

**STATE OF FLORIDA
INDUSTRIAL WASTEWATER FACILITY PERMIT**

PERMITTEE:
Tampa Electric Company (TECO)

PERMIT NUMBER: FL0000817 (Major)
FILE NUMBER: FL0000817-011-IW1S
ISSUANCE DATE: December 30, 2011
EXPIRATION DATE: December 29, 2016

RESPONSIBLE OFFICIAL:
Mr. Stanley M. Kroh
702 N. Franklin Street
Tampa, Florida 33601-3285

FACILITY:

Tampa Electric Company
Big Bend Station
13031 Wyandotte Road
Apollo Beach, FL 33572
Hillsborough County
Latitude: 27° 47' 41.3827" N Longitude: 82° 24' 3.5451" W

This permit is issued under the provisions of Chapter 403, Florida Statutes (F.S.), and applicable rules of the Florida Administrative Code (F.A.C.) and constitutes authorization to discharge to waters of the state under the National Pollutant Discharge Elimination System. This permit does not constitute authorization to discharge wastewater other than as expressly stated in this permit. The above named permittee is hereby authorized to operate the facilities in accordance with the documents attached hereto and specifically described as follows:

FACILITY DESCRIPTION:

The facility is an electric generating plant with a total nameplate rating of 1892 megawatts (MW). The facility consists of four coal-fired steam electric units (Units 1, 2, 3 and 4), with a combined nameplate rating of 1822 MW, and one 70 megawatt combustion turbine (CT4) fired with natural gas or fuel oil No. 2. Each of the four coal-fired units is equipped with Selective Catalytic Reduction (SCRs).

Once-through cooling water (OTCW) from Units 1, 2, 3, and 4 is discharged through individual conduits to the facility's discharge canal. Treated Flue Gas Desulfurization (FGD) blowdown is discharged internally to one or more of the four OTCW discharge conduits prior to entering the discharge canal. In addition, the combined effluent from the on-site Tampa Bay Water Desalination Facility, including reverse osmosis concentrate, filter backwash/rinse water, and sludge filtrate, is discharged internally to one or more of the four OTCW discharge conduits prior to entering the discharge canal. The discharge from the Tampa Bay Water Desalination Facility is authorized under a separate permit (FL0186813).

All other industrial wastewater streams from this facility are collected and processed by the on-site recycled water system, authorized under a separate permit (FLA017047) issued by the Department's Southwest District. The recycled water system consists of two percolation/evaporation ponds. The effluent from the percolation pond is recycled back to the facility.

Unit 4 is also regulated under the Florida Electrical Power Plant Siting Act (License No. PA79-12).

WASTEWATER TREATMENT:

Treatment of Flue Gas Desulfurization (FGD) purge water is achieved by an on-site wastewater treatment facility consisting of neutralization, chemical oxidation, precipitation, clarification, and filtration.

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REUSE OR DISPOSAL:

Storm Water Discharges: Storm water discharges to Tampa Bay are authorized under a separate Department-issued Multi-Sector General Permit, permit number FLR05C544 et seq.

Surface Water Discharge D-001: An existing permitted discharge of combined plant discharge at the end of the discharge to Hillsborough Bay, Class III Marine Waters, and (WBID 1558 D). The point of discharge is located approximately at latitude 27°47' 37" N, longitude 82°24' 39" W.

Surface Water Discharge D-011: An existing permitted discharge of once through cooling water from Unit 1 to Hillsborough Bay, Class III Marine Waters, (WBID 1558D). The point of discharge is located approximately at latitude 27°47' 36" N, longitude 82°24' 16" W.

Surface Water Discharge D-012: An existing permitted discharge of once through cooling water from Unit 2 to Hillsborough Bay, Class III Marine Waters, (WBID 1558D). The point of discharge is located approximately at latitude 27°47' 36" N, longitude 82°24' 12" W.

Surface Water Discharge D-013: An existing permitted discharge of once through cooling water from Unit 3 to Hillsborough Bay, Class III Marine Waters, (WBID 1558D). The point of discharge is located approximately at latitude 27°47' 36" N, longitude 82°24' 10" W.

