

# FLORIDA DEPARTMENT OF Environmental Protection

Ron DeSantis Governor

Jeanette Nuñez Lt. Governor

Shawn Hamilton Secretary

Central District Office 3319 Maguire Blvd, Suite 232 Orlando, Florida 32803-3767

April 5, 2022

In the Matter of an Application for Permit by:

1998 Rockledge Blvd, LLC Dr. Russell Rosicki, Managing Member 1998 Rockledge Blvd. Rockledge, Florida 32955 <u>russell.rosicki@yahoo.com</u> File Number FLA017378-009-IW9B Brevard County Bay Wash of Rockledge Car Wash Recycling System

# NOTICE OF PERMIT ISSUANCE

Enclosed is Permit Number FLA017378 to operate the Bay Wash of Rockledge Car Wash Recycling System, issued under Chapter 403, Florida Statutes.

## **NOTICE OF RIGHTS**

This action is final and effective on the date filed with the Clerk of the Department unless a petition for an administrative hearing is timely filed under Sections 120.569 and 120.57, F.S., before the deadline for filing a petition. On the filing of a timely and sufficient petition, this action will not be final and effective until further order of the Department. Because the administrative hearing process is designed to formulate final agency action, the hearing process may result in a modification of the agency action or even denial of the application.

# Petition for Administrative Hearing

A person whose substantial interests are affected by the Department's action may petition for an administrative proceeding (hearing) under Sections 120.569 and 120.57, F.S. Pursuant to Rules 28-106.201 and 28-106.301, F.A.C., a petition for an administrative hearing must contain the following information:

- (a) The name and address of each agency affected and each agency's file or identification number, if known;
- (b) The name, address, any e-mail address, any facsimile number, and telephone number of the petitioner, if the petitioner is not represented by an attorney or a qualified representative; the name, address, and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how the petitioner's substantial interests will be affected by the agency determination;

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- (c) A statement of when and how the petitioner received notice of the agency decision;
- (d) A statement of all disputed issues of material fact. If there are none, the petition must so indicate;
- (e) A concise statement of the ultimate facts alleged, including the specific facts that the petitioner contends warrant reversal or modification of the agency's proposed action;
- (f) A statement of the specific rules or statutes that the petitioner contends require reversal or modification of the agency's proposed action, including an explanation of how the alleged facts relate to the specific rules or statutes; and
- (g) A statement of the relief sought by the petitioner, stating precisely the action that the petitioner wishes the agency to take with respect to the agency's proposed action.

The petition must be filed (received by the Clerk) in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000, or via electronic correspondence at Agency\_Clerk@FloridaDEP.gov. Also, a copy of the petition shall be mailed to the applicant at the address indicated above at the time of filing.

# Time Period for Filing a Petition

In accordance with Rule 62-110.106(3), F.A.C., petitions for an administrative hearing by the applicant and persons entitled to written notice under Section 120.60(3), F.S., must be filed within 14 days of receipt of this written notice. Petitions filed by any persons other than the applicant, and other than those entitled to written notice under Section 120.60(3), F.S., must be filed within 14 days of publication of the notice or within 14 days of receipt of the written notice, whichever occurs first. You cannot justifiably rely on the finality of this decision unless notice of this decision and the right of substantially affected persons to challenge this decision has been duly published or otherwise provided to all persons substantially affected by the decision. While you are not required to publish notice of this action, you may elect to do so pursuant Rule 62-110.106(10)(a), F.A.C.

The failure to file a petition within the appropriate time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under Sections 120.569 and 120.57, F.S., or to intervene in this proceeding and participate as a party to it. Any subsequent intervention (in a proceeding initiated by another party) will be only at the discretion of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205, F.A.C. If you do not publish notice of this action, this waiver may not apply to persons who have not received a clear point-of-entry.

## Extension of Time

Under Rule 62-110.106(4), F.A.C., a person whose substantial interests are affected by the Department's action may also request an extension of time to file a petition for an administrative hearing. The Department may, for good cause shown, grant the request for an extension of time. Requests for extension of time must be filed with the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000, or via electronic correspondence at Agency\_Clerk@FloridaDEP.gov, before the deadline for filing a petition for an administrative hearing. A timely request for extension of time shall toll the running of the time period for filing a petition until the request is acted upon.

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<u>Mediation</u> Mediation is not available in this proceeding.

# Judicial Review

Once this decision becomes final, any party to this action has the right to seek judicial review pursuant to Section 120.68, F.S., by filing a Notice of Appeal pursuant to Florida Rules of Appellate Procedure 9.110 and 9.190 with the Clerk of the Department in the Office of General Counsel (Station #35, 3900 Commonwealth Boulevard, Tallahassee, Florida 32399-3000) and by filing a copy of the Notice of Appeal accompanied by the applicable filing fees with the appropriate district court of appeal. The notice must be filed within 30 days from the date this action is filed with the Clerk of the Department.

# **EXECUTION AND CLERKING**

Executed in Orlando, Florida. STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION

Luces Drontham

Lucas Grantham Environmental Manager Permitting and Waste Cleanup Program

# Attachment(s):

1. Permit No. FLA017378, SOB, Flow diagram

# **CERTIFICATE OF SERVICE**

The undersigned duly designated deputy clerk hereby certifies that this document and all attachments were sent on the filing date below to the following listed persons:

Julian Ramirez De Arellano, PE, <u>Jra.personal88@gmail.com</u> FDEP: Randall Cunningham, Lucas Grantham, Dave Smicherko

# FILING AND ACKNOWLEDGMENT

FILED, on this date, pursuant to Section 120.52, F. S., with the designated Department Clerk, receipt of which is hereby acknowledged.

