

Wastewater Collection/Transmission Systems



Duval County Regulations and
the City's Environmental
Quality Division's Water
Pollution Control Program



Disclaimer and Caution

- The information in this presentation is provided for compliance assistance and education only. It is not meant to provide comprehensive information on all regulations and requirements for water pollution in Duval County, Florida.
- The information provided is intended to aid in the reading of Jacksonville Environmental Protection Board Rule 3 for the most frequent information owners and managers of properties need to access regarding their wastewater collection/transmission systems.
- Please consult with your attorneys for any legal advice you may require for compliance with environmental regulations in Duval County, Florida.

Jacksonville Environmental Protection Board (JEPB):

- Duval County and Jacksonville have a local pollution control program established in State statute
- Began in 1965 - Duval County Air Improvement Authority - existed continuously since – now named the JEPB
- 9 Member board appointed by City Council and Mayor
- JEPB has rulemaking authority to promulgate environmental rules closely aligned with state and federal regulations for design standards, but more stringent in some areas, including maintenance and recordkeeping

JEPB Rule 3 – Water Pollution Control:

JEPB began water regulations in the 1980s with Rule 3, most recently amended April 18, 2022, **and effective May 11, 2022** - on the web at coj.net/epb

Notable definitions for wastewater/collection transmission system requirements:

3.101 Definitions

L. **Food Service Establishment** means any place where food is prepared and intended for individual portion service and includes the site at which individual portions are provided. The term includes any such place regardless of whether consumption is on or off the premises and regardless of whether there is a charge for the food. The term includes delicatessens that offer prepared food in individual service portions, including those in retail stores. Any commercial property or institutional property which has a Food Service Establishment is also included in the scope of this definition, including but not limited to schools, daycares, institutions and fraternal organizations and private clubs.

JEPB Rule 3 – Definitions continued

V. **Multi-Residential Property or Properties** (singular or plural may be used in this Rule) means any building, structure or combination of buildings or structures that provide(s) a living environment of more than 25 units or processes 10,000 GPD of wastewater, regardless of duration, including but not limited to apartment buildings, condominiums, townhome communities, mobile home parks, manufactured home communities, land-leased communities, assisted living facilities, group homes, dwellings converted to apartments, single rooms occupied as separate living quarters, rooming houses, hotels, motels, inns, RV Parks, dormitories, hospitals, and nursing homes, which buildings or structures utilize private Wastewater Collection/Transmission Systems.

JEPB Rule 3 – Definitions continued

FF. Wastewater Collection/Transmission System(s) means sewers, pipelines, conduits, pump stations, force mains, and all other facilities used for collection and transmission of wastewater from individual service connections to facilities intended for the purpose of providing treatment prior to release to the environment, and includes Gravity Systems, systems with Pump Stations, and Low Pressure Sewer Systems.

Note: Acronym of WWCTS is typically used.



JEPB Rule 3 2022 Amendments

2022 WWCTS Amendments of note

JEPB Rule 3.404 for design standards:

- **3.404.B.7** requires a specific format and information for the mandatory signs at all Pump Stations
- **3.404.B.8** mandates Telemetry Systems (commonly referred to as auto-dialer alarms) with specific requirements at all newly permitted WWCTS with Pump Stations and all WWCTS with Pump Stations that must have an engineer review after an unlawful discharge. Your engineer can provide more information on this.
- **3.404.B.10** requires Pump Stations for which a permit application is filed as of May 11, 2022, and all Pump Stations repaired or modified following a documented violation by the Division after May 11, 2022, shall be equipped with Grinder Pumps or Macerator Pumps.

JEPB Rule 3 2022 Amendments continued

JEPB Rule 3.405 for maintenance:

- **3.405.A.4.b.** requires a mandatory pump station inspection form to be used by all Operators and provided to Pump Station Owners each visit

JEPB Rule 3.406 for Gravity Systems:

- **3.406.A.2** requires notification of discharges of wastewater from Gravity Systems to SSO@coj.net or (904) 255-7100, with specific information to be provided.
- **3.406.B.E** specifies the line maintenance requirements for Gravity Systems with jetting of the lines required same as WWCTS with Pump Stations

IMPORTANT – NOTIFICATION OF DISCHARGE OF WASTEWATER IS MANDATORY

3.405 Wastewater Collection/Transmission Systems with Pump Stations - Operation and Maintenance Requirements

JEPB 3.405A.8

8. The owner or operator shall investigate each instance of system malfunction, including the failure of an alarm of malfunction. During the malfunction investigation, if a Pump Station owner or operator discovers that a release or Discharge of wastewater from the Wastewater Collection/Transmission System lines, manholes or Pump Station wet well, to MS4, Waters, the ground or surrounding environment has occurred, the Pump Station owner or operator shall notify the Division by telephone at (904) 255-7100 or e-mail at SSO@coj.net immediately upon discovery of such release or Discharge.
 - a. If any release of wastewater occurs, a copy of the invoice or report, without monetary information, from the operator shall be submitted to the Division by the Pump Station owner within five business days.

