

Request to Advertise Proposed Revisions

Chapter 54, Article VII (Water Pollution Control), of the Sarasota County Code

Ordinance No. 96-020, as amended

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Environmental Manager**

Background

- **Chapter 3, Article II, of the Sarasota County Code authorized an air and water pollution code through Laws of Fla. Ch. 71-913**
- **Original Ordinance 72-37**
- **Codified through Ordinance 96-020**
- **Last revised 2002**

Drivers for Proposed Revisions

- **Organizational changes and outdated language;**
- **Changes to state rules;**
- **Maintain Code consistency with the Enterprise Goal of Safeguarding the Environment, through:**
 - **Better compliance with NPDES requirements**
 - **Greater emphasis on Pollution Prevention**

Stakeholder Engagement

- **Suggestions from internal stakeholders; O&M, CMS, DOH, Utilities, Utilities Planning, Solid Waste/Hazardous Waste, Natural Resources, Zoning, PDSBC Code Enforcement, Stormwater, and Water Quality Planning**
- **Suggestions from regulatory agencies, consultants, business groups, and local governments**
- **Meetings with Development Services Advisory Committee, Stormwater Environmental Utility Advisory Committee, and Water and Sewer Advisory Council and requested input.**

General Recommendations

- Elimination of the business unit name “Air and Water Quality Protection”, and the titles “Manager”, “General Manager”, and “Executive Director” in favor of “County Administrator”, or “Administrator”. This is consistent with other Codes and will reduce the need to amend the Code as organizational changes occur
- Elimination of the use of “Apoxee” when referencing the Revised and Updated Sarasota County Comprehensive Plan

Sec. 54-181. Findings of fact and declaration of policy

- **(j) Amend references to Water Policy 1.4.1 of Chapter 4 of the Revised and Updated Sarasota County Comprehensive Plan**
- **(n) Add the incorporation by reference of ch. 62-25, F.A.C. (Regulations of Stormwater Discharge) and ch. 62-621, F.A.C. (Generic Permits)**
- **(o) Language cleanup**
- **(t) Add new finding referencing Best Management Practices for pollution prevention**
- **(u) Add the incorporation by reference of ch. 62-780, F.A.C. (Contaminated Site Cleanup Criteria)**
- **(y) Delete outdated reference**

Sec. 54-183. General definitions

- Additions
- Deletions
- Revisions

Sec. 54-184. Administration

- (a)(3) Revise “control” to “protection” of the environment...
- (c) Omit reference to the Air and Water Quality Advisory Board which was merged into the Stormwater Environmental Utility Advisory Committee and the Water and Sewer Advisory Council

Sec. 54-185. Air and Water Quality Protection

- Change section heading to “Pollution Prevention”
- (a) Right of Inspection: Clarify, reorganize, and restate the subsections relating to the responsibilities of Inspectors, the responsibilities of owners and Operators, and the rights of inspection
- (f) Addition of Best Management Practices subsection pertaining to Appendix “A”, recognizing minimum pollution prevention best management practices. Relates directly to proposed Finding of Fact (t)

Sec. 54-186. Domestic Wastewater Facility(ies) Operators

- **(b) Duties of Operators: Clarify and restate the subsection language relative to state rule revisions, revise the notification requirement from 24 hours to 12 hours to reflect newer, available communications technology, and amend the Wastewater Treatment Plant log requirements from 12 months to 3 months**
- **(c) Omit Prohibitions as duplicative**

Sec. 54-187. Water Pollution Control

- (d) Add Allowable Non-Stormwater Discharges language for clarity
- (g) Add the Generic Permits language relating to Construction sites and sites of Industrial Activity to be consistent with state regulations and to improve compliance

Sec. 54-188. Land spreading of Biosolids

- In August 2002, Sarasota County Board of County Commissioners amended this code regarding land application of biosolids in Sarasota County which greatly impacted the land application activities within the County;
- In 2002, there were 5 domestic wastewater biosolids application sites active in Sarasota County: Schroeder-Manatee Ranch, Myakka Ranch, Walton Ranch, Balsinger Ranch, and Carlton South;
- Strike subsections (c)(2) and (d)(7) since no landspreading has occurred since 2002;
- DEP is currently working with a TAC to propose changes to the state Biosolids Rule. To be consistent with the changes, this section will have to be amended at a later date.

Sec. 54-189. Violations and enforcement

- Language clarification

Appendix A Best Management Practices (BMPs)

- **Pollution prevention is recognized as a valuable means to control pollution at likely sources, before it occurs**
- **Small, individual impacts to water quality collectively represent a challenge to the environment**
- **Examples:**

BMP Examples

Improper storage of waste oil (right) and the lack of secondary containment for the fuel dispenser (below) have resulted in soil contamination. The waste cooking oil in the lower right photo is not a violation under the current code because no discharge has occurred; however, the potential for a discharge is very real.



