manatee County's sanitary sewer collection system from any nondomestic source regulated under Section 307(b), (c), or (d) of the Act.

bb. Instantaneous Maximum Discharge Limit or Instantaneous Limit: The maximum concentration of a pollutant allowed to be discharged at any time, determined from the analysis of a discrete or composited sample collected, independent of the industrial flow rate and the duration of the sampling event.

cc. Interference: A discharge which, alone or in conjunction with a discharge or discharges from other sources, inhibits or disrupts Manatee County's treatment system, processes or operations or its Biosolids processes, use or disposal; and therefore, is a cause of a violation of the County's FDEP Permit, or of the prevention of sewage biosolids use or disposal in compliance with any of the following statutory/regulatory provisions or permits issued hereunder, or any more stringent state or local regulations: Section 405 of the Act; The Solid Waste Disposal Act, including Title II commonly referred to as the Resource Conservation and Recovery Act (RCRA); any State regulations contained in any state sludge management plan prepared pursuant to Subtitle D of the Solid Waste Disposal Act, the Clean Air Act; the Toxic Substances Control Act; and the Marine Protection and Sanctuaries Act.

dd. Local Discharge Limits or Local Limits: Those limits developed by Manatee County and adopted by resolution to implement any general or specific prohibitions set forth in 62-625 F.A.C. or to satisfy any other discharge requirement imposed on the County by the EPA, FDEP, or any other agency.

ee. Mass Emission Rate: The weight of material discharged to the County sewerage system during a given time interval. Unless otherwise specified, the mass emission rate shall means pounds per day of a particular constituent or combination of constituents.

ff. Medical Wastes: 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.

gg. Monthly Average: The sum of all daily discharges measured during a calendar month divided by the number of daily discharges measured during that month.

hh. Monthly Average Limit: 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 month.

ii. New Source:

i. Any building, structure, facility, or installation from which there is (or may be) a discharge of pollutants, the construction of which commenced after the publication of proposed pretreatment standards under Section 307(c) of the Act which will be applicable to such source if such standards are thereafter promulgated in accordance with that section, provided that:

- The building, structure, facility, or installation is constructed at a site at which no other source is located; or
- The building, structure, facility, or installation totally replaces the process or production equipment that causes the discharge of pollutants at an existing source; or
- The production or wastewater generating process of the building, structure, facility, or installation is substantially independent of an existing source at the same site. In determining whether the sources are substantially independent, factors such as the extent to which the new facility is integrated with the existing source, and the extent to which the facility is engaged in the same general type of activity as the existing source, should be considered.

ii. 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 above but otherwise alters, replaces, or adds existing process or production equipment.

iii. Construction of a new source as defined under this paragraph is deemed to have commenced if the owner or operator has:

- Begun, or caused to begin, as part of a continuous onsite construction program:
  - Any placement, assembly, or installation of facilities or equipment; or
  - 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 a new source facilities or equipment; or
- Entered into a binding contractual obligation for the purchase of facilities or equipment which is 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 paragraph.

jj. Noncontact Cooling Water: Water used for cooling which does not come into direct contact with any raw material, intermediate product, waste product, or finished product.

kk. Non-significant Categorical Industrial User or NSCIU: An industrial user subject to categorical pretreatment standards that is not a significant industrial user as determined by the director.

ll. Officer: A person employed by the County as an enforcement compliance officer or industrial compliance inspector.

mm. Pass Through: A discharge which exits any of Manatee County's wastewater treatment plants into waters of the United States or effluent reuse system 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 Manatee County's FDEP permits, including an increase in the magnitude or duration of a violation.

nn. Permittee: A person who has been issued a wastewater discharge permit.

oo. Person: 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. This definition includes all Federal, State, and Local Governmental entities.

pp. pH: A measure of the acidity or alkalinity of a solution, expressed in standard units

qq. Pollutant: Dredged spoil, solid waste, incinerator residue, filter backwash, sewage, garbage, grease, sewage Biosolids, munitions, medical wastes, chemical wastes, biological materials, radioactive materials, heat, wrecked or discarded equipment, rock, sand, cellar dirt, municipal, agricultural and industrial wastes, dissolved organic or inorganic wastes, and certain characteristics of wastewater (e.g., pH temperature, TSS, turbidity, color, BOD, cBOD, COD, toxicity or odor).