IMPORTANT – NOTIFICATION OF DISCHARGE OF WASTEWATER IS MANDATORY

3.405 Wastewater Collection/Transmission Systems **with Pump Stations** - Operation and Maintenance Requirements

JEPB 3.405A.8 continued

- (1) The operator invoice or report, without monetary information, shall include:
 - (a) the cause of the release of wastewater;
 - (b) detail the repairs made, including method and materials; and
 - (c) include the amount of wastewater removed by pump truck.

- (2) A copy of the invoice, without monetary cost, for the disposal of the wastewater at a permitted Wastewater Treatment Facility shall also be submitted by e-mail to the Division.

IMPORTANT – NOTIFICATION OF DISCHARGE OF WASTEWATER IS MANDATORY

3.406 Gravity System Requirements

JEPB 3.406A.2

2. Wherever a leak occurs along a service connection or private Wastewater Collection/Transmission System, up to the point of connection to the Gravity System, repair shall be the responsibility of and be effected by the property owner.
 - a. The property owner shall notify the Division by telephone at (904) 255-7100 or by e-mail at SSO@coj.net immediately upon discovery of such a leak.
 - b. If any release of wastewater occurs, a copy of an invoice or report shall be submitted to the Division within five business days. The invoice or report shall include:
 - (1) the cause of the release of wastewater;

IMPORTANT – NOTIFICATION OF DISCHARGE OF WASTEWATER IS MANDATORY

3.406 Gravity System Requirements

JEPB 3.406A.2 continued

- (2) the details of repairs made, including method and materials; and
 - (3) the amount of wastewater removed by pump truck for disposal at a permitted wastewater treatment facility.
- c. The invoice or report and all attachments shall be provided to the Division by e-mail to SSO@coj.net. The documents provided are not required to contain cost information.
- d. Any repairs to lines or manholes may require a Florida Plumbing Permit from the City's Building Inspection Division.
- e. Replacement of a private force main may require a permit pursuant to this Rule.

JEPB Rule 3 – Prohibitions and Requirements continued

JEPB Rule 3.103 Requirements and Prohibitions

(Note, not all are listed here so you are encouraged to read Rule 3 and e-mail questions you may have.)

A. Unless otherwise specified, all documents or notifications required by this Rule to be provided to the Division in writing are to be sent by e-mail as specified, or by mail to the *Environmental Quality Division, Water Branch, 214 N. Hogan Street, Fifth Floor, Jacksonville, Florida 32202*. Certain requirements of this rule may require that a specific section of the Water Branch be named as a recipient of requested documents or written notifications. Notifications by telephone shall be made by calling the Division at (904) 255-7100.

1. Notifications regarding unlawful discharge from Wastewater Collection/Transmission Systems shall be made by e-mail to SSO@coj.net.

JEPB Rule 3 – Prohibitions and Requirements continued

JEPB Rule 3.103 Requirements and Prohibitions

- B. It shall be unlawful for a person to discharge, or to cause or allow to be discharged, unpermitted Discharges of untreated domestic wastewater, . . . to MS4 or Waters within Duval County, by direct or indirect flow, or to the ground or surrounding environment, in violation of the requirements, conditions, and standards of the rules of the Board.

Note JEPB Rule 3.201 adopts the state water quality standards in Florida Administrative Code (FAC) 62-302.530(6)(b) which is 410 MPN/100ml for a single sample. It takes a very small amount of untreated wastewater to reach this limit.

JEPB Rule 3 – Prohibitions and Requirements continued

JEPB Rule 3.103 Requirements and Prohibitions

H. The failure to operate and maintain all Wastewater Collection/Transmission Systems to remain operational, to function as intended, and to provide uninterrupted transmission of wastewater to the Regional Sewer Utility point of connection is prohibited.

JEPB Rule 3 – Permits

3.402 Permits

- Essentially almost all Gravity Systems and Low Pressure Sewer Systems require a DEP Permit Application submitted by a Florida licensed Professional Engineer for a DEP Permit.
- All new or modified (especially as to flows and capacity) WWCTS with Pump Stations require a DEP Permit Application submitted by a Florida licensed Professional Engineer for a DEP Permit.