Willow Hills April 5, 2022 Clerk Date



# FLORIDA DEPARTMENT OF Environmental Protection

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Central District Office 3319 Maguire Blvd, Suite 232 Orlando, Florida 32803-3767

Shawn Hamilton Secretary

# STATE OF FLORIDA INDUSTRIAL WASTEWATER FACILITY PERMIT

**PERMITTEE:** 1998 Rockledge Blvd, LLC

RESPONSIBLE OFFICIAL: Dr. Russell Rosicki, Managing Member 1998 Rockledge Blvd. Rockledge, Florida 32955 (954) 371-5948 russell.rosicki@yahoo.com FILE NUMBER:FLISSUANCE DATE:ApEFFECTIVE DATE:JuEXPIRATION DATE:Ju

**PERMIT NUMBER:** 

FLA017378 FLA017378-009-IW9B April 5, 2022 July 28, 2022 July 27, 2027

## FACILITY:

Bay Wash of Rockledge Car Wash Recycling System 1998 Us Highway # 1 Rockledge, FL 32955 Brevard County Latitude: 28°19' 18.7893" N Longitude: 80°42' 52.4878" W

This permit is issued under the provisions of Chapter 403, Florida Statutes (F.S.), and applicable rules of the Florida Administrative Code (F.A.C.). This permit does not constitute authorization to discharge wastewater other than as expressly stated in this permit. The above-named permittee is hereby authorized to operate the facilities in accordance with the documents attached hereto and specifically described as follows:

#### FACILITY DESCRIPTION:

This is an existing treatment and closed loop recycle facility. The facility is an existing commercial car wash facility. Wash water from the four self-serve wand bays and one automatic rollover wash bay is collected in a manifold system. Each wash bay has a 4-inch floor drain and all wash bays are under the roof.

#### WASTEWATER TREATMENT:

This is a closed loop system. The wastewater flows to the first treatment unit, which is a 1,500-gallon sedimentation Tank #1. Tank #1 is designed with an underflow pipe to Tank #2. The connection pipe from Tank #1 to Tank #2 is configured to act as an oil/water separator and returns trapped material back to Tank #1. This treatment unit consists of an additional 1,000-gallon sedimentation tank and another 1,000-gallon clean water tank. Wastewater from the second sedimentation tank is pumped to a prefabricated treatment unit. This unit consists of two inline 5-micron filtration systems. The treated water flows to the processed water storage tank, where ozone is added. The treated wastewater from this tank is drawn to a pressure tank for washing the vehicles and a separate influent line that goes through water softening units, carbon polishing unit and reverse osmosis system. The polished effluent is used for rinsing the vehicles. A reject water line from the reverse osmosis system is directed back to tank #1. Each bay is equipped with a 4-inch floor drain. These drains are connected together and eventually drain to Tank #1. Spent process wastewater is disposed of at a Department permitted Class I or Class II landfill. A licensed used oil recycler shall dispose of waste oil collected from the oil/water separator. There shall be no discharge to ground or surface waters of the State.

**IN ACCORDANCE WITH:** The limitations, monitoring requirements and other conditions set forth in this Cover Sheet and Part I through Part IX on pages 1 through 12 of this permit.

### I. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

#### A. Other Limitations and Monitoring and Reporting Requirements

- 1. The permittee shall provide safe access points for authorized inspection and maintenance personnel. [62-620.320(6)]
- 2. Unless specified otherwise in this permit, all reports and other information required by this permit, including 24-hour notifications, shall be submitted to or reported to, as appropriate, the Department's Central District Office at the address specified below:

Electronic submittal is preferred, by sending to <u>DEP\_CD@dep.state.fl.us</u>

Florida Department of Environmental Protection Central District 3319 Maguire Blvd Suite 232 Orlando, Florida 32803-3767

Phone Number - (407) 897-4100 (All e-mails (electronic communication) shall be followed by original copies.)

[62-620.305]

3. All reports and other information shall be signed in accordance with the requirements of Rule 62-620.305, F.A.C. *[62-620.305]* 

## II. SLUDGE MANAGEMENT REQUIREMENTS

- 1. The method of sludge use or disposal by this facility is Class I Solid Waste Landfill.
- 2. The permittee shall be responsible for proper treatment, management, use, and land application or disposal of its sludges. [62-620.320(6)]
- 3. Disposal of sludge in a solid waste disposal facility shall be in accordance with the requirements of Chapter 62-701, F.A.C. [62-701]

## **III. GROUND WATER REQUIREMENTS**

1. Section III is not applicable to this facility.

#### **IV. ADDITIONAL LAND APPLICATION REQUIREMENTS**

1. Section IV is not applicable to this facility.

### V. OPERATION AND MAINTENANCE REQUIREMENTS

- 1. During the period of operation authorized by this permit, the wastewater facilities shall be operated under the supervision of a person who is qualified by formal training and/or practical experience in the field of water pollution control. [62-620.320(6)]
- 2. The permittee shall maintain the following records and make them available for inspection at the following address: on the site of the permitted facility.