rr. Pretreatment: The reduction of the amount of pollutants, the elimination of pollutants, or the alteration of the nature of pollutant properties in wastewater prior to, or in lieu of, introducing such pollutants into any of Manatee County's wastewater treatment plants. This reduction or alteration can be obtained by physical, chemical, or biological processes; by process changes; or by other means, except by diluting the concentration of the pollutants unless allowed by an applicable pretreatment standard.

ss. Pretreatment Requirements: Any substantive or procedural requirements related to pretreatment imposed on a user, other than a pretreatment standard.

tt. Pretreatment Standards: Prohibited discharge standards, categorical pretreatment standards and local limits.

uu. Private Sewage Disposal System: A collecting, treating, and/or disposal facility installed, maintained and owned by persons other than the County which discharges into an on-site drain field or Manatee County's sanitary sewer collection system.

vv. Process Wastewater: Any wastewater contaminated by human activities, including, but not limited to, that originating from manufacturing, agriculture, processing, rinsing, washing, or producing.

ww. Prohibited Discharge Standards: Absolute prohibitions against the discharge of certain substances.

xx. Publicly Owned Treatment Works or POTW: A "treatment works" as defined by Section 212 of the Act (33 U.S.C. § 1292) which is owned by Manatee County. This definition includes any devices or systems used in the collection, storage, treatment, recycling, and reclamation of sewage or industrial wastes of a liquid nature and any pumping stations, lines, pipes, manholes, or conveyances which convey wastewater to a treatment plant.

yy. Septic Tank Waste (Septage): Any sewage from holding tanks such as vessels, chemical toilets, campers, trailers, and septic tanks.

zz. Sewage: Human excrement and gray water (household showers, dish washing operations, etc.).

aaa. Significant Industrial User or SIU:

- A user subject to categorical pretreatment standards; or
- A user that:
  - Discharges an average of twenty-five thousand (25,000) gallons per day (gpd) or more of process wastewater to any of the Manatee County

wastewater treatment facilities (excluding sanitary sewage, noncontact cooling water, and boiler blowdown wastewater);
- Contributes a process waste stream which makes up 5% or more of the average dry weather hydraulic or organic capacity of any of the Manatee County wastewater treatment facilities; or
- Is designated as such by Manatee County on the basis that it has a reasonable potential for adversely affecting the County's operations or for violating any pretreatment standard or requirement.

- Upon a finding that a user meeting the above criteria has no reasonable potential or adversely affecting Manatee County's operations or for violating an pretreatment standard or requirement, the County may at any time, on its own initiative or in response to a petition received from a user, and in accordance with procedures in Rule 62-625.500(2) (E), Florida Administrative Code (F.A.C.), determine that such user should not be considered a significant industrial user.

bbb. Slug Load or Slug: Any discharge or a non-routine, 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 POTW regulations, local limits, or permit conditions.

ccc. Standard Industrial Classification (SIC) Code: A classification pursuant to the Standard Industrial Classification Manual issued by the United States Office of Management and Budget.

ddd. Storm Water: Any flow occurring during or following any form of natural precipitation, and resulting from such precipitation, including snowmelt.

eee. Suspended Solids: The total suspended matter that floats on the surface of, or is suspended in, water, wastewater or other liquid, and which is removable by laboratory filtering.

fff. Toxic Organics: Any toxic organic compound identified in 40 CFR § 401.15 or appearing on any total toxic organic list as set forth for certain categorical industries in 40 CFR §§ 413, 433, 464, 465, 468, and 469.

ggg. Upset: An exceptional incident in which there is unintentional and temporary noncompliance with categorical pretreatment standards because of factors beyond the reasonable control of the user. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless improper operation.

2. SEVERABILITY:

The provisions of this permit are severable, and if any provision of this permit or the application of any provision of this permit to any circumstance is held invalid, the application of such provision to other circumstances and the remainder of this permit shall not be affected thereby.

3. DUTY TO COMPLY:

The permittee shall comply with all conditions of this permit. Failure to comply with the requirements of this permit may be grounds for administrative action, or enforcement proceedings including civil or criminal penalties, injunctive relief and summary abatements.

