

## CHAPTER 900. DEVELOPMENT STANDARDS

### SECTION 902. STORMWATER

#### 902.1. Stormwater Quality

##### A. Intent and Purpose

Pollutants discharged from storm sewer systems have a significant impact on receiving waters. Improperly treated discharges from industrial activities and interconnected Municipal Separate Storm Sewer Systems (MS4s) and illicit discharges or disposal of material other than stormwater to the MS4s, adversely affects the quality of waters receiving such discharges. Therefore, the Board of County Commissioners (BCC) finds it necessary for the health, safety, and general welfare of the citizens of the County and in the public's interest to protect the quality of waters receiving stormwater discharges.

##### B. Applicability

This section shall apply to all parcels where any portion of the parcel is within unincorporated Pasco County or activities that result in discharges to the County's MS4s or United States waters that are within or border unincorporated Pasco County.

##### C. Exemptions

The following discharges are exempt from this section:

1. Water line flushing.
2. Landscape irrigation.
3. Uncontaminated groundwater infiltration (as defined at 40 CFR 35.2005[20]) to separate storm sewers.
4. Uncontaminated pumped groundwater.
5. Potable water.
6. Air conditioning condensation.
7. Irrigation water.
8. Springs.
9. Lawn watering.
10. Individual residential car washing.
11. Flows from riparian habitats and wetlands.

12. Street wash waters.
13. Flows from emergency fire fighting activities.

D. Control of Stormwater Discharges

1. Stormwater Discharges to the MS4s and United States Waters:
  - a. Stormwater discharges to the County's MS4s shall be controlled to the extent that such discharge will not impair the operation of, or contribute to, the failure of the County's MS4s.
  - b. Stormwater discharges to United States waters shall be controlled to the extent that the discharge will not adversely impact the quality or beneficial uses of the receiving water or result in violation of any Federal, State, or local laws.
  - c. Reporting Illegal Stormwater Discharge to the MS4s and United States Waters. Upon discovery of stormwater discharge to the County's MS4s that does or will impair the operation of or contribute to the failure of the County's MS4s or to United States waters that does or will adversely impact water quality or beneficial uses of the receiving water, or result in violation of Federal, State, or local law, the persons responsible for the discharge or the connection shall report their findings by telephone within twelve (12) hours to the County Administrator or designee and follow within forty-eight (48) hours with written notification.
  - d. Control of Illegal Stormwater Discharge to the MS4s and United States Waters. Any person responsible for stormwater discharge to the County's MS4s that does or will impair the operation of or contribute to the failure of the County's MS4s or to United States waters that does or will adversely impact water quality or beneficial uses of the receiving water, or result in violation of Federal, State, or local law, shall immediately, upon notification or discovery, cease discharging or provide suitable containment facilities until corrective measures approved by the County are made, and may also be subject to fines and damages.
2. Stormwater Discharges from Commercial Activities, Industrial Activities, and Construction Activities:
  - a. Stormwater from sites where construction activities are occurring or have occurred shall be controlled in such a way as to retain pollutants, including sediment, onsite. All erosion, pollution, and sediment controls required to retain pollutants

onsite shall be properly implemented, maintained, and operated to prevent pollutants from leaving the site.

- b. Stormwater from areas of commercial and industrial activity, but which are not the site of construction activities shall be treated or managed onsite using Best Management Practices (BMP), in accordance with National Pollutant Discharge Elimination System (NPDES) Permits, prior to discharging to the County's MS4s or to United States waters. Also, all stormwater discharges from the site shall be of a quality which will not adversely impact the water quality or beneficial uses, such as drinking, recreation, fishing, etc., of the receiving water.
  - c. The owners or operators of commercial facilities, industrial facilities, or construction sites which intend to discharge stormwater to the County's MS4s must first receive Development Permit approval from the County.
  - d. Reporting Illegal Stormwater Discharges from Construction, Commercial, and Industrial Activities. Upon discovery of a stormwater discharge contaminated with pollutants from construction activity or stormwater discharge from a commercial or industrial facility that is of a quality that does or will adversely impact the water quality or beneficial uses of the receiving water, the persons responsible for the discharge or the connection shall report their findings by telephone within twelve (12) hours to the County Administrator or designee and follow within forty-eight (48) hours with written notification.
  - e. Control of Illegal Stormwater Discharges from Construction, Commercial, and Industrial Activities. Any person responsible for stormwater discharge contaminated with pollutants from construction activity, or stormwater discharge from a commercial or industrial facility that is of a quality that does or will adversely impact the water quality or beneficial uses of the receiving water, shall immediately, upon notification or discovery, cease discharging or provide suitable containment facilities until corrective measures approved by the County are made, and may also be subject to fines and damages.
3. Control of Pollutant Contributions from Interconnected MS4s:
    - a. The discharge of stormwater between interconnected State, County, or other MS4s shall not impair the quality of the discharge from the receiving MS4s.
    - b. Owners of sections of an interconnected MS4 shall be responsible for the quality of discharge from their portion of the

system and shall coordinate with the owners of the downstream segments prior to connections into their systems.