JEPB Rule 3 – Design Requirements

3.403 General Requirements, Design Standards and Performance Considerations

3.404 Wastewater Collection/Transmission Systems with Pump Stations – Design Standards and Requirements

3.406 Gravity System Requirements

3.407 Low Pressure Sewer Systems

- JEPB Rule 3 establishes specific design standards for all WWCTS. These standards are used by engineers for new DEP Permit Applications and completion of Engineer Reports in enforcement cases.
- If you are subject to a Cease and Desist Citation, detailed information will be provided to you regarding these standards and requirements.



JEPB Rule 3 – Operation and Maintenance Requirements with Recordkeeping

3.405 Wastewater Collection/Transmission Systems with Pump Stations - Operation and Maintenance Requirements

JEPB Rule 3.405.A mandates:

- The Pump Station owner is responsible for ensuring required maintenance and operation of the Pump Station.
- Specific maintenance requirements are to be completed monthly, quarterly, semi-annually or bi-annually, depending on use.
- Specific recordkeeping requirements, including a mandatory form, must be used by the Operators to record maintenance and provide these records to the Pump Station Owner.

JEPB Rule 3 – Maintenance continued

- The maintenance frequency for pulling pumps, inspection of pumps and cleaning of wet well is determined by the uses discharging to the WWCTS Pump Station and you must refer back to the JEPB Rule 3.101 Definitions for

Food Service Establishments and Multi-Residential Properties

- These uses require this maintenance not less than every 6 months.
- If the uses do not fall into these two definitions, then this maintenance is required not less than every 2 years.

JEPB Rule 3 – Maintenance continued

3.405 Wastewater Collection/Transmission Systems with Pump Stations - Operation and Maintenance Requirements

A.6.a Monthly

- a. Once a month the Pump Station owner shall ensure that each of the following maintenance actions is performed by the operator, and that each required maintenance action is documented on the maintenance form required by this Rule:
 - (1) remove and dispose of any debris from the inside surface of the wet well of the Pump Station that may interfere with the operation of the Pump Station;
 - (2) document the hour meter reading for all pumps, as well as the change in meter readings from the previous month;
 - (3) run each pump manually through a cycle and document the amp draw;
 - (4) document the voltage at the control panel source;
 - (5) cycle alarms;
 - (6) confirm floats are properly set;

JEPB Rule 3 – Maintenance continued

A.6.a Monthly (continued)

- (7) confirm floats are clear of grease and clean if any grease present;
- (8) ensure that pump cables and pump chains are in good condition, are secure, and not around the pump suction;
- (9) with Pump Station wet well pumped down, stick the bottom of the tank to confirm the absence or presence of sand or debris, and remove and dispose of any sand or debris in the bottom of the wet well that may interfere with the operation of the Pump Station;
- (10) ensure that any grass around the Pump Station, the wet well entrance, the valve box entrance and any vegetation that would hinder access to the control panel is trimmed back and the area is free from debris;
- (11) exercise all isolation valves completely closed and leave completely open;
- (12) confirm all electrical lugs in control panel are tight and seal is secure for panel;
- (13) secure each lock and lubricate as needed; and
- (14) inspect the check valves to ensure they are functioning properly and will prevent back flow from the force main to the wet well.

JEPB Rule 3 – Maintenance continued

3.405 Wastewater Collection/Transmission Systems with Pump Stations - Operation and Maintenance Requirements

A.6.b Quarterly

- b. Once every three months the Pump Station owner shall ensure that a Megohm test is performed on the pump motors to determine the condition of the motor winding insulation to establish a base line reading to be used over time to determine if the windings are deteriorating, and document this action on the maintenance form required by this Rule.

JEPB Rule 3 – Maintenance continued

3.405 Wastewater Collection/Transmission Systems with Pump Stations - Operation and Maintenance Requirements

A.6.c Not less than every six month

- c. For Pump Stations servicing Multi-Residential Properties and Food Service Establishments, upon recommendation by the operator, but no less than once every six months the Pump Station owner shall ensure the following maintenance actions are performed by the operator, and that each required maintenance action is documented on the maintenance form required by this Rule:
 - (1) pump out wet wells and pressure wash to prevent solids and grease build-up, to reduce odors, and to reduce potential damage to the pumps.
 - (a) The Pump Station owner must provide the operator access to a water supply source;

JEPB Rule 3 – Maintenance continued

3.405 Wastewater Collection/Transmission Systems with Pump Stations - Operation and Maintenance Requirements

A.6.c Not less than every six months (continued)

- (b) the removed wastewater shall be hauled by a state licensed hauler to a Wastewater Treatment Facility and the invoice for hauling and disposal, with the amount of wastewater removed documented, shall be provided to the Pump Station owner; and
 - (c) the Pump Station owner shall provide the hauling and disposal invoices for the last five years to the Division upon request.
- (2) pull the pumps and inspect the impeller and suction ports of each pump, noting the condition of each pump.