4. DUTY TO MITIGATE:

The permittee shall take all reasonable steps to minimize or correct any adverse impact to the public treatment plant or the environment resulting from noncompliance with this permit,

including such accelerated or additional monitoring as necessary to determine the nature and impact of the noncomplying discharge.

5. PERMIT MODIFICATION:

This permit may be modified for good causes including, but not limited to, the following:

a. To incorporate any new or revised Federal, State, or local pretreatment standards or requirements.
b. Material or substantial alterations or additions to the discharger's operation processes, or discharge volume or character which were not considered in drafting the effective permit.
c. A change in any condition in either the industrial user or the POTW that requires either a temporary or permanent reduction or elimination of the authorized discharge.
d. Information indicating that the permitted discharge poses a threat to Manatee County's treatment systems, POTW personnel or the receiving waters.
e. Violation of any terms or conditions of the permit.
f. Misrepresentation or failure to disclose fully all relevant facts in the permit application or in any required report.
g. Revision of or a grant of variance from such categorical standards pursuant to Chapter 62-625 (F.A.C.).
h. To correct typographical or other errors in the permit.
i. To reflect transfer of the facility ownership and/or operation to a new owner/operator.
j. Upon request of the permittee, provided such request does not create a violation of any applicable requirements, standards, laws or rules and regulations.

The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance, does not stay any permit condition.

6. PERMIT TERMINATION:

This permit may be terminated for the following reasons:

a. Falsifying self-monitoring reports.
b. Tampering with County monitoring equipment.
c. Refusing to allow timely access to the facility premises and records.
d. Failure to meet effluent limits.
e. Failure to pay fines.
f. Failure to pay sewer charges.
g. Failure to meet compliance schedules.

7. PERMIT APPEALS:

The permittee may petition to appeal the terms of this permit within thirty (30) days of the notice.

This petition must be in writing; failure to submit a petition for review shall be deemed to be a waiver of the appeal. In its petition, the permittee must indicate the permit provisions objected to, the reasons for this objection, and the alternative condition, if any, it seeks to be placed in the permit.

The effectiveness of this permit shall not be stayed pending reconsideration by the Board. If, after considering the petition and any arguments put forth by the Director, the Board determines that reconsideration is proper, it shall remand the permit back to the Director for reissuance. Those permit provisions being reconsidered by the Director shall be stayed pending reissuance.

A Board of Director's decision not to reconsider a final permit shall be considered final administrative action for purposes of judicial review.

8. PROPERTY RIGHTS:

The issuance of this permit does not convey any property rights of any sort, or any exclusive privileges, nor does it authorize any injury to private property or any invasion of personal rights, nor any violation of Federal, State or local laws or regulations.

9. LIMITATION ON PERMIT TRANSFER:

Permits may be reassigned or transferred to a new owner and/or operator with prior approval of the Director.

a. The permittee must give at least thirty (30) days advance notice to the Director.
b. The notice must include a written certification by the new owner which:
    i. States that the new owner has no immediate intent to change the operations and processes.
    ii. Identifies the specific date on which the transfer is to occur.
    iii. Acknowledges full responsibility for complying with the existing permit.

10. DUTY TO REAPPLY:

If the permittee wishes to continue an activity regulated by this permit after the expiration date of this permit, the permittee must submit an application for a new permit at least 60 days before the expiration date of this permit.

11. CONTINUATION OF EXPIRED PERMITS:

An expired permit will continue to be effective and enforceable until the permit is reissued if:

a. The permittee has submitted a complete permit application at least sixty (60) days prior to the expiration date of the user's existing permit.
b. The failure to reissue the permit, prior to expiration of the previous permit, is not due to any act or failure to act on the part of the permittee.

12. DILUTION

The permittee shall not increase the use of potable or process water or in any way attempt to dilute an effluent as a partial or complete substitute for adequate treatment to achieve compliance with the limitations contained in this permit.

13. COMPLIANCE WITH APPLICABLE PRETREATMENT STANDARDS AND REQUIREMENTS:

Compliance with this permit does not relieve the permittee from its obligations regarding compliance with any and all applicable local, State and Federal standards and requirements, including any such standards or requirements that may become effective during the term of this permit.

