

PRETREATMENT Communicator

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Coordinator's Desk

In November, I attended the 2001 AMSA/EPA Pretreatment Coordinator's Workshop in Nashville.

There were over 300 attendees from EPA, States, cities, and counties. I believe that twenty-four states were represented. I was pleased that Florida had eight pretreatment programs in attendance. In my opinion, this was one of the better AMSA/EPA workshops in quite some time. I would encourage everyone to attend this annual meeting to get a national perspective on current pretreatment issues.

I may be a little biased in my opinion of this workshop because I rode my motorcycle there in what can only be described as "perfect" motorcycle weather. I truly enjoyed the sights and smells of the fall season as I traveled through Alabama. Much of what I experienced can only be enjoyed while traveling by motorcycle.

OK, sorry for drifting...back to the workshop. Some of the more relevant issues discussed at this year's workshop included the future

(See Coordinator, page 6)

FLORIDA INDUSTRIAL PRETREATMENT ASSOCIATION (FIPA)

A message from the President

by
John Parnell

After some form filling and check writing, FIPA officially came into existence on July 20, 2001 when the Articles of Incorporation were filed and stamped by the Secretary of State in Tallahassee. However, we had very few members and no executive board at that time because we had not yet had our first meeting. If you remember from the last update, we had set the first meeting date to coincide with the next pretreatment workshop to be held in Orlando in September 2001.

Well, thanks to everyone that turned up at the September 21 meeting and paid their dues, and to all those members that enrolled prior to the meeting, the FIPA is now a reality with officers and a full executive board. Before the meeting we had 32 paid up members and at the meeting there were 84 attendees and 35 more members signed up. To date we have 74 active members, 70 of which are

regulatory members from 36 different pretreatment programs throughout the State, and one from Tallahassee (thanks Bob). In addition, 2 members are industrial and 2 are corporate members. I would like to sincerely thank everyone who has shown their support for FIPA by joining up so quickly and I hope the members of the new executive board can satisfy your commitment by actively promoting the association in the coming year.

At the meeting, and in the absence of an executive board, I organized a voting procedure that I considered appropriate for the election of the new officers. Members were given nomination forms and I compiled a list of nominees on the chalkboard for all of the vacant board positions. Nominees were then asked if they were prepared to stand for the office in which they had been nominated. Those that were

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... *FIPA* (Continued from page 1)

absent from the meeting were disqualified and those that declined nomination due to heavy workloads were also deleted. The final list was drawn up and regulatory members were asked to fill in a voting form indicating their choice of not more than one candidate for each position. Voting forms were then placed in envelopes which were individually signed by the voting members. A panel of volunteers were then asked to check the signatures on the envelopes with the membership master list and open all envelopes from fully paid up members and count the votes for each officer position. The results of this election procedure were as follows:

| | |
|--------------------|--|
| President | John Parnell City of St. Petersburg |
| Vice President | Brian Dean City of Largo |
| Secretary | John Cassaro Seminole County |
| Treasurer | Janet DeBiasio City of St. Petersburg |
| N. Regional Coord. | Fred Williams Gainesville Regional Utilities |
| C. Regional Coord. | Andy Johnson City of Orlando |
| S. Regional Coord. | Fernando Bestard Miami Dade DERM |

Other nominees who indicated that they would be willing to stand included Jeff Lanphere, Steve Howe, Mark Mathis, Marie Lachey, Cheryl Staley-Archer and Kassandra Barnes.

I would like to offer my sincere congratulations to all newly elected officers

and to thank those that offered to fill these positions. I am particularly grateful to all of the membership for their confidence in nominating myself unopposed as your new President for the coming year. I am confident that we can be an effective group and look forward to working with the new officers to promote professionalism and knowledge in the field of industrial pretreatment and to work closely with State regulators to ensure the uniformity of the program throughout Florida.

W a i t !
T h e r e ' s
M o r e !

Put your artistic talent to work!

Get a free one year membership to FIPA!

FIPA needs a logo. A competition has been announced offering a free one year membership to the person with the winning logo submission. Get out your pastels, watercolors and colored pencils and submit a logo. No logos will be denied review, but only one logo will win!!!

Deadline for submissions is January 25. The winner will be announced at the February 8 meeting. The logos will be judged by the Executive Board.

Send all logos (you can submit more than one if you wish) to:

John Parnell
205 Meadowcross Drive
Safety Harbor FL, 34695
or
JohnParnell@ij.net

Good Luck!

Wastewater Spill Notification

On September 7, 2001, a memorandum was sent to wastewater permittees, owners and operators. The memorandum contains an update on the use of the toll-free telephone number, reiterates the importance of prompt notification by permittees, and reviews the reporting requirements. The memorandum is presented in its entirety below.



