

Environmental Protection Agency
National Pollutant Discharge
Elimination System

Palm Beach County MS4
Permit No. FLS000018

Annual Report
Appendix G

City of
Delray Beach
Co-Permittee

June 1998

EPA/NPDES

APPENDIX A
LEGAL AUTHORITY ORDINANCE

53.012 Discharge Prohibited In Storm Sewer System

(A) Under no condition shall the discharge of domestic, sanitary, industrial, or commercial waste be permitted into the storm sewer system.

(B) Furthermore, any discharge to the storm sewer system not composed entirely of stormwater is generally prohibited. Unless determined by the Director to be unacceptable, the following discharges are excepted from this prohibition: flows from fire fighting, water line flushing and other contributions from potable water sources, landscape irrigation and lawn watering, irrigation water, diverted stream flows, rising groundwater, groundwater infiltration, pumped groundwater, foundation and footing drains, water from crawl space pumps air conditioning condensation, springs, individual residential car washings, flows from riparian habitats and wetlands, and dechlorinated swimming pool discharges.

(C) In case of an accidental discharge, spill, or disposal of prohibited materials into the storm sewer system the procedures outlined in sections 53.089(C), 53.090 and 53.091 of this ordinance should be followed.

(D) Stormwater discharges to the stormwater system which violate federal, state, county, or municipal law, rule, regulation or permit are prohibited. Through regulations or permits, the Director may impose reasonable limitations on stormwater discharges from sites of industrial activity, and may order any discharge in violation of such regulation or permits immediately ceased. Any person having a National Pollutant Discharge Elimination System (NPDES) permit shall provide a copy to the Director within 60 calendar days of the effective date of this ordinance or 60 calendar days after issuance of the permit.

53.089 Prevention of Accidental Discharges

(A) A user shall provide protection from accidental discharge of restricted and prohibited materials or other substances required by this chapter. Facilities to prevent accidental discharge of prohibited and restricted materials shall be provided and maintained at the owner's expense.

(B) Prevention of accidental discharges requires, but is not limited to, providing secondary containment for storage of potentially hazardous and/or regulated materials. The containment requirements are those now specified in, but not limited to, 40 CFR 264.170 through 176, Well Field Protection Ordinances 88-7 Section 5.01 through 5.04, Fire Dpt. regulations 96.40 through 96.47. Containment requirements must meet or exceed the following criteria of this subchapter:

(1) Containment Volume to be Provided shall be 150% of one item or 150% of the largest item or 150% of the total to be stored, whichever is the largest.

(2) Total Above Ground Storage shall be less than 40,000 gallons. No one item larger than 6,000 gallons and no more than six (6) items at 6,000 gallons each are permitted at one site.

(3) Storage Sheltering. All outdoor storage shall be sheltered from rainfall, or a suitable means of removing rainwater from secondary containment areas shall be provided.

(4) Conditions of the Stored Vessel. All stored containers shall be maintained in sound condition; no rust, corrosion, or other signs of deterioration of the primary containment wall shall be permitted. All stored containers shall be closed and sealed during storage.

(5) Segregation of Chemically Reactive Contents. Materials which are potentially reactive with each other shall not be stored in the same containment area, unless physical barrier separations are provided within the common area.

(6) Stand-by Materials/Equipment. Absorbents and pumps for pumping out spills shall be available when needed.

(7) Design of Containment Floor/Base. The floor or base of the containment area on which the stored vessels rest shall either be sloped or raised or provided with a drain faucet to prevent or minimize contact between the storage container wall and spilled content.

(8) Materials of Construction for Containment. The walls, sidings, and floor or base of the containment area shall be constructed of materials which are chemically inert with the stored materials and which render the provided containment volume leak proof.

(C) On the request of the city, the user shall be required to submit detailed plans showing facilities and operating procedures to provide this protection. All required users shall complete this plan within ninety (90) days after notification by the city. If further required by the city, a user who commences contribution to the public sewers after the effective date of this chapter shall not be permitted to introduce pollutants into the system until accidental discharge procedures have been approved by the city. Review and approval of those plans and operating procedures shall not relieve the industrial user from the responsibility to modify the user's facility as necessary to meet the requirements.