14. OPERATION AND MAINTENANCE OF POLLUTION CONTROLS:

The permittee shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the permittee to achieve compliance with the conditions of this permit. Proper operation and maintenance includes but is not limited to: effective performance, adequate funding, adequate operator staffing and training and adequate laboratory and process controls, including appropriate quality assurance procedures. This provision requires the operation of back-up or auxiliary facilities or similar systems only when necessary to achieve compliance with the conditions of this permit.

15. DUTY TO HALT OR REDUCE ACTIVITY

Upon reduction of efficiency of operation or loss or failure of all or part of the treatment facility, the permittee shall, to the extent necessary to maintain compliance with its permit, control its production or discharges (or both) until operation of the treatment facility is restored or an alternative method of treatment is provided. This requirement applies for example, when the primary source of power of the treatment facility fails or is reduced. It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.

16. BYPASS OF TREATMENT FACILITIES

a. Bypass is prohibited unless it is unavoidable to prevent loss of life, personal injury, or severe property damage or no feasible alternatives exist.
b. The permittee may allow bypass to occur which does not cause effluent limitations to be exceeded but only if it is also for essential maintenance to assure efficient operation.
c. Notification of bypass:
    i. Anticipated bypass: If the permittee knows in advance of the need for a bypass, it shall submit prior written notice at least ten (10) days before the date of the bypass to the Director.
    ii. Unanticipated bypass: The permittee shall immediately notify the Director and submit within five (5) days a written notice. The report shall include at a minimum (1) a description of the bypass and its cause including its duration; (2) whether the bypass has been corrected; and (3) the steps being taken or to be taken to reduce, eliminate, and prevent a reoccurrence of the bypass.

17. REMOVED SUBSTANCES

Solids, sludges, filter backwash or other pollutants removed in the course of treatment or control of wastewaters shall be disposed of in accordance with Section 405 of the Clean Water Act, Subtitles C and D of the Resource Conservation and Recovery Act and Florida Administrative Code Chapter 62-625.

B. MONITORING AND RECORDS

1. ANALYTICAL METHODS TO DEMONSTRATE CONTINUED COMPLIANCE:

All sampling and analysis required by this permit shall be performed in accordance with the techniques prescribed in Florida Administrative Code Chapter 62-160 (F.A.C.) and amendments thereto.

2. REPRESENTATIVE SAMPLING

Samples and measurement take, as required herein, shall be representative of the volume and nature of the monitored discharge. All samples shall be taken at the monitoring points specified in this permit and, unless otherwise specified, before the effluent joins or is diluted by any other waste stream, body of water or substance. All equipment use for sampling and analysis must be routinely calibrated, inspected and maintained to ensure their accuracy. Monitoring points shall be changed without notification to and the approval of the Director.

3. FLOW MEASUREMENTS

If flow measurements are required by this permit, the appropriate flow measurement devices and method consistent with approved scientific practices shall be selected and used to ensure the accuracy and reliability of measurements of the volume of monitored discharges. The devices shall be installed, calibrated and maintained to ensure that the accuracy of the measurements is consistent with the accepted capability of that type of device. Devices selected shall be capable of measuring flows with a maximum deviation of less than 10 % from true discharge rates throughout the range of expected discharge volumes.

4. ADDITIONAL MONITORING BY THE PERMITEE:

If the permittee monitors any pollutant more frequently than required by this permit, using test procedures identified in Section B.1, the results of this monitoring shall be included in permittee self-monitoring reports.

5. INSPECTION AND ENTRY:

The permittee shall allow the Manatee County Utilities Department, or the State of Florida, or an authorized representative, upon the presentation of credentials and other documents as may be required by law to:

a. Enter upon permittee premises where a regulated facility or activity is located or conducted, or where records must be kept under the conditions of this permit;
b. Have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit;
c. Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this permit;
d. Sample or monitor, for the purposes of assuring permit compliance, any substances or parameters at any location; and
e. Inspect any production, manufacturing, fabricating, or storage area where pollutants, regulated under the permit, could originate, be stored or be discharged to the sewer system.