Memorandum

Florida Department of Environmental Protection

To: Domestic and Industrial Wastewater Facility
Permittees, Owners, and Operators

From: Mimi Drew, Director
Division of Water Resource Management

Date: September 7, 2001

Subject: Wastewater Spill Notification Requirements

During November, 2000, we took an important step forward making it easier for wastewater facilities to notify the Department in the event of a wastewater spill or other discharge that may endanger health or the environment. These changes were implemented through a minor permit revision for existing wastewater facilities. This step was made possible by working with the expertise and resources already in place for the State Warning Point in Florida's Emergency Operations Center.

With these changes, the Department now can receive wastewater spill notifications 24 hours a day, including nights, weekends, and holidays. In addition, wastewater facilities are now able to use a single toll-free telephone number for any facility located anywhere in the state. Not only does this make it easier to provide notifications, the streamlined procedure also eliminates the need for you to make separate phone calls to contact other agencies in case public health or local emergency response assistance is requested.

We have been very pleased with the positive reactions to these streamlined procedures. Most importantly, we believe this change has significantly improved our ability to communicate and will lead to faster responses whenever assistance is needed or requested.

While we are pleased with the reaction to date from most permittees, we must reiterate the importance of prompt notifications once you or your personnel become aware of a spill or other potential threat. In

(see Memorandum, page 4)

... *Memorandum* (continued from page 3)

particular, each wastewater facility permittee, owner, and operator should be aware of the following notification requirements:

1. Unless specified otherwise in a wastewater permit, notifications are required for any unauthorized wastewater spill to surface waters or ground waters of the state, or for any other unauthorized discharge to surface waters or ground waters of the state that may endanger health or the environment.
2. Whenever a wastewater spill is over 1,000 gallons, or circumstances may endanger health or the environment, the required notification must be provided using the State Warning Point's toll-free number, (800) 320-0519. For example, a surface water discharge of inadequately disinfected domestic wastewater should be reported using the toll-free number for the State Warning Point since this represents a potential public health threat.
3. Notifications for other wastewater noncompliance should continue to be made directly to the Department. For example, a periodic effluent limit exceedance caused by a treatment process upset would generally be reported to the Department, unless the exceedance was great enough to endanger health or the environment.

In order to fully comply with these provisions, wastewater facilities must call as soon as practical, but no later than 24 hours after becoming aware of a spill or potential threat. Accordingly, the Department will investigate, and pursue enforcement when appropriate, if we find evidence suggesting that a facility may have unnecessarily delayed notification. These investigations will be a priority whenever it appears that an unnecessary delay in notification may have increased the threat to people or the environment in Florida.

One final note: spills or releases of products or other non-wastewater materials (e.g., non-contact potable water) are generally not covered by these wastewater notification requirements. Therefore, you would only report spills for these materials in accordance with other governing regulatory provisions such as the Reportable Quantity Thresholds for hazardous materials.

Again, I wish to extend my personal thanks to those facilities which have embraced our revised notification procedures. These improved procedures are consistent with our goal of less process and more protection. If you have any questions on your particular notification requirements, please contact your district office so that we may work together for the protection of the people and the environment.



*Regulatory Comment ...***Does your sewer use ordinance (SUO) conflict with the Florida Statutes?**

by Paul Brandl

I am not an attorney, but sometimes I feel like one. An issue that comes up from time to time is the civil or criminal penalties requirements in Chapter 62-625, Florida Administrative Code (F.A.C.).

In accordance with Rule 62-625.500(2)(a)5a, F.A.C., "All control authorities shall . . . have authority to seek or assess civil or criminal penalties in at least the amount of \$1,000 a day for each violation by industrial users of pretreatment standards and requirements." This requirement was adopted from the federal pretreatment regulations [40 CFR 403.8 (vi)(A)]. Periodically, city attorneys will call us questioning whether the Florida Statutes (F.S.) allow

municipalities to meet this requirement. Usually they cite Section 162.22, F.S., which states, "Unless otherwise specifically authorized and provided for by law, a person convicted of violating a municipal ordinance may be sentenced to pay a fine, not to exceed \$500, and may be sentenced to a definite term of imprisonment, not to exceed 60 days . . ." This would appear to prevent municipalities from having the authority to seek or assess civil or criminal penalties in at least the amount of \$1,000 a day for each violation. However, since adoption of the federal provisions for pretreatment is mandatory through Section 403.0885, F.S., the provisions constitute requirements otherwise specifically authorized and provided for by law (i.e., local ordinances can't be less stringent than the department-adopted federal requirement). Therefore, Section 162.22, F.S., in

conjunction with Section 403.0885, F.S., allows municipalities to seek \$1000 a day for each violation.