JEPB Rule 3 – Maintenance continued

3.405 Wastewater Collection/Transmission Systems with Pump Stations - Operation and Maintenance Requirements

A.6.d Not less than every two years

- d. For Pump Stations servicing all other locations (not Multi-Residential Properties and Food Service Establishments), upon recommendation by the operator, but no less than once every two years, the Pump Station owner shall ensure the following maintenance actions are performed by the operator, and that each required maintenance action is documented on the maintenance form required by this Rule:
 - (1) pump out wet wells and pressure wash to prevent solids and grease build-up, to reduce odors, and to reduce potential damage to the pumps.
 - (a) The Pump Station owner must provide the operator access to a water supply source;

JEPB Rule 3 – Maintenance continued

3.405 Wastewater Collection/Transmission Systems with Pump Stations - Operation and Maintenance Requirements

A.6.d Not less than every two years (continued)

- (b) the removed wastewater shall be hauled by a state licensed hauler to a Wastewater Treatment Facility and the invoice for hauling and disposal, with the amount of wastewater removed documented, shall be provided to the Pump Station owner; and
 - (c) the Pump Station owner shall provide the hauling and disposal invoices for the last five years to the Division upon request.
- (2) pull the pumps and inspect the impeller and suction ports of each pump.

JEPB Rule 3 – Maintenance continued

3.405 Wastewater Collection/Transmission Systems with Pump Stations - Operation and Maintenance Requirements

A.6.f Jetting of collection lines

- f. Jetting of Wastewater Collection/Transmission System lines upstream of the Pump Station and through the discharge line to the last manhole prior to the Regional Sewer Utility point of connection shall be conducted as needed to clear grease and sediment from Wastewater Collection/Transmission System lines.
 - (1) A pump truck must remove all trash, grease and debris jetted through the lines to the last manhole prior to the Regional Sewer Utility point of connection to be hauled to a Wastewater Treatment Facility and must not allow the trash, grease and debris to be jetted into the Regional Sewer Utility mains.
 - (2) The invoice for hauling and disposal, with the amount of wastewater removed documented, shall be provided to the Pump Station owner and kept with the required maintenance records.

JEPB Rule 3 – Recordkeeping

3.405 Wastewater Collection/Transmission Systems with Pump Stations - Operation and Maintenance Requirements

A.4 Recordkeeping

4. All Pump Stations shall be visited by a state licensed, UF TREEO (or similar) certified, or manufacturer-trained/certified operator as frequently as necessary to preclude Pump Station failure but in no case less than once per month.
 - a. All maintenance actions performed by the operator shall be documented on the form provided by the Division to the level of detail and specificity required. An owner or operator may propose an alternative form, but all of the information required by this Rule must be included.
 - b. The detailed maintenance records, as set forth below, for the previous year to the current date shall be kept on-site for all privately owned Pump Stations, and regional Wastewater Treatment Facility Pump Stations.
 - c. The maintenance records are the property of the Pump Station owner, and shall be maintained on a rolling five year calendar basis in the possession of Pump Station owner. The records shall not be maintained solely by the contracted operator.

JEPB Rule 3 Required Maintenance Form

This form is provided with the copy of this presentation.

Pump Station Information						
Location Name						
Pump Station Identifier						
Address						
Owner						
Operator Company						
Operator Company Inspector (Print & Sign)						
<i>Circle Pump Station Type:</i>						
Duplex	Simplex	Triplex	Low Pressure System			
		Submersible	Aboveground			
Requirements and Prohibitions (JEPB Rule 3.103)			Yes	No		
.B	Evidence of discharge of untreated wastewater to surface water (creek, river) or groundwater?					
	Evidence of discharge of untreated wastewater to ground or surrounding environment?					
.E	Pump station system or wet well connected to stormwater pipes, drains, ditches, ponds, swales, or any other stormwater structures?					
.J	Safe, clean, and dry access to pump station?					
Operation and Maintenance (JEPB Rule 3.405):				Yes	No	
.A.6.a.(1)	Wet well interior surface is free of debris?					
.A.6.a.(5)	Alarms cycled and functioning?					
.A.6.a.(6)	Floats set?					
.A.6.a.(7)	Floats clear of grease?					
.A.6.a.(8)	Pump cables/chains are in good condition, secure, and not around pump suction?					
.A.6.a.(9)	Wet well pumped down, bottom inspected for sand/debris, sand/debris removed?					
.A.6.a.(10)	Grass around pump station is trimmed and area is free of debris?					
.A.6.a.(11)	Isolation valves exercised – completely closed then left completely open?					
.A.6.a.(12)	Confirmed electrical lugs in panel tight and seal secure?					
.A.6.a.(13)	Secured each lock and lubricated as needed?					
Pump Diagnostics			Pump 1	Pump 2	Pump 3	
.A.6.a.(2)	Hour meter readings					
	Change from last month					
.A.6.a.(3)	Amp draw					
.A.6.a.(4)	Voltage					
.A.6.b	Megohm test (once every 3 months– or enter date last done)					
Wet Well Pump Out and Pump Inspection – Circle Required Frequency			6 months	2 years		
.A.6.c & d	Wet well pumped out and pressure washed?		Yes	No		
.A.6.c & d	Hauling/disposal invoice provided to pump station owner?					
Date of next scheduled pump out and pump inspection						
.A.6.c & d	Pumps pulled and impellers and ports inspected?					
<i>Conditions of the impellers and ports must be documented in the notes/comments box below.</i>						