- a. Records of all compliance monitoring information, including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation, including, if applicable, a copy of the laboratory certification showing the certification number of the laboratory, for at least three years from the date the sample or measurement was taken;
- b. Copies of all reports required by the permit for at least three years from the date the report was prepared;
- c. Records of all data, including reports and documents, used to complete the application for the permit for at least three years from the date the application was filed;
- d. A copy of the current permit;
- e. A copy of any required record drawings; and
- f. Copies of the logs and schedules showing plant operations and equipment maintenance for three years from the date of the logs or schedules.

[62-620.350]

## **VI. SCHEDULES**

- 1. The permittee is not authorized to discharge to waters of the state after the expiration date of this permit, unless:
  - a. The permittee has applied for renewal of this permit at least 180 days before the expiration date of this permit using the appropriate forms listed in Rule 62-620.910, F.A.C., and in the manner established in the Department of Environmental Protection Guide to Permitting Wastewater Facilities or Activities Under Chapter 62-620, F.A.C., including submittal of the appropriate processing fee set forth in Rule 62-4.050, F.A.C.; or
  - b. The permittee has made complete the application for renewal of this permit before the permit expiration date.

[62-620.335(1)-(4)]

## VII.BEST MANAGEMENT PRACTICES/STORMWATER POLLUTION PREVENTION PLANS

- The permittee shall during the term of this permit operate the facility in accordance with the existing BEST MANAGEMENT PRACTICES (BMP) or in accordance with subsequent amendments to the Plan. The permittee shall also amend this Plan, to incorporate practices to achieve the objectives and specific requirements listed below. The permittee shall maintain the Plan at the facility and shall make the plan available to the Department upon request. The Plan shall be implemented in accordance with the schedule contained in Part VI of this permit. [62-620.100(3)(m)]
- 2. Through implementation of the BEST MANAGEMENT PRACTICES (BMP), the permittee shall prevent or minimize the generation and the potential for the release of pollutants from the facility to the waters of the State through normal operations and ancillary activities. [62-620.100(3)(m)]
- 3. The permittee shall develop and amend the BMP consistent with the following objectives for the control of pollutants.
  - a. The number and quantity of pollutants and the toxicity of effluent generated, discharged or potentially discharged at the facility shall be minimized by the permittee to the extent feasible by managing each influent waste stream in the most appropriate manner.
  - b. Under the BMP, and any Standard Operating Procedures (SOPs) included in the Plan, the permittee shall ensure proper operation and maintenance of the treatment facility.
  - c. The permittee shall establish specific objectives for the control of pollutants by conducting the following evaluations.
    - (1) Each facility component or system shall be examined for its waste minimization opportunities and its potential for causing a release of significant amounts of pollutants to waters of the United States due to

equipment failure, improper operation, and natural phenomena such as rain or adverse weather, etc. The examination shall include all normal operations and ancillary activities including but not limited to material storage areas, plant site runoff, in-plant transfer, process and material handling areas, loading or unloading operations, spillage or leaks, sludge and waste disposal, or drainage from raw material storage, as applicable.

(2) Where experience indicates a reasonable potential for equipment failure (e.g., a tank overflow or leakage), natural condition (e.g., precipitation), or other circumstances to result in significant amounts of pollutants reaching surface waters, the program should include a prediction of the direction, rate of flow and total quantity of pollutants which could be discharged from the facility as a result of each condition or circumstance.

## [62-620.100(3)(m)]

- 4. The BMP shall be consistent with the objectives in Part 3 above and the general guidance contained in the publication entitled <u>Guidance Manual for Developing Best Management Practices (BMPs)</u> (USEPA, 1993) or any subsequent revisions to the guidance document. The BMP shall:
  - a. Be documented in narrative form, shall include any necessary plot plans, drawings or maps, and shall be developed in accordance with good engineering practices. The BMP shall be organized and written with the following structure:
    - (1) Name and location of the facility.
    - (2) Statement of BMP policy.
    - (3) Structure, functions, and procedures of the BMP committee.
    - (4) Specific management practices and standard operating procedures to achieve the above objectives, including, but not limited to, the following:
      - (a) modification of equipment, facilities, technology, processes, and procedures,
      - (b) reformulation or redesign of products,
      - (c) substitution of materials, and
      - (d) improvement in management, inventory control, materials handling or general operational phases of the facility.
    - (5) Risk identification and assessment.
    - (6) Reporting of BMP incidents.
    - (7) Materials compatibility.
    - (8) Good housekeeping.
    - (9) Preventative maintenance.
    - (10) Inspections and records.
    - (11) Security.
    - (12) Employee training.
  - b. Establish specific best management practices to meet the objectives identified in Part 3 of this section, addressing each component or system capable of generating or causing a release of significant amounts of pollutants, and identifying specific preventative or remedial measures to be implemented.

[62-620.100(3)(m)]

- 5. Required Components of a Waste Minimization Assessment
  - a. The WMA shall include an overall plant water balance, as well as internal water balances, as necessary. This information shall be used to determine any opportunities for water conservation or reuse/recycling and to determine if and where leakages might occur.
  - b. A materials and risk assessment shall be developed and shall include the following:
    - (1) Identification of the types and quantities of materials used or manufactured (including by products produced) at the facility;