6. RETENTION OF RECORDS

a. The permittee shall retain records of all monitoring information including all calibration and maintenance records, all original strip chart recordings for continuous monitoring instrumentation, and copies of all reports required by this permit for a period of at least three (3) years from the date of the sample, measurement, report or application. This period may be extended by request of the Director at any time.
b. All records that pertain to matters that are the subject of special orders or any other enforcement or litigation activities brought by Manatee County

Government shall be retained and preserved by the permittee until all enforcement activities have concluded and all periods of limitation with respect to any and all appeals, have expired.

7. RECORD CONTENTS

Records of sampling and analysis shall include:

a. The date, exact place, time and methods of sampling or measurements and sample preservation techniques or procedures;
b. Who performed the sampling or measurements;
c. The date(s) analysis was performed;
d. Who performed the analysis;
e. The analytical techniques;
f. The results of such analysis;
g. The laboratory certification number.

8. FALSIFYING INFORMATION

Knowingly making any false statement on any report or other document required by this permit or knowingly rendering any monitoring device or method inaccurate is a crime and may result in the imposition of criminal sanctions and/or civil penalties.

C. ADDITIONAL REPORTING REQUIREMENTS :

1. PLANNED CHANGES

The permittee shall give notice to the Director ninety (90) days prior to any facility expansion, production increase, or process modifications which results in new or substantially increased discharges or a change in the nature of the discharge.

2. ANTICIPATED NONCOMPLIANCE:

The permittee shall give advance notice to the Director of any planned changes in the permitted facility or activity which may result in noncompliance with permit requirements.

3. OPERATING UPSETS

a. Any permittee that experiences an upset in operations that places the permittee in a temporary state of noncompliance with the provisions of either this permit or with the most recent version of the Manatee County Sewer Use Ordinance shall inform the Director within twenty four (24) hours of becoming aware of the upset, during normal business hours (Monday – Friday 08:00 a.m. – 05:00 p.m.) at **(941) 792-8811, Ext. 5157,** or after 05:00 p.m. M-F, weekends and holidays at **(941) 747-4357**.
b. A written follow-up report of the upset shall be submitted by the permittee with the Director within five (5) days. The report shall include:
    i. A detailed description of the upset, the cause(s) thereof, and the upset impact on permittee compliance status;
    ii. The duration of the noncompliance including exact dates and times of noncompliance and if not corrected, the anticipated time the noncompliance is expected to continue; and
    iii. All steps taken or to be taken to reduce, eliminate and prevent recurrence of such an upset.

c. The report must also demonstrate that the treatment facility was being operated in a prudent and workmanlike manner.

d. A documented and verified operating upset shall be an affirmative defense to any enforcement action brought against the permittee for violations attributable to the upset event.

4. AUTOMATIC RESAMPLING:

If the results of permittee wastewater analysis indicate a violation has occurred, the permittee must notify the Director within twenty four (24) hours of becoming aware of the violation and repeat the sampling and pollutant analysis and submit in writing the results of the repeat analysis within thirty (30) days after becoming aware of the violation.

5. DUTY TO PROVIDE INFORMATION:

The permittee shall furnish to the Director, within 30 days, any information which the Director may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit, or to determine compliance with this permit. The permittee shall also, upon request, furnish to the Director, within 30 days, copies of any records required to be kept by this permit.

6. SIGNATORY REQUIREMENTS:

All applications, reports, or information submitted to the Manatee County Utilities Department must contain the following certification statement and be signed as required in Sections (a), (b), (c) or (d) below:

"***I 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 fines and imprisonment for knowing violations***."

a. By a responsible corporate officer, if the industrial user submitting the reports is a corporation. For the purpose of this paragraph, a responsible corporate officer means:

i. A president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation, or;

ii. The manager of one or more manufacturing, production, or operation facilities, provided the manager is authorized to make management decisions that govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations, and initiate and direct other comprehensive measures to assure long-term environmental compliance with environmental laws and regulations; can ensure that the necessary systems are established or actions taken to gather complete and accurate information for individual wastewater discharge permit or general permit requirements; and where

authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.

b. If the industrial user submitting the reports is a partnership or sole proprietorship, a general partner or proprietor, respectively.

c. If the user is a federal, state, or local governmental facility, a director or highest official appointed or designated to oversee the operation and performance of the activities of the government facility, or his/her designee.

d. The individuals described in subparagraphs a. through c. above, may designate another authorized representative if the authorization is in writing, the authorization specifies the individual or position responsible for the overall operation of the facility from which the discharge originates or having overall responsibility for environmental matters for the user, and the written authorization is submitted to the County of Manatee:

e. If an authorization under Paragraph (d) of this section is no longer accurate because of a different individual or position has responsibility for the overall operation of the facility, or overall responsibility for the environmental matters for the company, a new authorization satisfying the requirements of Paragraph (d) of this section must be submitted to the Director prior to or together with any reports to be signed by an authorized representative.

