

**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 and water quality, and noise levels, existing at the time of adoption of these Rules or to upgrade or enhance the air and water quality and noise levels within the county.

1-1.02 DEFINITIONS

“Regulatory Agency” shall mean the Hillsborough County Environmental Protection Commission.

1-1.03 APPROVAL REQUIRED

1. No building permit shall be issued by the county or any municipality for any industrial, commercial, or governmental facility, equipment or operation which may reasonably be expected to be a source of air, water or noise pollution as herein defined or for the alteration, enlargement or addition to any such existing facility, equipment or operation until such application has been forwarded to the Environmental Director.

2. It shall be the duty of the Environmental Director to review the application and approve or disapprove same within fourteen days from receipt thereof unless the Environmental Director shall request additional time for review.

3. If the application is not returned or disapproved by the Environmental Director within the time so specified said application shall be considered approved.

**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, water or noise pollution shall conduct such tests and maintain such records as shall have been required by the Environmental Director as necessary to show compliance with the Hillsborough County Environmental Protection Act or the Rules and Regulations. Such test data and operating records shall be available at all times for inspection by the Environmental Director or his designated agent.

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

3. When the Commission, upon making investigations, has good reason to believe that the provisions of these Rules concerning the emission or discharge of air, 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. These tests shall be carried out under the supervision of the Commission, 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. Results of analyses and tests

shall be calculated and reported in a manner specified by the Commission.

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

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, water or noise pollution, it shall be the duty of the person responsible to promptly notify the Environmental Director or his designated agent and to permit him or his designated agent immediate access to the premises for the purpose of investigating the problem.

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

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.

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 Environmental Director.

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 pollutants, or cause noise, which

degrade or tend to degrade the air or waters of the County or noise levels in the County, nor commit any act which degrades or tends to degrade said air or water quality or noise levels.

2. Latest Technology - If the latest available technology as may be applied to air, 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 State Department of Pollution Control 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 under Chapter 17-4 Rules of the State of Florida Department of Pollution Control 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 Rules and Regulations.

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 Hillsborough County Environmental Protection Act or the Rules and Regulations.

5. Circumvention - No person shall cause, let, permit, suffer or allow the circumvention of any air, water 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.

Amended 7/25/68

Amended 6/17/69