- (2) Identification of the location and types of materials management activities which occur at the facility;
- (3) An evaluation of the following aspects of materials compatibility: containment and storage practices for chemicals, container compatibility, chemical mixing procedures; potential mixing or compatibility problems; and specific prohibitions regarding mixing of chemicals;
- (4) Technical information on human health and ecological effects of toxic or hazardous chemicals presently used or manufactured (including by products produced) or planned for future use or production; and
- (5) Analyses of chemical use and waste generation, including overall plant material balances and as necessary, internal process balances, for all pollutants. (When actual measurements of the quantity of a chemical entering a wastewater or storm water stream are not readily available, reasonable estimates should be made based on best engineering judgment.) The analyses shall address reasons for using particular chemicals, and measures or estimates of the actual and potential chemical discharges via wastewater, wastewater sludge, storm water, air, solid waste or hazardous waste media.
- c. The WMA shall include, at a minimum, the following means of reducing pollutant discharges in wastewater streams or of otherwise minimizing wastes:
  - (1) Process related source reduction measures, including any or all of the following, as appropriate:
    - (a) Production process changes;
    - (b) Improved process controls;
    - (c) Reduction of off spec materials;
    - (d) Reduction in use of toxic or hazardous materials;
    - (e) Chemical modifications and/or material purification;
    - (f) Chemical substitution employing non toxic or less toxic alternatives; and
    - (g) Equipment upgrades or modifications or changes in equipment use.
  - (2) Housekeeping/operational changes, including waste stream segregation, inventory control, spill and leak prevention, equipment maintenance; and employee training in areas of pollution prevention, good housekeeping, and spill prevention and response;
  - (3) In process recycling, on site recycling and/or off site recycling of materials;
  - (4) Following all source reduction and recycling practices, wastewater treatment process changes, including the use of new or improved treatment methods, such that treatment by products are less toxic to aquatic or human life; and
  - (5) Other means as agreed upon by the permit issuing authority and the permittee.
- d. For storm water discharges and instances where storm water enters the wastewater treatment/disposal system or is otherwise commingled with wastewater, the WMA shall evaluate the following potential sources of storm water contamination, at a minimum:
  - (1) Loading, unloading and transfer areas for dry bulk materials or liquids;
  - (2) Outdoor storage of raw materials or products;
  - (3) Outdoor manufacturing or processing activities;
  - (4) Dust or particulate generating processes; and
  - (5) On site waste and/or sludge disposal practices.

The likelihood of storm water contact in these areas and the potential for spills from these areas shall be considered in the evaluation. The history of significant leaks or spills of toxic or hazardous pollutants shall also be considered. Recommendations for changes to current practices which would reduce the potential for storm water contamination from these areas shall be made, as necessary.

#### [62-620.100(3)(m)]

6. The BMP shall be signed by the permittee or their duly authorized representative in accordance with Rule 62-620.305(2)(a) and (b), F.A.C. The Plan shall be reviewed by appropriate facility staff and management. Where required by Chapter 471 (P.E.) or Chapter 492 (P.G.) Florida Statutes, applicable portions of the Plan shall be signed and sealed by the professional(s) who prepared them.

The BMP shall contain a written statement from corporate or facility management indicating management's commitment to the goals of the BMP program. Such statements shall be publicized or made known to all facility employees. Management shall also provide training for the individuals responsible for implementing the BMP. [62-620.100(3)(m)]

- 7. The permittee shall maintain a copy of the BMP at the facility and shall make the plan available to the Department upon request. All offices of the permittee which are required to maintain a copy of the NPDES permit shall also maintain a copy of the BMP. [62-620.100(3)(m)]
- 8. If following review by the Department, the BMP is determined insufficient, the permittee will be notified that the Plan does not meet one or more of the minimum requirements of this Part. Upon such notification from the Department, the permittee shall amend the plan and shall submit to the Department a written certification that the requested changes have been made. Unless otherwise provided by the Department, the permittee shall have 30 days after such notification to make the changes necessary.

The permittee shall amend the BMP whenever there is a change in the facility or in the operation of the facility which materially increases the generation of pollutants or their release or potential release to the receiving waters. The permittee shall also amend the Plan, as appropriate, when plant operations covered by the BMP change. Any such changes to the Plan shall be consistent with the objectives and specific requirements listed above. All changes in the BMP shall be reported to the Department in writing. [62-620.100(3)(m)]

9. At any time, if the BMP proves to be ineffective in achieving the general objective of preventing and minimizing the generation of pollutants and their release and potential release to the receiving waters and/or the specific requirements above, the permit and/or the BMP shall be subject to modification to incorporate revised BMP requirements. [62-620.100(3)(m)]

### VIII. OTHER SPECIFIC CONDITIONS

- 1. Where required by Chapter 471 or Chapter 492, F.S., applicable portions of reports that must be submitted under this permit shall be signed and sealed by a professional engineer or a professional geologist, as appropriate. [62-620.310(4)]
- 2. The permittee shall provide verbal notice to the Department's Central District Office as soon as practical after discovery of a sinkhole or other karst feature within an area for the management or application of wastewater, or wastewater sludges. The Permittee shall immediately implement measures appropriate to control the entry of contaminants, and shall detail these measures to the Department's Central District Office in a written report within 7 days of the sinkhole discovery. [62-620.320(6)]
- 3. Existing manufacturing, commercial, mining, and silvicultural wastewater facilities or activities that discharge into surface waters shall notify the Department as soon as they know or have reason to believe:
  - a. That any activity has occurred or will occur which would result in the discharge, on a routine or frequent basis, of any toxic pollutant which is not limited in the permit, if that discharge will exceed the highest of the following levels;
    - (1) One hundred micrograms per liter,
    - (2) Two hundred micrograms per liter for acrolein and acrylonitrile; five hundred micrograms per liter for 2, 4-dinitrophenol and for 2-methyl-4, 6-dinitrophenol; and one milligram per liter for antimony, or
    - (3) Five times the maximum concentration value reported for that pollutant in the permit application; or
  - b. That any activity has occurred or will occur which would result in any discharge, on a non-routine or infrequent basis, of a toxic pollutant which is not limited in the permit, if that discharge will exceed the highest of the following levels;
    - (1) Five hundred micrograms per liter,

July 27, 2027

- (2) One milligram per liter for antimony, or
- (3) Ten times the maximum concentration value reported for that pollutant in the permit application.

