

**RULES OF THE
ENVIRONMENTAL PROTECTION COMMISSION
OF HILLSBOROUGH COUNTY**

**CHAPTER 1-1
GENERAL RULES**

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1-1.01 DECLARATION OF INTENT

It is the intent of the Commission to provide for the protection or enhancement of the environment of Hillsborough County. The policy inherent in the following Rules shall be to protect air, soil, and water quality, and noise levels, existing at the time of adoption of these Rules or to upgrade or enhance the air, soil, and water quality and noise levels within the county.

Section History - Amended 8/9/12 and Effective 8/20/12.

1-1.02 DEFINITIONS

(1) *Commission* means the Environmental Protection Commission of Hillsborough County.

(2) *Executive Director* means the appointed Environmental Director of the Environmental Protection Commission of Hillsborough County or authorized staff.

Section History - Amended 8/9/12 and Effective 8/20/12.

1-1.04 OPERATING RECORDS, SAMPLING AND TESTING

(1) A person responsible for the operation of any facility that may be a source of air, soil, water or noise pollution shall conduct such tests and maintain such records as shall have been required by the Executive Director or law as necessary to show compliance with the Special Act Chapter 84-446, Laws of Florida as Amended by Chapter 87-495, known as the "Hillsborough County Environmental Protection Act" (EPC Act) or the Rules promulgated thereunder. Such test data and operating records shall be available at all times for inspection by the Executive Director.

(2) All persons shall, upon request of the Commission or Executive Director, provide periodic or continuous automatic monitoring, testing and records of pollutants being emitted or discharged from any facility that may be a source of air, soil, water or noise pollution.

(3) When the Commission or Executive Director, upon making investigations, has good reason to believe that the provisions of these Rules concerning the emission or discharge of air, soil, water, or noise pollutants are being violated, it may require the persons responsible for the source of such pollutants to conduct tests which will identify the nature and quantity of the pollutant emission or discharge from the source and to provide the results of such tests to the Commission or Executive Director. These tests shall be carried out under the supervision of the Commission or Executive Director, and at the expense of the person responsible for the source of pollutants.

(4) All analyses and tests shall be conducted in a manner approved by the Commission or Executive Director. Results of analyses and tests shall be calculated and reported in a manner specified by the Commission or Executive Director.

(5) Analyses and tests for compliance may be performed by the Commission or Executive Director at the expense of the person responsible for the emission or discharge of air, soil, water or noise pollutants.

Section History - Amended 8/9/12 and Effective 8/20/12.

1-1.05 ABNORMAL EVENTS TO BE REPORTED

In case of breakdown or lack of proper functioning of any facility or equipment or operation causing or which could reasonably be expected to cause air, soil, water or noise pollution and has the potential to cause significant harm to the environment or represents an immediate threat to public health, it shall be the duty of the person responsible to promptly notify the Executive Director within 24 hours and to permit any designated agent immediate access to the premises for the purpose of investigating the problem.

Section History - Amended 8/9/12 and Effective 8/20/12.

1-1.06 POLLUTION CONTROL EQUIPMENT TO BE KEPT IN SERVICE AND IN GOOD REPAIR

(1) The person responsible for the operation of any pollution control equipment or facilities shall keep in service all equipment and facilities required or approved to control, treat, sample, test and/or measure pollution and shall maintain such equipment or facilities in good repair to perform adequately the function for which it was intended.

(2) In cases where such equipment or facility is removed from the service for which it is intended the person responsible shall have the duty to promptly notify the Executive Director within 24 hours, unless a different reporting period is specified in State law or any applicable Commission or Department of Environmental Protection permit.

Section History - Amended 8/9/12 and Effective 8/20/12.

1-1.07 GENERAL RESTRICTIONS

(1) Nondegradation - If those portions of the County which have on the effective date of these Rules better ambient air or water quality or noise levels than as herein specified as minimum standards, no person shall cause, let, permit, suffer or allow the emission into the air or the discharge into the water or soil pollutants, or cause noise, which degrade or tend to degrade the air, soil, or waters of the County or noise levels in the County, nor commit any act which degrades or tends to degrade said air, soil, or water quality or noise levels.

(2) Latest Technology - If the latest available technology as may be applied to air, soil, water, and noise pollution sources results in or is expected to result in lower or improved emissions, then the latest available technology as determined by the Commission and consistent with the Department of Environmental Protection shall apply.

(3) Operation Rates - No plant, process, or source shall operate at capacities which exceed the limits of operation of a control device permitted or regulated under Florida Statute, the Florida Administrative Code, the EPC Act or Commission Rules or exceed the capability of the plant or control device to maintain the discharge or emission within the standard limitations imposed by the Hillsborough County Environmental Protection Act or the Commission Rules.

(4) Concealment - No person shall build, erect, install or use any article, machine, equipment or other contrivance, the use of which will conceal the emission or discharge which would otherwise constitute a violation of any of the provisions of the EPC Act or the Commission Rules.

(5) Circumvention - No person shall cause, let, permit, suffer or allow the circumvention of any air, water, soil, or noise pollution control device or equipment or allow the emission or discharge of said pollutants without the applicable pollution control device(s) operating properly.

Section History - Amended 8/9/12 and Effective 8/20/12.

Rule History:

Amended 7/25/68

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