D. PENALTIES AND ENFORCEMENT ACTIVITIES

1. ANNUAL PUBLICATION:

A list of all industrial users which were subject to enforcement proceedings during the twelve (12) previous months shall be annually published by the Director in the largest daily newspaper within its service area. Accordingly, the permittee is apprised that noncompliance with this permit may lead to an enforcement action and may result in publication of its name in an appropriate newspaper in accordance with this section.

2. CIVIL AND CRIMINAL LIABILITY:

Nothing in this permit shall be construed to relieve the permittee from civil and/or criminal penalties for noncompliance under the most recent version of the Manatee County Sewer Use Ordinance.

3. PENALTIES FOR VIOLATIONS OF PERMIT CONDITIONS:

The most recent version of the Manatee County Sewer Use Ordinance provides that any person who violates a permit condition is subject to a civil penalty of at least $2,000 per day of such violation. Any person who willfully or negligently violates permit conditions is subject to criminal penalties of a fine of up to $2,000 per day of violation, or by imprisonment for 60 days or both. The permittee may also be subject to sanctions under State and/or Federal law.

4. RECOVERY OF COSTS INCURRED:

In addition to civil and criminal liability, the permittee violating any of the provisions of this permit or the most recent version of the Manatee County Sewer Use Ordinance or causing damage to or otherwise inhibiting the Manatee County Utilities Department wastewater disposal system shall be liable to the Manatee County Utilities Department for any expense, loss or damage caused by such violation or discharge. The Manatee County Utilities Department shall bill the permittee for the costs incurred by the Manatee County Utilities Department for any cleaning,

repair or replacement work caused by the violation or discharge. Refusal to pay the assessed costs shall constitute a separate violation of the most recent version of the Manatee County Sewer Use Ordinance.

5. NOTIFICATION OF VIOLATION:
   Whenever Manatee County finds that any septic waste hauler has violated or is violating any provision of this permit, the Director may serve upon said user written notice of the violation. Within ten (10) days of the receipt of this notice, an explanation of the violation and a written plan for the satisfactory correction and prevention thereof, to include specific required actions, shall be submitted by the user to the Director. Submission of this plan in no way relieves a septic waste hauler of liability for any violations occurring before or after receipt of the notice of violation.

6. CONSENT ORDERS:
   The Director of MCUD is hereby empowered to enter into consent orders, assurances of voluntary compliance, or other similar documents establishing an agreement with a septic waste hauler responsible for the noncompliance. Such orders will include compliance schedules, surcharges or remedial actions, and signatures of the authorized representative of the user and the Director.

7. SHOW CAUSE ORDER:
   The Director may order the permittee who causes or contributes to a violation of the Sewer Use Ordinance and/or this Permit to show cause why a proposed enforcement action should not be taken. The notice of the meeting shall be served by certified mail at least ten (10) days prior to the hearing.

8. COMPLIANCE ORDER:
   When the Director finds that the permittee has violated or continues to violate the Sewer Use Ordinance and/or this Permit, he may issue an order to the permittee responsible for the discharge directing that, following a specified time period, discharge privileges shall be discontinued until compliance is achieved.

9. CEASE AND DESIST ORDERS:
   When the Director finds that the permittee has violated or continues to violate the Sewer Use Ordinance and/or this Permit, he may issue an order to cease and desist all illegal discharges immediately. In an emergency, the order to cease and desist may be given by telephone; in non-emergency situations, the cease and desist order may be used to suspend or permanently revoke an Industrial Wastewater Discharge Permit. The cease and desist order may order the permittee to take such appropriate remedial or preventive action as may be needed to properly address a continuing or threatened violation, including halting operations and terminating the discharge.