For counties, the issue is more straightforward. Section 125.69, F.S., states, "A county may specify, by ordinance, a violation of a county ordinance which is punishable by a fine in an amount exceeding \$500, but not exceeding \$2,000 a day, if the county must have authority to punish a violation of that ordinance by a fine in an amount greater than \$500 in order for the county to carry out a federally mandated program." Since the pretreatment program is a federally mandated program, Section 125.69, F.S., authorizes counties to seek a penalty of \$1000 a day for each violation.

If you have any questions about this issue please don't hesitate to call me (attorneys should call the DEP office of General Counsel).

... *Coordinator's Desk* (Continued from page of developing effluent guidelines, the proposed effluent guidelines, strategic planning and national initiatives, infrastructure security, mercury issues, radioactivity, and silver BMPs. There was too much information disseminated to summarize in the limited space here; however, I would like to mention a couple of important items.

It appears that the Metal Products and Machinery (MP&M) proposed regulations continue to move forward. The MP&M regulations will have a wide reaching effect on approved pretreatment programs. Many, otherwise unregulated, industrial users will be included under this proposed federal regulation. The Association of Metropolitan Sewerage Agencies (AMSA) does not support any part of the proposed regulation for many reasons. The most significant impact to the pretreatment programs is the high cost and minimal benefit. The EPA is reviewing AMSA's comments and is revisiting some areas of the proposed regulation. The court-ordered deadline for final action on this regulation is December 2002. You should be following this issue closely, since it will directly affect your resources.

Another important issue that was discussed was EPA's new

draft local limits guidance manual. The draft manual was recently distributed for comments to stakeholders. The new manual contains much of the same information as the 1987 manual, but provides several updates on data collection and analyses. The manual recommends extending the sampling time for the influent, effluent, and sludge from five consecutive days to seven or ten days.

Comments on the draft have been sent to EPA. You can download a copy of the draft manual at www.epa.gov/owm/featinfo.htm.

I would like to take this opportunity to recognize and congratulate the newly formed Florida Industrial Pretreatment Association (FIPA). I would like to thank those of you who were nominated to and accepted officer positions of this organization. For several years I have been encouraging Florida's pretreatment coordinators to formally band together. I am pleased that the organization has been formalized and I believe that the FIPA will provide strong leadership for Florida's pretreatment programs and represent them as a single voice. I think the DEP can partner with the FIPA to conduct more productive coordinator's workshops throughout the state. I look

forward to working with this organization. In time, maybe the FIPA can take over the production and distribution of the *Pretreatment Communicator*?. Please try to attend the next FIPA workshop scheduled for February 8 in Broward County. General details are included elsewhere in this newsletter and detailed information will be mailed separately. Hope to see you there.

As you must know by now, Salvador (Sal) Resurreccion of my staff resigned his position effective December 14. Sal has accepted a position with the Corps of Engineers in Jacksonville. While it was a difficult decision, Sal felt it was in his family's best interest to move closer to his wife's family in Jacksonville. Sal has been a real asset to the pretreatment program. I know many of you liked Sal and will miss him as much as we will. We wish Sal and his family the best in their new endeavor.

Happy New Year

Bob Heilman

State of Florida
Pretreatment Coordinator



Technical Tip ...**Laboratory Quality Assurance**

(or Sals 's Pretreatment Program Swan Song)
by Sal Resurreccion



Oftentimes, in our review of pretreatment program annual reports, we note that analytical detection limits for certain parameters were not sufficiently low enough to determine compliance with the corresponding water quality standards. Staff who routinely review laboratory data sheets should check the column listing the "MDL" or method detection limit for target analytes. Evaluation of the appropriateness of analyte MDLs for the intended use of the data is one of the critical elements of quality assurance that should be performed as part of your report preparation. The MDL is the "minimum concentration of a substance that can be measured and reported with 99% confidence that the analyte concentration is greater than zero and is determined from analysis of a sample in a given matrix containing the analyte." It is based on the standard deviation of analytical results for seven replicate samples spiked with the analyte of interest at 1 to 5 times the estimated detection limit and then analyzed to the specific method (see exact procedure in 40 CFR 136, Appendix B).

In accordance with Rule 62-4.246(10), F.A.C., if the water quality criterion for the pollutant is lower than the MDL, the control authority must use the approved analytical

method with the lowest MDL from those published by the DEP (found on the internet at <ftp://ftp.dep.state.fl.us/pub/labs/assessment/guidance/mdlpql.pdf>). A case in point; the MDL that should be used for beryllium is 1.0 ug/L using EPA method 200.7 or 210.2 since the water quality standard for both marine and fresh water is 0.13ug/L.