- c. Reporting Pollutant Contributions from Interconnected MS4s. Upon discovery of stormwater discharge between interconnected State, County, or other MS4s that does or will impair the quality of the discharge from the receiving MS4s, the persons responsible for the discharge or the impairment shall report their findings by telephone within twelve (12) hours to the County Administrator or designee and follow within forty-eight (48) hours with written notification.
- d. Control of Pollutant Contributions from Interconnected MS4s. Any person responsible for stormwater discharge between interconnected State, County, or other MS4s that does or will impair the quality of the discharge from the receiving MS4s, shall immediately, upon notification or discovery, cease discharging or provide suitable containment facilities until corrective measures approved by the receiving MS4 are made and may also be subject to fines and damages.

E. Nonstormwater Discharges and Connections

1. Prohibition of Nonstormwater Discharges. Any discharge, other than stormwater, to MS4s or to United States waters which is not exempt is prohibited.
2. Prohibition of Illicit Connections. Any point source discharge to Pasco County's MS4 or United States waters, which is not composed entirely of stormwater and is not authorized by an NPDES Permit is an illicit connection and is prohibited. Failure of a person responsible for a commercial or industrial facility or construction site to obtain Development Permit approval prior to connection to the County's MS4 is an illicit connection and is prohibited.
3. Reporting Illicit Nonstormwater Discharges or Illicit Connections. Upon discovery of an illicit discharge or illicit connection, the persons responsible for the discharge or the connection shall report their findings by telephone within twelve (12) hours to the County Administrator or designee and follow within forty-eight (48) hours with written notification.
4. Control of Illicit Nonstormwater Discharges or Illicit Connections. Persons responsible for illicit discharges or illicit connections shall immediately, upon notification or discovery, initiate procedures to cease discharging or provide suitable containment facilities until corrective measures approved by the County are made and may also be subject to fines and damages.

F. Inspection and Monitoring of MS4s; Requirement for Installation and Maintenance of Structural Controls/BMPs

1. Inspection and Monitoring for Compliance. County personnel shall be granted access for inspection of construction sites, land, structures, mechanical systems, and facilities (a) where structural controls/BMPs are required; or (b) which are discharging, or suspected of discharging, to the County's MS4s or United States waters. It is the purpose of the inspection to evaluate the proper installation, maintenance, and operation of required structural controls/BMPs, and to investigate the potential for release of materials other than stormwater or potential violations of any of the terms of this Code. All construction sites, structures, systems, facilities, and processes which allow or may result in discharges to the MS4s or United States waters and all records concerning them shall be made accessible to County personnel for investigation and monitoring of the existence of, or quality of, the discharges, and for proper installation, maintenance, and operation of required structural controls/BMPs.
2. Installation, Operation, and Maintenance of Structural Controls/BMPs. Structural controls and other BMPs used to prevent nonstormwater discharges or to reduce pollutants in stormwater discharges shall be operated and maintained so as to function in accordance with the permitted design or performance criteria and to meet the standards for discharge allowed by this Code. As required by this Code, Section 902.1.D.2.a, sites where construction activities are occurring or have occurred must have structural controls/BMPs installed and maintained in a manner to retain pollutants, including sediment, on site.

G. Enforcement, Penalties, and Proceedings

1. Any person who violates any subsection of this section may be prosecuted and punished as provided by this Code, Section 108. In addition to any fines which may be imposed by this section, persons responsible for a discharge which adversely impacts a receiving water shall be liable for all sampling and analytical costs incurred in monitoring the discharge, any State or Federal fines imposed as a result of the discharge, and the cost of removing or properly treating the discharge for complete restoration of the quality of all receiving waters to the extent in which they were impaired.
2. Any fines or other funds received as a result of enforcement under this section, which are not used for specific purposes set forth in the section shall be deposited in the Stormwater Management Fund.