Inspector Notes/Comments:



Why maintenance and reviewing your records each month is important

JEPB Rule 3 requirements for maintenance are to help protect against unlawful discharges of wastewater that impact public health, impact the environment, and that help feed algae blooms in our waterways that are destroying the aquatic vegetation and habitat for aquatic animals.

But just as important for you, this maintenance can greatly extend the life of your WWCTS, ultimately saving you a lot of money in expensive replacement costs.

Why maintenance and reviewing your records each month is important - continued

Statement from an engineer in a Cease and Desist Citation enforcement case (public record):

“Failure to note, record, and address operational issues in a timely fashion (i.e., when readings indicate an issue) ALWAYS leads to more serious and expensive problems and a greater risk of a hazardous sewage spill. The purpose of regular maintenance visits is to head-off preventable problems; if the Operator ignores the "Check Engine" light at every visit, there is no purpose to his visits. Again, we highly recommend that the Owner hold the Operator to his contractual obligations to adequately protect the interests of both the Owner and the State of Florida. We also recommend that the Owner have his on-site staff do the following:

1. Track receipt of regular maintenance logs from the Operator and ensure they are provided on-time, every month.
2. Check each log entry to ensure the required information is provided and that the Operator has assessed and addressed all issues.
3. Maintain complete maintenance logs on-site, in addition to those copied to the corporate office.

By following the above recommendations, emergency visits made by the Operator will be reduced to zero. “

EQD's spreadsheet used to review records data:

Below is an example of a records review by EQD showing concerns with the data or pump run times, notes by the Operator, etc.

	A	B	C	D	E	F	G	H
	Date	Pump 1	Monthly Difference	Pump 2	Monthly Difference	Amp 1	Amp 2	Notes by Operator and EQD review notes
1								
2	1/1/2020	7105.79		8291.84				
3	2/1/2020		-7105.79		-8291.84			not legible
4	3/1/2020	6939	6939	8183	8183			jetted lines
5	4/1/2020	7220	281	8317	134			
6	5/1/2020	7333	113	8343	26			replace belts and float
7	6/1/2020	7485	152	8511	168			fix leaking pipes, replace suction lines, reprime pumps
8	7/1/2020	6811	-674	7977	-534			jet lines, removed rags, pump-out (inspection?)
9	8/1/2020	7020	209	7989	12			replace belt pump 1, inspect impellers
10	9/1/2020	6753	-267	7185	-804			
11	10/1/2020	7225	472	8523	1338			
12	11/1/2020	6846	-379	7611	-912			pump-out, clean-out (inspection?)
13	12/1/2020	7256	410	8459	848			
14	1/1/2021	7248	-8	8399	-60			
15	2/1/2021	7197	-51	8311	-88			
16	3/1/2021	6932	-265	8155	-156			
17	4/1/2021	7420	488	8639	484			
18	5/1/2021		-7420		-8639			
19	6/1/2021	9363	9363	9319	9319			pump 1 O/S, Pump 2 bypass
20	7/1/2021	9363	0	9319	0			pump 1 and 2 O/S
21	8/21/2021	9625.58	262.58	9322.55	3.55			
22	9/28/2021	9844.16	218.58	9324.42	1.87			
23	10/7/2021	785.85	-9058.31	935.08	-8389.34			
24	11/3/2021	9907.31	9121.46	9350.26	8415.18	12.22	12.11	
25	12/6/2021	9965.24	57.93	9361.24	10.98	11.78	11.41	
26	1/2/2022	10018.02	52.78	9368.4	7.16	10.89	11.79	



Maintenance Data:

- Always read the notes provided by the Operators and follow their recommendations.
- If you question the recommendations, get a second opinion
- The pump hour readings should increase by a similar amount for each pump, each month
 - For example, say each pump typically runs 10 hours each month on average
 - If a pump is suddenly running only 5 hours, it could be getting clogged or worn and should be checked.
 - If both pumps are suddenly running 5 hours, you could have an upstream clog in the line preventing the wastewater from reaching the pump station.