[62-620.625(1)]

### **IX. GENERAL CONDITIONS**

- 1. The terms, conditions, requirements, limitations and restrictions set forth in this permit are binding and enforceable pursuant to Chapter 403, Florida Statutes. Any permit noncompliance constitutes a violation of Chapter 403, Florida Statutes, and is grounds for enforcement action, permit termination, permit revocation and reissuance, or permit revision. [62-620.610(1)]
- 2. This permit is valid only for the specific processes and operations applied for and indicated in the approved drawings or exhibits. Any unauthorized deviations from the approved drawings, exhibits, specifications or conditions of this permit constitutes grounds for revocation and enforcement action by the Department. [62-620.610(2)]
- 3. As provided in subsection 403.087(7), F.S., the issuance of this permit does not convey any vested rights or any exclusive privileges. Neither does it authorize any injury to public or private property or any invasion of personal rights, nor authorize any infringement of federal, state, or local laws or regulations. This permit is not a waiver of or approval of any other Department permit or authorization that may be required for other aspects of the total project which are not addressed in this permit. [62-620.610(3)]
- 4. This permit conveys no title to land or water, does not constitute state recognition or acknowledgment of title, and does not constitute authority for the use of submerged lands unless herein provided and the necessary title or leasehold interests have been obtained from the State. Only the Trustees of the Internal Improvement Trust Fund may express State opinion as to title. [62-620.610(4)]
- 5. This permit does not relieve the permittee from liability and penalties for harm or injury to human health or welfare, animal or plant life, or property caused by the construction or operation of this permitted source; nor does it allow the permittee to cause pollution in contravention of Florida Statutes and Department rules, unless specifically authorized by an order from the Department. The permittee shall take all reasonable steps to minimize or prevent any discharge, reuse of reclaimed water, or residuals use or disposal in violation of this permit which has a reasonable likelihood of adversely affecting human health or the environment. 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. [62-620.610(5)]
- 6. If the permittee wishes to continue an activity regulated by this permit after its expiration date, the permittee shall apply for and obtain a new permit. [62-620.610(6)]
- 7. The permittee shall at all times properly operate and maintain the facility and systems of treatment and control, and related appurtenances, that are installed and used by the permittee to achieve compliance with the conditions of this permit. This provision includes the operation of backup or auxiliary facilities or similar systems when necessary to maintain or achieve compliance with the conditions of the permit. [62-620.610(7)]
- 8. This permit may be modified, revoked and reissued, or terminated for cause. The filing of a request by the permittee for a permit revision, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance does not stay any permit condition. [62-620.610(8)]
- 9. The permittee, by accepting this permit, specifically agrees to allow authorized Department personnel, including an authorized representative of the Department and authorized EPA personnel, when applicable, upon presentation of credentials or other documents as may be required by law, and at reasonable times, depending upon the nature of the concern being investigated, to:
  - a. Enter upon the permittee's premises where a regulated facility, system, or activity is located or conducted, or where records shall be kept under the conditions of this permit;

- b. Have access to and copy any records that shall be kept under the conditions of this permit;
- c. Inspect the facilities, equipment, practices, or operations regulated or required under this permit; and
- d. Sample or monitor any substances or parameters at any location necessary to assure compliance with this permit or Department rules.

[62-620.610(9)]

- 10. In accepting this permit, the permittee understands and agrees that all records, notes, monitoring data, and other information relating to the construction or operation of this permitted source which are submitted to the Department may be used by the Department as evidence in any enforcement case involving the permitted source arising under the Florida Statutes or Department rules, except as such use is proscribed by Section 403.111, F.S., or Rule 62-620.302, F.A.C. Such evidence shall only be used to the extent that it is consistent with the Florida Rules of Civil Procedure and applicable evidentiary rules. [62-620.610(10)]
- 11. When requested by the Department, the permittee shall within a reasonable time provide any information required by law which is needed to determine whether there is cause for revising, revoking and reissuing, or terminating this permit, or to determine compliance with the permit. The permittee shall also provide to the Department upon request copies of records required by this permit to be kept. If the permittee becomes aware of relevant facts that were not submitted or were incorrect in the permit application or in any report to the Department, such facts or information shall be promptly submitted or corrections promptly reported to the Department. [62-620.610(11)]
- 12. Unless specifically stated otherwise in Department rules, the permittee, in accepting this permit, agrees to comply with changes in Department rules and Florida Statutes after a reasonable time for compliance; provided, however, the permittee does not waive any other rights granted by Florida Statutes or Department rules. A reasonable time for compliance with a new or amended surface water quality standard, other than those standards addressed in Rule 62-302.500, F.A.C., shall include a reasonable time to obtain or be denied a mixing zone for the new or amended standard. *[62-620.610(12)]*
- 13. The permittee, in accepting this permit, agrees to pay the applicable regulatory program and surveillance fee in accordance with Rule 62-4.052, F.A.C. [62-620.610(13)]
- 14. This permit is transferable only upon Department approval in accordance with Rule 62-620.340, F.A.C. The permittee shall be liable for any noncompliance of the permitted activity until the transfer is approved by the Department. [62-620.610(14)]
- 15. The permittee shall give the Department written notice at least 60 days before inactivation or abandonment of a wastewater facility or activity and shall specify what steps will be taken to safeguard public health and safety during and following inactivation or abandonment. [62-620.610(15)]
- 16. The permittee shall apply for a revision to the Department permit in accordance with Rules 62-620.300, F.A.C., and the Department of Environmental Protection Guide to Permitting Wastewater Facilities or Activities Under Chapter 62-620, F.A.C., at least 90 days before construction of any planned substantial modifications to the permitted facility is to commence or with Rule 62-620.325(2), F.A.C., for minor modifications to the permitted facility. A revised permit shall be obtained before construction begins except as provided in Rule 62-620.300, F.A.C. [62-620.610(16)]
- 17. The permittee shall give advance notice to the Department of any planned changes in the permitted facility or activity which may result in noncompliance with permit requirements. The permittee shall be responsible for any and all damages which may result from the changes and may be subject to enforcement action by the Department for penalties or revocation of this permit. The notice shall include the following information:
  - a. A description of the anticipated noncompliance;
  - b. The period of the anticipated noncompliance, including dates and times; and
  - c. Steps being taken to prevent future occurrence of the noncompliance.