BMP Examples

BMP: *Outdoor storage of spent or waste fluids shall be in sealed containers in a contained, covered area in a manner consistent with federal, state, and local regulations.*

BMP: *Use drip pans, or other devices to collect leaks and spills. Repair leaks promptly.*



BMP Examples

The pails of granular chlorine, and cans of paint and solvent (below) were observed at a construction site. There is no violation of the existing code since no discharge has occurred.

At right, poor housekeeping has resulted in leaks and spills.



BMP Examples

BMP: *Properly store and dispose of hazardous materials. Label containers and maintain an accurate inventory. Provide secondary containment to catch spills, leaks, or drips.*

UltraTech Ultra-Utility Trays



Eagle® Pesticide Storage Cabinet

Photos from Lab Safety Supply for illustration only – NOT AN ENDORSEMENT

BMP Examples

The painters at this construction site dumped wash water and paint waste into a drainage swale and directly into a storm drain.

BMP: *Properly dispose of process wash water.*



BMP Examples

With the growing popularity of directional drilling the disposal of clay-based drilling slurry has become a concern.

BMP: *Properly dispose of spent drilling slurry from well drilling or directional boring.*



BMP Examples

Instead of using, or in spite of having dedicated wash out areas, food service establishments frequently wash trash cans (below) and kitchen equipment (right) outdoors.

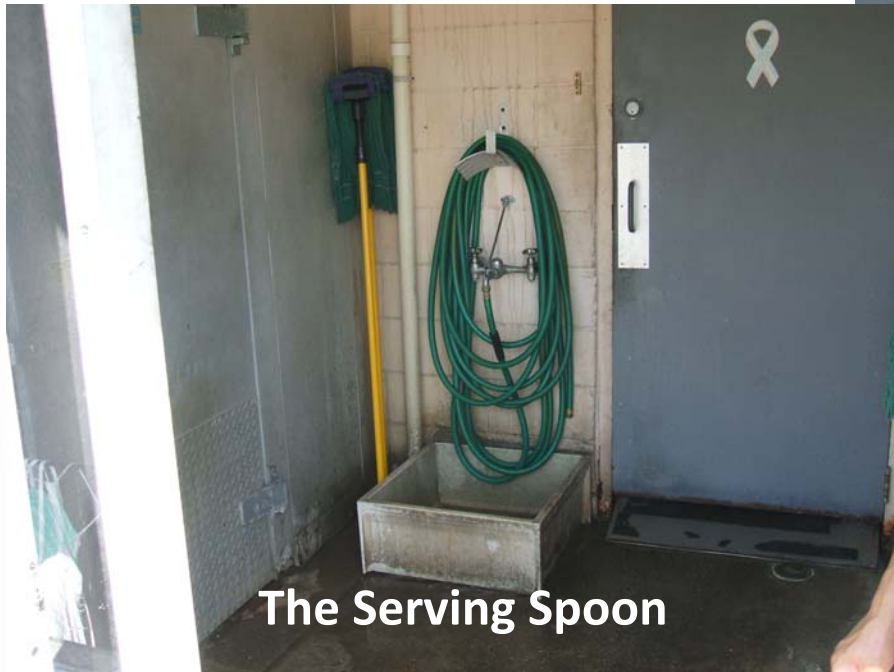


BMP Examples

BMP: *Clean floor mats, equipment, and trash cans in locations that do not drain to the storm drain system. Do not dump mop wash water into a storm drain, ditch, paved area, or onto the ground surface.*



Ringling Art School



The Serving Spoon

BMP Examples

These construction sites are partially protected by silt fence, but no BMPs are installed to protect the roadside ditch (below), or the curb inlet (right). Note that neither is a violation of the current code.

BMP: *Properly install and maintain erosion and sediment controls on all construction sites.*



Costs Considerations

Staff does not anticipate any additional financial burden to Sarasota County as a result of the proposed revisions. In fact, the revisions are expected to create efficiencies by allowing staff to be more proactive which will reduce the time spent on investigation and enforcement.

Costs Considerations

Certain businesses will experience costs associated with implementing BMPs. These are mitigated through the savings realized by the need not to have to conduct remedial (cleanup) activities. The businesses not using BMPs may have experienced an economic benefit over those who have proactively chosen to implement BMPs.

Estimated costs:

- Heavy duty trays/drip pans <\$100
- Safety cabinets \$600
- Containment systems \$400-\$600

Recommendation

To approve advertisement for a public hearing to consider adoption of amendments to the Water Pollution Control Code, Chapter 54, Article VII, of the Sarasota County Code.

Next Steps

- **Public advertisement**
- **Public Workshop in November**
- **If approved, Public Hearing to be held on January 13, 2010**