10. ADMINISTRATION SURCHARGES:
    Notwithstanding any other section of the Sewer Use Ordinance and/or this Permit, any permittee who is found to have violated any provision of that Ordinance, or of this Permit, or of orders issued hereunder shall be charged an amount not to exceed two thousand dollars ($2,000.00) per day of violation. Such assessments shall be added to the industrial user's next scheduled sewer service charge.

11. EMERGENCY SUSPENSION:

The Director may suspend an Industrial Wastewater Discharge Permit if such suspension is necessary in order to stop an actual or threatened discharge presenting or causing an imminent or substantial endangerment to the health or welfare of County workers, any treatment plant, or the environment. Any permittee notified of a suspension shall immediately stop or eliminate its contribution. In the event of permittee failure to immediately comply with the suspension order, the Director shall take steps as deemed necessary, including immediate severance of the sewer connection. The Director shall allow the permittee to recommence its discharge when the endangerment has passed. A permittee who is responsible, in whole or in part, for imminent endangerment shall submit a written statement describing the cause of the harmful contribution and the measures taken to prevent any future occurrence, to the Director.

12. ENFORCEMENT - JUDICIAL REMEDIES:

If any person discharges sewage or industrial waste into Manatee County's Sanitary Sewer Collection System contrary to the provisions of the Sewer Use Ordinance, or any order or permit issued thereunder, the County, through the County Attorney, may commence an action for appropriate legal and/or equitable relief in the Courts of Manatee County.

13. INJUNCTIVE RELIEF:

Whenever a permittee has violated or continues to violate the provisions of the Sewer Use Ordinance, or of any permit, or of orders issued thereunder, the County, through the County Attorney may petition the court for the issuance of a preliminary or permanent injunction, or both, which restrains or compels the activities of the permittee.

14. CIVIL PENALTIES:

Any industrial user who has violated or continues to violate the Sewer Use Ordinance or any order or permit issued thereunder, shall be subject to a civil penalty of not more than two thousand dollars ($2,000.00) plus actual damages incurred by Manatee County, per violation, per day, as long as the violation continues. In addition to the above-described penalty and damages, Manatee County may recover reasonable attorney's fees, court costs, and other expenses associated with the enforcement activities, including sampling, monitoring and analysis expenses. The County shall petition the court to impose, assess, and recover such sums. In determining amounts of liability, the court shall take into account all relevant circumstances, including, but not limited to, the extent of harm caused by the violation, the magnitude and duration, any economic benefit gained through the industrial user's violation, corrective actions by the industrial user, the compliance history of the industrial user, and any other factor that justice requires.

15. CRIMINAL PROSECUTION:

Any industrial user who willfully violates any provision of the Sewer Use Ordinance, or any orders or permits issued thereunder, shall, upon conviction, be guilty of a misdemeanor, punishable by a fine not to exceed two thousand dollars ($2,000.00) and/or imprisonment in the County jail of up to sixty (60) days. Each day of a continuing violation shall be deemed a separate and distinct violation.

16. SURCHARGES TO BE ADDED TO UTILITY BILLING:

Any surcharges provided for in the Sewer Use Ordinance may, at the discretion of MCUD, be added to the applicable user's monthly utility billing, if the user is a MCUD utility or solid waste

customer.

17. ADMINISTRATIVE HEARINGS:

Any administrative surcharges provided for in the Sewer Use Ordinance shall be imposed only after the following hearing procedure has been complied with:

a. The Director shall provide the alleged violating user with written notification of the specific violation(s) and the applicable section(s) of this Ordinance.
b. The notification provided in subsection (a) above shall inform the alleged violating user of a date and time for an administrative hearing, which hearing shall occur no earlier than ten (10) days after the violator's receipt of the notification.
c. The Director or his designated representative shall preside over the administrative hearing and shall entertain testimony and evidence.
d. The alleged violating user shall have the opportunity to be represented by counsel and to examine and cross examine witnesses.
e. If the alleged violating user is represented at the hearing by counsel, the MCUD shall likewise be represented by the Office of the County Attorney.
f. The Director shall issue written findings as soon after the hearing as is practical.
g. The decision of the Director, if adverse to the alleged violating user, may be appealed to the Board of County Commissioners, in open session, for a final and binding decision. If an appeal is to be taken, written notice of the appeal shall be delivered to MCUD no later than ten (10) days after the violator's receipt of the Director's written findings.