[62-620.610(17)]

- 18. Sampling and monitoring data shall be collected and analyzed in accordance with Rule 62-4.246 and Chapters 62-160, 62-600, and 62-610, F.A.C., and 40 CFR 136, as appropriate.
  - a. Monitoring results shall be reported at the intervals specified elsewhere in this permit and shall be reported on a Discharge Monitoring Report (DMR), DEP Form 62-620.910(10), or as specified elsewhere in the permit.
  - b. If the permittee monitors any contaminant more frequently than required by the permit, using Department approved test procedures, the results of this monitoring shall be included in the calculation and reporting of the data submitted in the DMR.
  - c. Calculations for all limitations which require averaging of measurements shall use an arithmetic mean unless otherwise specified in this permit.
  - d. Except as specifically provided in Rule 62-160.300, F.A.C., any laboratory test required by this permit shall be performed by a laboratory that has been certified by the Department of Health Environmental Laboratory Certification Program (DOH ELCP). Such certification shall be for the matrix, test method and analyte(s) being measured to comply with this permit. For domestic wastewater facilities, testing for parameters listed in Rule 62-160.300(4), F.A.C., shall be conducted under the direction of a certified operator.
  - e. Field activities including on-site tests and sample collection shall follow the applicable standard operating procedures described in DEP-SOP-001/01 adopted by reference in Chapter 62-160, F.A.C.
  - f. Alternate field procedures and laboratory methods may be used where they have been approved in accordance with Rules 62-160.220, and 62-160.330, F.A.C.

[62-620.610(18)]

- 19. Reports of compliance or noncompliance with, or any progress reports on, interim and final requirements contained in any compliance schedule detailed elsewhere in this permit shall be submitted no later than 14 days following each schedule date. [62-620.610(19)]
- 20. The permittee shall report to the Department any noncompliance which may endanger health or the environment. Any information shall be provided orally within 24 hours from the time the permittee becomes aware of the circumstances. A written submission shall also be provided within five days of the time the permittee becomes aware of the circumstances. The written submission shall contain a description of the noncompliance and its cause; the period of noncompliance including exact dates and times, and if the noncompliance has not been corrected, the anticipated time it is expected to continue; clean up actions taken and status; and steps taken or planned to reduce, eliminate, and prevent recurrence of the noncompliance. For noncompliance events related to sanitary sewer overflows, bypass events, or unauthorized discharges, these reports must include the data described above (with the exception of time of discovery) as well as the type of event (e.g., sanitary sewer overflow, bypass, unauthorized discharge); type of sanitary sewer overflow structure (e.g., manhole); the discharge location address and latitude/longitude; type of water discharged; discharge volumes and volumes recovered; volume discharged to surface waters and receiving waterbody name; types of human health and environmental impacts of the sanitary sewer overflow, bypass event, or unauthorized discharge (e.g., beach closure); whether the noncompliance was caused by a third party; and whether the noncompliance was related to wet weather. The written submission may be provided electronically using the Department's Business Portal at https://www.fldepportal.com/go/ (via "Submit" followed by "Report" or "Registration/Notification"). Notice required for public notice of pollution under paragraph (d) may be provided together with the written submission using the Business Portal. All noncompliance events related to sanitary sewer overflows or bypass events submitted after (effective date of rule), shall be submitted electronically.
  - a. The following shall be included as information which must be reported within 24 hours under this condition:
    - (1) Any unanticipated bypass which causes any reclaimed water or the effluent to exceed any permit limitation or results in an unpermitted discharge,

