



Cover Memorandum/Staff Report

File #: 24-936

Agenda Date: 8/5/2024

Item #: 9.B.

TO: Mayor and Commissioners
FROM: Hassan Hadjimiry, P.E., Utilities Director
THROUGH: Terrence R. Moore, ICMA-CM
DATE: August 5, 2024

ORDINANCE NO. 24-24: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, AMENDING THE CODE OF ORDINANCES OF THE CITY OF DELRAY BEACH CHAPTER 53, "SANITARY SEWERS," SECTION 53.058, "RESERVED," TO ENACT A NEW SECTION 53.058, "DENTAL FACILITIES THAT REMOVE OR REPLACE AMALGAM FILLINGS," PROVIDING FOR LOCAL IMPLEMENTATION OF THE EFFLUENT LIMITATIONS GUIDELINES AND STANDARDS FOR DENTAL CATEGORY ADOPTED BY THE STATE OF FLORIDA; PROVIDING A CONFLICTS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AUTHORITY TO CODIFY; AND PROVIDING AN EFFECTIVE DATE. (FIRST READING)

Recommended Action:

Consider Ordinance No. 24-24, a City initiated amending the Code of Ordinances of the City of Delray Beach Chapter 53, "Sanitary Sewers," Section 53.058, "Reserved," to enact a new section 53.058, "Dental Facilities that remove or replace amalgam fillings," providing for local implementation of the effluent limitations guidelines and standards for dental category adopted by the State of Florida, providing a conflicts, providing a severability clause, authority to codify, and providing an effective date.

Background:

The City of Delray Beach Utilities Department, through requirements from 40 CFR Part 411 and 62-625, Florida Administrative Code, prohibits amalgam waste from dental facilities that add or remove amalgam fillings. All public utilities with an approved pretreatment program are responsible for regulating dental dischargers in the service area. This prohibition will ensure proper protection of the City's sanitary sewer system, which flows into the South Central Regional Wastewater Treatment Facility (SCRWWTP).

A summary of the reasoning for the changes in Chapter 53, "Sanitary Sewers", is as follows:

- Effluent Limitations Guidelines and Standards for the Dental Category, 40 CFR Part 441 was adopted by the State of Florida in 62-625.110(3), Florida Administrative Code.
- The amendment updates definitions in the ordinance to include facilities or businesses affected by the requirements.
- Inclusion of prohibitions of dental waste discharge into the sanitary sewer system.
- Specifies requirements for the disposal of dental waste discharges.

- Specifies requirements regarding compliance reports of dental facilities that remove or place dental amalgam fillings.

Staff recommends the approval of this amendment of the existing ordinance that will align our City ordinance with the requirements and recommendations contained in Florida Administrative Code (F.A.C.) 62-625.110 and 40 CFR Part 411.

City Attorney Review:

Approved to form and legal sufficiency.

Funding Source/Financial Impact:

No budgetary impact. BIE reviewed and approved by Finance and Legal.

Timing of Request:

Ordinance No. 24-24 will be effective immediately after the Second Reading.