Maintenance Data - continued:

- If the pumps are suddenly running 20 hours, you could have an increase in water coming to the pump station.
 - This can happen when residents are home a lot during summer breaks, holidays, etc., but it could also indicate a new source of water from somewhere such as groundwater intrusion from a broken line, a poor seal or hole in wet well lid allowing stormwater water into your pump station.
 - It could also be from renovations in units such as changing a retail store to a restaurant or adding washer/dryers into apartment units. This type of change in use requires an engineer to evaluate the WWCTS and submit a Permit Determination to EQD to potentially modify the WWCTS design.
- Any change in your pump hour data should be discussed with your operator or engineer, the cause found, and repairs/modifications made.
- Similarly, a decrease or increase in your AMP readings could indicate an electrical problem and this should be investigated immediately.

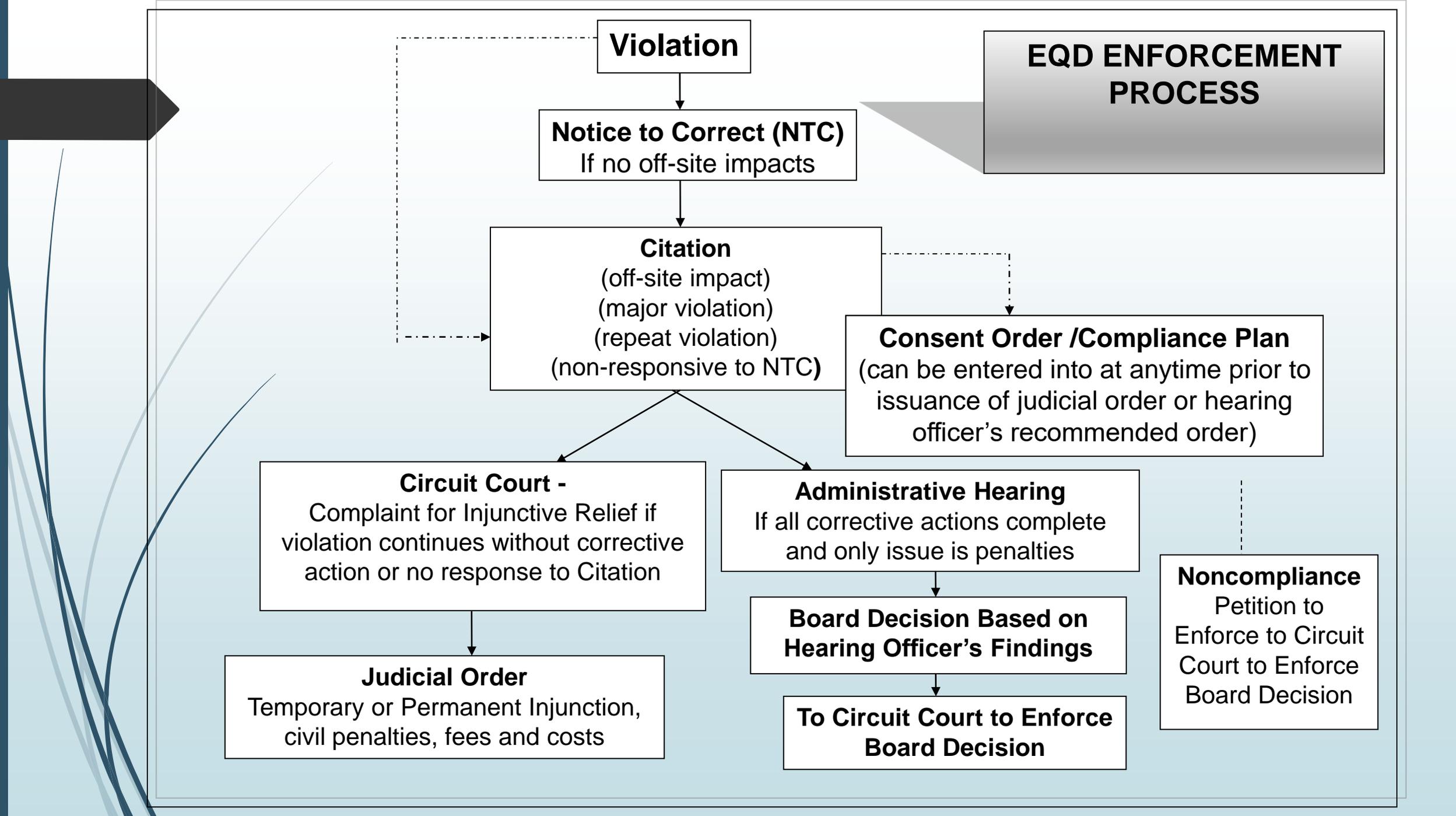


Environmental Quality Division Process for Review and Enforcement

If an inspection by EQD staff at any WWCTS:

- documents a violation of any JEPB Rule 3 requirements, especially
- any unlawful discharge of wastewater impacting public health or public waters,

then *the enforcement process* will be initiated.



Violation

**EQD ENFORCEMENT
PROCESS**

Notice to Correct (NTC)
If no off-site impacts

Citation
(off-site impact)
(major violation)
(repeat violation)
(non-responsive to NTC)

Consent Order /Compliance Plan
(can be entered into at anytime prior to
issuance of judicial order or hearing
officer's recommended order)

Circuit Court -
Complaint for Injunctive Relief if
violation continues without corrective
action or no response to Citation

Administrative Hearing
If all corrective actions complete
and only issue is penalties

Noncompliance
Petition to
Enforce to Circuit
Court to Enforce
Board Decision

Judicial Order
Temporary or Permanent Injunction,
civil penalties, fees and costs

**Board Decision Based on
Hearing Officer's Findings**

**To Circuit Court to Enforce
Board Decision**

**Notice to Correct
(NTC)**

If no off-site impacts

Notices to Correct (NTC)

NTCs are issued for failure to comply with JEPB Rule 3 requirements

but

Discharges of untreated wastewater are referred directly to Enforcement for a Cease and Desist Citation

Documents submitted for corrective actions or inspection may be required to be submitted to EQD to document corrective actions after issuing an NTC (reasonable assurance of future compliance)

- If WWCTS returned to compliance, NTC is closed
- If WWCTS is not in compliance but corrective actions are in progress, and discharge has not yet occurred, another inspection may be scheduled
- If no action has been taken at the WWCTS, or discharge of untreated wastewater has since occurred, a Cease and Desist Citation will be issued