- (2) Any upset which causes any reclaimed water or the effluent to exceed any limitation in the permit,
- (3) Violation of a maximum daily discharge limitation for any of the pollutants specifically listed in the permit for such notice; and,
- (4) Any unauthorized discharge to surface or ground waters, except for discharges to ground water of reclaimed water meeting Part III or Part V treatment standards under Chapter 62-610, F.A.C.
- b. Oral reports as required by this subsection shall be provided as follows:
  - (1) For unauthorized releases or spills of treated or untreated wastewater reported pursuant to subparagraph (a)4., that are in excess of 1,000 gallons per incident, or where information indicates that public health or the environment will be endangered, oral reports shall be provided to the Department by calling the STATE WATCH OFFICE TOLL FREE NUMBER (800)320-0519, as soon as practicable, but no later than 24 hours from the time the permittee becomes aware of the discharge. The permittee, to the extent known, shall provide the following information to the State Watch Office:
    - (a) Name, address, and telephone number of person reporting,
    - (b) Name, address, and telephone number of permittee or responsible person for the discharge,
    - (c) Date and time of the discharge and status of discharge (ongoing or ceased),
    - (d) Characteristics of the wastewater spilled or released (untreated or treated, industrial or domestic wastewater),
    - (e) Estimated amount of the discharge,
    - (f) Location or address of the discharge,
    - (g) Source and cause of the discharge,
    - (h) Whether the discharge was contained on-site, and cleanup actions taken to date,
    - (i) Description of area affected by the discharge, including name of water body affected, if any; and,
    - (j) Other persons or agencies contacted.
  - (2) Oral reports, not otherwise required to be provided pursuant to subparagraph (b)1., above, shall be provided to the Department within 24 hours from the time the permittee becomes aware of the circumstances.
- c. If the oral report has been received within 24 hours, the noncompliance has been corrected, and the noncompliance did not endanger health or the environment, the Department shall waive the written report.
- d. In accordance with Section 403.077, F.S., unauthorized releases or spills reportable to the State Watch Office pursuant to subparagraph (b)1. above shall also be reported to the Department within 24 hours from the time the permittee becomes aware of the discharge. The permittee shall provide to the Department information reported to the State Watch Office. Notice of unauthorized releases or spills may be provided to the Department through the Department's Public Notice of Pollution web page at https://floridadep.gov/pollutionnotice or by reporting electronically using the Department's Business Portal at https://www.fldepportal.com/go/ (via "Submit" followed by "Report" or "Registration/Notification").
  - (1) If, after providing notice pursuant to paragraph (d) above, the permittee determines that a reportable unauthorized release or spill did not occur or that an amendment to the notice is warranted, the permittee may submit a letter to the Department documenting such determination at pollution.notice@floridadep.gov.
  - (2) If, after providing notice pursuant to paragraph (d) above, the permittee discovers that a reportable unauthorized release or spill has migrated outside the property boundaries of the installation, the permittee must provide an additional notice to the Department that the release has migrated outside the property boundaries within 24 hours after its discovery of the migration outside of the property boundaries.
- e. Unless discharged to surface waters, a spill, release, discharge, upset or bypass involving reclaimed water meeting Part III or Part V treatment standards under Chapter 62-610, F.A.C., shall not be considered to endanger health or the environment and shall be reported under subsection (21) of this permit.

[62-620.610(20)] [62-620.100(3)]

- 21. The permittee shall report all instances of noncompliance not reported under Permit Conditions IX. 17, 18 or 19 of this permit at the time monitoring reports are submitted. This report shall contain the same information required by Permit Condition IX.20 of this permit. [62-620.610(21)]
- 22. Bypass Provisions.
  - a. "Bypass" means the intentional diversion of waste streams from any portion of a treatment works.
  - b. Bypass is prohibited, and the Department may take enforcement action against a permittee for bypass, unless the permittee affirmatively demonstrates that:
    - (1) Bypass was unavoidable to prevent loss of life, personal injury, or severe property damage; and
    - (2) There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate back-up equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass which occurred during normal periods of equipment downtime or preventive maintenance; and
    - (3) The permittee submitted notices as required under Permit Condition IX. 22. c. of this permit.
  - c. If the permittee knows in advance of the need for a bypass, it shall submit prior notice to the Department, if possible at least 10 days before the date of the bypass. The permittee shall submit notice of an unanticipated bypass within 24 hours of learning about the bypass as required in Permit Condition IX. 20. of this permit. A notice shall include a description of the bypass and its cause; the period of the bypass, including exact dates and times; if the bypass has not been corrected, the anticipated time it is expected to continue; and the steps taken or planned to reduce, eliminate, and prevent recurrence of the bypass.
  - d. The Department shall approve an anticipated bypass, after considering its adverse effect, if the permittee demonstrates that it will meet the three conditions listed in Permit Condition IX. 22. b.(1) through (3) of this permit.
  - e. A permittee may allow any bypass to occur which does not cause reclaimed water or effluent limitations to be exceeded if it is for essential maintenance to assure efficient operation. These bypasses are not subject to the provisions of Permit Condition IX. 22. b. through d. of this permit.

[62-620.610(22)]

- 23. Upset Provisions.
  - a. "Upset" means an exceptional incident in which there is unintentional and temporary noncompliance with technology-based effluent limitations because of factors beyond the reasonable control of the permittee.
    - (1) An upset does not include noncompliance caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, careless or improper operation.
    - (2) An upset constitutes an affirmative defense to an action brought for noncompliance with technology based permit effluent limitations if the requirements of upset provisions of Rule 62-620.610, F.A.C., are met.
  - b. A permittee who wishes to establish the affirmative defense of upset shall demonstrate, through properly signed contemporaneous operating logs, or other relevant evidence that:
    - (1) An upset occurred and that the permittee can identify the cause(s) of the upset;
    - (2) The permitted facility was at the time being properly operated;
    - (3) The permittee submitted notice of the upset as required in Permit Condition IX.5. of this permit; and
    - (4) The permittee complied with any remedial measures required under Permit Condition IX. 5. of this permit.
  - c. In any enforcement proceeding, the burden of proof for establishing the occurrence of an upset rests with the permittee.
  - d. Before an enforcement proceeding is instituted, no representation made during the Department review of a claim that noncompliance was caused by an upset is final agency action subject to judicial review.