If the laboratory can meet the published detection limit (confirmed by reviewing their MDL study data), the data can be used. The data usability is in question when: 1. the laboratory fails to use a method that can achieve the lowest MDL or 2. the laboratory cannot meet the DEP-published MDL goals. In the first case, a different method should be used. In the second case, the laboratory should improve their processes to meet the DEP MDL or a different laboratory should be selected. I should point out that the MDL is not to be confused with the instrument detection limit (IDL), which is the lowest concentration of an analyte that can be detected by an analytical instrument (i.e., signal slightly above the normal instrument noise), or with the practical quantitation limit (PQL) which is generally 3 to 5 times greater than the MDL.

Recycle ...

Mercury in Dental Offices

Dental amalgam, sometimes referred to as silver fillings, is a composite of mercury, silver, and tin that is used to fill cavities in teeth. Excess dental amalgam, teeth with fillings, and amalgam traps must be recycled or disposed of properly and should NOT be disposed of in the trash, red bags, or with other biomedical waste. The Florida Dental Association, the Florida Department of Environmental Protection, and the Florida Department of Health developed best management practices (BMPs) for the handling of scrap amalgam from dental offices. The BMPs give detailed instructions for managing scrap dental amalgam. These voluntary guidelines were developed to help dental offices handle and recycle the mercury in amalgams in compliance with applicable environmental, biomedical, occupational health and transportation regulations. The DEP has determined that, as of August 2001, compliance with these voluntary management practices will also constitute compliance with DEP, DOH, FL DOT and US OSHA regulations that apply to scrap dental amalgam. If dental offices choose not to manage scrap dental amalgam in accordance with these voluntary management practices, it is their responsibility to assure that their facility operates in compliance with all regulations. Check the DEP website listed below for a link to the two-page BMP guidelines and supporting documentation in the BMPs appendices. A list of audited dental amalgam recyclers is also available.



http://www.dep.state.fl.us/waste/categories/mercury/pages/medical_facilities.htm

F.I.P.A Workshop^{*} February 8, 2002



Sponsored by Broward County and the FDEP

Topics include:

Local Limits Development

Metal Finishing Overview

Using the Combined Wastestream and Flow Weighted Average Formulae

Compliance Data Tracking and Calculating SNC

^{*}Florida Guidance Manual for Pretreatment Programs will be distributed at this workshop

Quick Quiz ...

1. Selenium is one of the heavy metals that were identified by EPA as a pollutant of concern for wastewater facilities.
 - A. True
 - B. False
2. Primary Wastewater Treatment process is generally not utilized in Florida's POTWs.
 - A. True
 - B. False
3. The Florida's pretreatment program is regulated under Chapter 62-625 of the Florida Statutes.
 - A. True
 - B. False
4. Currently, there are how many approved pretreatment programs in Florida?
 - A. 46
 - B. 51
 - C. 56
 - D. 60
5. The main focus of pollution prevention is _____ the waste generated.
 - A. disposing
 - B. minimizing
 - C. recycling
 - D. treating
6. Industrial Users are allowed to discharge certain amounts of hazardous waste to the sewer under the provisions of the:
 - A. NPDES
 - B. CAA
 - C. CWA
 - D. Chapter 62-625, FAC

authorities are authorized to seek or assess for civil or criminal penalties is:

- A. \$500 per day per violation
 - B. \$1,000 per day per violation
 - C. \$2,500 per day per violation
 - D. \$10,000 per day per violation
8. Which of the following categories do not allow oil & grease monitoring as an alternative for the TTO standard?
 - A. Copper Forming
 - B. Aluminum Coating
 - C. Coil Coating
 - D. Electroplating
 9. The pretreatment requirements of Chapter 62-625, FAC, apply to new or existing sources subject to:
 - A. surface water quality standards
 - B. re-use standards
 - C. pretreatment standards
 - D. residual quality standards



7. The minimum amount that control

Answers: 1-B; 2-A; 3-B; 4-D; 5-B; 6-D; 7-B; 8-D; 9-A; 10-C.

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The **Pretreatment Communicator** encourages participation from its readers and any other individuals interested in pretreatment in the State of Florida. Please submit your letters, information, or articles to Pretreatment Communicator, Domestic Wastewater Section, Florida Department of Environmental Protection, 2600 Blair Stone Road MS 3540, Tallahassee, Florida 32399-2400. The **Pretreatment Communicator** reserves full editorial rights to all submissions.

Anyone with questions or comments about this newsletter or wanting to be included on the mailing list should contact the pretreatment program staff at the above address or at (850) 488-4524. The Department of Environmental Protection assumes no responsibility for the statements or opinions expressed in this newsletter. Views and information contained in this newsletter are those of the authors and do not necessarily reflect those of the Department.

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Christopher Jensen

Please recycle or pass this newsletter on to other pretreatment staff.