(D) In the case of an accidental discharge, it is the responsibility of the user to immediately notify by telephone, the Utilities Director, the Executive Director of the POTW, and the POTW. The notification shall include location of discharge, type of material, concentration and volume, and correction actions.

53.090 Written Report Required Describing Cause Of Discharge

Within five (5) days following an accidental discharge, the user shall submit to the POTW and the city a written report describing the cause of the discharge and the measures to be taken to prevent similar future occurrences. The notification shall not relieve the user of any expense, loss, damage, or other liability which may be incurred as a result of damage to the public sewer system (sanitary or storm), the POTW, fish kills, or any other damage to person or property; nor shall the notification relieve the user of any fines, civil penalties, or other liability which may be imposed by this chapter or other applicable law.

53.091 Notice To Employees In Event Of Dangerous Discharge; Emergency Notification Procedure

A notice shall be permanently posted on the user's bulletin board or other prominent place advising employees of whom to call, in the event of a dangerous discharge. Furthermore, all employers shall ensure that all employees who may cause a dangerous discharge to occur are advised of the emergency notification procedure.

It shall be unlawful to discharge to any natural outlet within the City, or in any area under the jurisdiction of the City, any sewage or other polluted waters, except where suitable treatment has been provided in accordance with subsequent provisions of this chapter.

53.010 Privies, Septic tanks, And Other Facilities.

Except as hereinafter provided in 53.020 through 53.025, it shall be unlawful to construct or maintain any privy, privy vault, septic tank, cesspool, or other facility intended or used for the disposal of sewage.

53.011 Suitable Toilet Facilities.

The owners of all houses, buildings, or properties used for human occupancy, employment, recreation, or other purposes situated within the City and abutting on any street, alley, or right-of-way in which there is now located or may in the future be located a public sanitary sewer of the City are required, at their expense, to install suitable toilet facilities therein, and to connect those facilities directly with the proper public sewer, in accordance with the provisions of this chapter, within ninety (90) days after date of official notice to do so, provided that the public sewer is abutting the owner's property within 200 feet of the building or structure.

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(B) Furthermore, any discharge to the storm sewer system not composed entirely of stormwater is generally prohibited. Unless determined by the Director to be unacceptable, the following discharges are excepted from this prohibition: flows from fire fighting, water line flushing and other contributions from potable water sources, landscape irrigation and lawn watering, irrigation water, diverted stream flows, rising groundwater, groundwater infiltration, pumped groundwater, foundation and footing drains, water from crawl space pumps air conditioning condensation, springs, individual residential car washings, flows from riparian habitats and wetlands, and dechlorinated swimming pool discharges.

(C) In case of an accidental discharge, spill, or disposal of prohibited materials into the storm sewer system the procedures outlined in sections 53.064, 50.065, and 53.067 of this ordinance shall be followed.

(D) Any discharges to the stormwater system which violate federal, state, county, or municipal law, rule, regulation or permit are prohibited. Through regulations or permits, the Director may impose reasonable limitations on stormwater discharges from sites of industrial activity, and may order any discharge in violation of such regulations or permits immediately ceased. Any person having a National Pollutant Discharge Elimination System (NPDES) permit shall provide a copy to the Director within 60 calendar days of the effective date of this ordinance or 60 calendar days after issuance of the permit.

53.013 Damaging Or Tampering With Sewage Works.

No person shall break, damage, destroy, uncover, deface, or tamper with any structure, appurtenance, or equipment which is part of the sewage works.

PRIVATE SEWAGE DISPOSAL SYSTEM

53.020 Connecting Building Sewer To Private Sewage Disposal System.

Where a public, sanitary, or combined sewer is not available under the provisions of 53.011, the building sewer shall be connected to a private sewage disposal system complying with the provisions of this subchapter.