FLA017378 July 27, 2027

[62-620.610(23)]

Executed in Orlando, Florida.

STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION

Kucas

Lucas Grantham, Environmental Manager Permitting and Waste Cleanup Program

Attachment(s): Discharge Monitoring Report, SOB, Flow diagram, Permit

#### STATEMENT OF BASIS FOR STATE OF FLORIDA INDUSTRIAL WASTEWATER FACILITY PERMIT

PERMIT NUMBER:	FLA017378-009
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FACILITY NAME: Bay Wash of Rockledge Car Wash Recycling System

FACILITY LOCATION: 1998 Us Highway # 1, Rockledge, FL 32955 Brevard County

NAME OF PERMITTEE: 1998 Rockledge Blvd, LLC

PERMIT WRITER: Randall Cunningham

#### 1. SUMMARY OF APPLICATION

a. <u>Chronology of Application</u>

Application Number: FLA017378-009-IW9B

Application Submittal Date: March 21, 2022

b. Type of Facility

This is an existing treatment and closed loop recycle facility. The facility is an existing commercial car wash facility. Wash water from the four self-serve wand bays and one automatic rollover wash bay is collected in a manifold system. Each wash bay has a 4-inch floor drain and all wash bays are under the roof.

SIC Code: 7542 - Car Washes

c. Facility Capacity

Existing Permitted Capacity: Proposed Increase in Permitted Capacity: Proposed Total Permitted Capacity: 0.01 mgd Design Flow 0 mgd Design Flow 0.01 mgd Design Flow

#### d. Description of Wastewater Treatment

This is a closed loop system. The wastewater flows to the first treatment unit, which is a 1,500-gallon sedimentation Tank #1. Tank #1 is designed with an underflow pipe to Tank #2. The connection pipe from Tank #1 to Tank #2 is configured to act as an oil/water separator and returns trapped material back to Tank #1. This treatment unit consists of an additional 1,000-gallon sedimentation tank and another 1,000-gallon clean water tank. Wastewater from the second sedimentation tank is pumped to a prefabricated treatment unit. This unit consists of two inline 5-micron filtration systems. The treated water flows to the processed water storage tank, where ozone is added. The treated wastewater from this tank is drawn to a pressure tank for washing the vehicles and a separate influent line that goes through water softening units, carbon polishing unit and reverse osmosis system. The polished effluent is used for rinsing the vehicles. A reject water line from the reverse osmosis system is directed back to tank #1. Each bay is equipped with a 4-inch floor drain. These drains are connected together and eventually drain to Tank #1. Spent process wastewater is disposed of at a Department permitted wastewater treatment facility. Solids from the sedimentation tank and other solids are disposed at a Department permitted

Class I or Class II landfill. A licensed used oil recycler shall dispose of waste oil collected from the oil/water separator. There shall be no discharge to ground or surface waters of the State.

#### 2. <u>SUMMARY OF SURFACE WATER DISCHARGE</u>

This facility does not discharge to surface waters.

#### 3. BASIS FOR PERMIT LIMITATIONS AND MONITORING REQUIREMENTS

This section is not applicable to this facility.

#### 4. IMPAIRMENT STATUS OF RECEIVING WATERS

This facility does not discharge to surface waters.

#### 5. DISCUSSION OF CHANGES TO PERMIT LIMITATIONS

No Changes from previous permit.

## 6. INDUSTRIAL SLUDGE MANAGEMENT REQUIREMENTS

1. The method of sludge use or disposal by this facility is Class I Solid Waste Landfill.

2. The permittee shall be responsible for proper treatment, management, use, and land application or disposal of its sludges. [62-620.320(6)]

3. Disposal of sludge in a solid waste disposal facility shall be in accordance with the requirements of Chapter 62-701, F.A.C. [62-701]

#### 7. <u>GROUND WATER MONITORING REQUIREMENTS</u>

This section is not applicable to this facility.

## 8. <u>PERMIT SCHEDULES</u>

A schedule is not included in the wastewater permit.

#### 9. BEST MANAGEMENT PRACTICES/STORMWATER POLLUTION PREVENTION PLANS

As stated in Section VII of the permit, a Best Management Practices (BMP) Plan is required for the facility, pursuant to Rule 62-620.100(m), F.A.C., and 40 CFR Part 122.44(k).

#### 10. ADMINISTRATIVE ORDERS (AO) AND CONSENT ORDERS (CO)

This facility has entered into , executed , with the Department, which includes a schedule of compliance. .

#### 11. REQUESTED VARIANCES OR ALTERNATIVES TO REQUIRED STANDARDS

No variances were requested for this facility.

#### 12. THE ADMINISTRATIVE RECORD

The administrative record including application, draft permit, fact sheet, public notice (after release), comments received and additional information is available for public inspection during normal business hours at the location specified in item 14. Copies will be provided at a minimal charge per page.

#### 13. PROPOSED SCHEDULE FOR PERMIT ISSUANCE

Notice of Permit Issuance

April 5, 2022

### 14. <u>DEP CONTACT</u>

Additional information concerning the permit and proposed schedule for permit issuance may be obtained during normal business hours from:

Randall Cunningham Engineer III Central District Office

3319 Maguire Blvd Suite 232 Orlando, FL 32803-3767

Telephone No.: (407) 897-4100