Cease and Desist Citations

- All Citations are issued to the Property Owner and possibly tenant(s) or property management.
- Environmental Law is strict liability to the property owner, and the property owner is the legal owner of any WWCTS.
- The Citation requires you to cease ***the violations*** – **not cease doing business**

A court injunction is required to shutter a business or remove tenants or residents from a property with a failing WWCTS.

Citation

(off-site impact)

(major violation)

(repeat violation)

(non-responsive to
NTC)

Consent Orders or

Consent Order /Compliance Plan

(can be entered into at anytime prior to issuance of judicial order or hearing officer's recommended order)

Resolution of Citation agreed upon-

- Consent Order is returned signed by the parties
- Then considered and approved by JEPB
- Payment is due 30 days after approval
- Other requirements are outlined by the Consent Order

Court Actions

Judicial Order

Temporary or Permanent Injunction, civil penalties, fees and costs

If court action is required for injunction or hearing is requested-

- maximum penalty of \$10,000 per day, per violation is requested by the City
- Plus attorneys' fees and costs if City prevails

Note: Nonpayment of Consent Order also results in court action to enforce the JEPB Order



Consent Orders Requirements for unlawful discharge cases:

- If you are subject to a Cease and Desist Citation for unlawful discharge of wastewater, you will receive compliance education and more detailed information for case resolution.
- For information and discussion, the following slides are common requirements in every discharge enforcement case impacting public health or public waters.

Consent Orders – continued:

COMPLETE ENGINEER REPORT: No later than , **2022**, Respondent shall submit for review and approval, an Engineer Report signed and sealed by a Florida licensed, professional engineer.

- a. The **Engineer Report** shall include, at a minimum:
 - (1) findings of the camera investigation of the collection lines, dye test results to confirm connections to the WWCTS, and inspection of manholes,
 - (2) utility force main pressure,
 - (3) drawings,
 - (4) calculations and methodologies used, and
 - (5) manufacturer pump specifications and pump curves to verify the WWCTS meets current sewerage design and performance standards and requirements.
- b. If the WWCTS does not comply with wastewater design standards, the **Engineer Report** shall identify repairs and/or modifications necessary to bring the WWCTS into compliance with current wastewater design standards and finalize abandonment of any noncompliant components.
- c. The **Engineer Report** shall include a project schedule for all recommended repairs and modifications to be completed expeditiously.