53.021 Written Permit To Be Obtained, Application, Inspection Fee.

Before the commencement of construction of a private sewage disposal system, the owner shall obtain a written permit signed by the Chief Building Official. The application for the permit shall be made on a form furnished by the City which the applicant shall supplement by any plans, specifications, and other information as are deemed necessary by the Chief Building Official. A permit and inspection fee of \$50 shall be paid to the City at the time the application is filed.

53.022 County To Inspect Installations.

A permit for a private sewage disposal system shall not become effective until the installation is completed to the satisfaction of the county. The county shall be allowed to inspect the work at any stage of construction, and, in any event, the applicant for the permit shall notify the county when the work is ready for final inspection and before any underground portions are covered.

53.023 Compliance With State Department Of Environmental Regulation And Other Current Regulations.

The type, capacities, location, and layout of a private sewage disposal system shall comply with all recommendations of the State

53.064 Prevention of Accidental Discharges.

(A) Where determined by the Utilities Director, a User shall provide protection from accidental discharge of restricted and prohibited materials or other substances regulated by this chapter. Facilities to prevent accidental discharge of prohibited and restricted materials shall be provided and maintained at the owner's expense.

(B) Prevention of accidental discharges requires, but is not limited to, providing secondary containment for storage of potentially hazardous and/or regulated materials. The containment requirements are those now specified in, but not limited to, 40 CFR 264.170 through 176, (City of Delray Beach Code of Ordinance Well Field Protection Ordinances 88-7 Section 5.01 through 5.04), Sections 96.40 through 96.47. Containment requirements must also meet or exceed the following criteria of this subchapter:

(1) Containment Volume to be Provided shall be 150% of the total stored material.

(2) Total Above Ground Storage shall be less than 40,000 gallons. No one item larger than 6,000 gallons and no more than six (6) items at 6,000 gallons each are permitted at one site.

(3) Storage Sheltering. All outdoor storage shall be sheltered from rainfall, or a suitable means of removing rainwater from secondary containment areas shall be provided.

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(C) On the request of the City, the User shall be required to submit detailed plans showing facilities and operating procedures to provide this protection. All required Users shall complete this plan within ninety (90) days after notification by the City. If further required by the City, a User who commences contribution to the public sewers after the effective date of this chapter shall not be permitted to introduce pollutants into the system until accidental discharge procedures have been approved by the City. Review and approval of those plans and operating procedures shall not relieve the industrial User from the responsibility to modify the User's facility as necessary to meet the requirements.

(D) In the case of an accidental discharge, it is the responsibility of the User to immediately notify by telephone, the Utilities Director, the Executive Director of the POTW, and the POTW. The notification shall include location of discharge, type of material, concentration and volume, and correction actions.

53.065 Written Report Required Describing Cause Of Discharge.

Within five (5) days following an accidental discharge, the User shall submit to the POTW and the City a written report describing the cause of the discharge and the measures to be taken to prevent similar future occurrences. The notification shall not relieve the User of any expense, loss, damage, or other liability which may be incurred as a result of damage to the sanitary or storm sewer system, the POTW, fish kills, or any other damage to person or property; nor shall the notification relieve the User of any fines, civil penalties, or other liability which may be imposed by this chapter or other applicable law.

53.066 Notice To Employees In Event Of Dangerous Discharge; Emergency Notification Procedure.

A notice shall be permanently posted on the User's bulletin board or other prominent place advising employees of whom to call, in the event of a dangerous discharge. Furthermore, all employers shall ensure that all employees who may cause a dangerous discharge to occur are advised of the emergency notification procedure.

53.067 Notification of the Discharge of Hazardous Wastes.

(A) All Industrial Users shall also have provisions for notifying the Executive Director of the POTW, the EPA Regional Waste Management Division Director, and the State hazardous waste authorities in writing of any discharge into the City Sewer System of a substance which is a listed or characteristic waste under Section 3001 of RCRA or 40 CFR part 261. Such notification must include a description of any such wastes discharged, specifying the volume and concentration of such wastes and