Consent Orders – continued:

DEP PERMIT APPLICATION: If a DEP Permit is required for recommended modifications to the WWCTS, Respondent agrees to submit a DEP Permit Application with all required calculations, specifications, drawings, signatures, professional seals and permitting fees to EQD **within 60 days of notification by EQD.**

FINAL ENGINEER REPORT/DEP NOTIFICATION OF COMPLETION OF CONSTRUCTION: Respondent shall complete all engineer recommended repairs and modifications at the WWCTS, as accepted and agreed to by EQD, and pursuant to any issued DEP Permit, and submit a Final Engineer Report (if no permit required) or DEP Notification of Completion of Construction Domestic Wastewater Collection/Transmission System (“DEP Notice of Completion of Construction”) package to Tree Kilbourn at tkilbour@coj.net with all required documents, certifications, drawings, professional signatures and seals upon completion of all work **by the deadline established following the review and notification in paragraph 7.d.(2).**

Consent Orders – continued:

MONTHLY STATUS REPORT: Respondent shall submit a monthly status report regarding the *engineer's review, Engineer Report, permitting and construction work* for all repairs and modifications to the WWCTS by the last day of each month beginning on _____, 2022, and continuing until the Final Engineer Report or DEP Notice of Completion of Construction is submitted to and accepted by EQD. Monthly status reports shall be provided by electronic mail to Tree Kilbourn at tkilbour@coj.net.

COMPLIANCE WITH OPERATION, MAINTENANCE AND RECORDKEEPING REQUIREMENTS: Respondent shall ensure that the WWCTS is operated and maintained in accordance with all applicable local, state, and federal rules and regulations and that all items of required maintenance are performed and records of all maintenance and repairs be kept with the **level of specificity required in JEPB Rule 3.405A.**

Consent Orders – continued:

MONTHLY MAINTENANCE RECORDS: Respondent shall submit the **WWCTS *monthly maintenance records*** to EQD by electronic mail to **Ms. Tree Kilbourn**, Environmental Enforcement Officer, Environmental Quality Division, at tkilbour@coj.net **no later than the last day of each calendar month beginning , 2022**, until all repairs and modifications to the WWCTS, as recommended by the engineer and accepted by EQD, have been completed and approved.

- Again, if you are a party to an active Cease and Desist Citation, this information will be covered thoroughly with you.



Consent Orders – continued:

- EQD cannot assign responsibility or liability to any one party
 - Contractual parties must work through their contractual issues on their own
- Owner of the WWCTS must sign the Consent Order or the matter proceeds to the City's attorneys for further action
 - Consent Order remains in effect until EQD accepts all final corrective actions and determines through records review that the WWCTS has returned to compliance with operation, maintenance and recordkeeping requirements
- Penalty calculation will be completed and provided to all parties for the Consent Order



Penalties

City Ordinance Code provides for up to \$10,000, per day/ per violation:

Consent Orders to the JEPB utilize settlement penalty guidelines used for administrative resolution only (not subject to Court use):

- Penalties range from \$300 to \$8,000
- Impacts to stormwaters, surface waters or wetlands assessed highest penalties



Penalties - continued

- Factors such as where the wastewater discharged to, how long the WWCTS was out of compliance, etc. are considered in the calculation
- Typical penalty assessments for discharges that impact stormwater or public waters are \$8,000 per discharge event

Note: At least one manhole on your property is likely adjacent to a stormwater drain and therefore you are at risk for high penalty assessments for discharge events.

A dark grey arrow points to the right at the top left. Below it, several thin, curved lines in shades of blue and grey sweep across the left side of the slide.

CONCLUSION

Compliance with design, operation, maintenance and recordkeeping requirements, and a diligent review of your records monthly will:

- Help avoid discharge events and protect the environment,
- Help avoid costly civil penalties for violations, and
- Save you money over time by extending the life of your WWCTS and avoid costly early pump replacement, similar to how you care for your car and its engine!



Contacts for questions or assistance:

If you have any questions regarding wastewater compliance or the WWCTS inspection process, you may email EQD staff at SSO@coj.net.

If you have any questions regarding EQD's enforcement process or JEPB Rule 3 specific language for requirements, you may e-mail Ms. Tree Kilbourn at tkilbour@coj.net.

EQD staff thanks you for your time and efforts to comply with JEPB Rule 3 regulations to improve your business and to help us protect the environment.

Attachments:

Pump Station Inspection Form effective 5-11-2022.docx

Pump Station Records review.xlsx