Surface Water Discharge D-014: An existing permitted discharge of once through cooling water from Unit 1 to Hillsborough Bay, Class III Marine Waters, (WBID 1558D). The point of discharge is located approximately at latitude 27°47' 36" N, longitude 82°24' 16" W.

Internal Outfall I-130: This permit authorizes the discharge from an existing internal Outfall I-130 to Outfalls D-011, D-012, D-013, or D-014.

IN ACCORDANCE WITH: The limitations, monitoring requirements and other conditions set forth in this Cover Sheet and Part I through Part IX on pages 1 through 21 of this permit.

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I. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

A. Surface Water Discharges

- During the period beginning on the issuance date and lasting through the expiration date of this permit, the permittee is authorized to discharge the **Combined Plant Discharge** (consisting of Outfalls D-011, D-012, D-013, D-014, and I-130) from **Outfall D-001** to Hillsborough Bay. Such discharge shall be limited and monitored by the permittee as specified below and reported in accordance with Permit Condition I.C.3:

			Effluent Limitations		Monitoring Requirements			
Parameter	Units	Max/ Min	Limit	Statistical Basis	Frequency of Analysis	Sample Type	Monitoring Site Number	Notes
Flow	MGD	Max Max	Report Report	Daily Maximum Monthly Average	Continuous	Pump Logs	FLW-1	
Temperature, Water	Deg F	Max Max	109.0 Report	Instant. Maximum Monthly Average	Continuous	Recorder	EFF-1	
Temp. Diff. between Intake and Discharge	Deg F	Max	16.8	Weekly Average	6/Day	Calculated	INT-1 EFF-1	
Oxygen, Dissolved (DO)	mg/L	See Item I.A.3 below for limitations			Weekly	In-situ	INT-2 EFF-2	See I.A.3
pH	s.u.	Min Max	6.5 8.5	Single Sample Single Sample	Weekly	In-situ	EFF-2	
Chronic Whole Effluent Toxicity, 7-Day IC25 (Mysidopsis bahia)	percent	Min	100	Single Sample	Quarterly	24-hr Composite	EFF-2	See I.A.8
Chronic Whole Effluent Toxicity, 7-Day IC25 (Menidia beryllina)	percent	Min	100	Single Sample	Quarterly	24-hr Composite	EFF-2	See I.A.8

- Effluent samples shall be taken at the monitoring site locations listed in Permit Condition I.A.1. and as described below:

Monitoring Site Number	Description of Monitoring Site
FLW-1	Flow shall be calculated from the operation of the once-through cooling water pumps located at the intake canal.
EFF-1	Discharge temperature shall be taken from the averaged value of the temperature array located in the discharge canal adjacent to the dilution pump house dock at Outfall D-001.
EFF-2	In the discharge canal next to the dilution pump house dock at Outfall D-001. Dissolved Oxygen readings shall be taken within 3 feet of the water surface.
INT-1	Intake temperature, used for calculating temperature rise, shall be taken at the intake side of each unit condenser.
INT-2	Center of the Eastern Catwalk between the intake structures of Units 2 and 3. Samples shall be taken at the centerline depth and 8 feet above the centerline depth of the intake pipes at the same location on the catwalk.

- The DO limitations at Sample Point EFF-2 shall be as follows:

For instantaneous values:

- Shall not be depressed below the intake DO when the intake DO is at or below 4.0 mg/L.
- Shall be greater than or equal to 4.0 mg/l when the intake DO is greater than 4.0 mg/L

Instantaneous DO values are defined as the average of all individual DO samples taken at a sample point over a four-hour period. The permittee shall maintain four-hour DO averages (to be considered instantaneous values) for both the intake and discharge. The four-hour averaging periods for the discharge shall begin and end two hours after the four-hour averaging periods at the intake sample point. For purposes of determining

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compliance with the instantaneous DO limitation in Item a) above, the four-hour average discharge DO shall be compared with the corresponding consecutive four-hour average intake DO.

For purposes of determining compliance with the instantaneous DO limitation in Item b) above, the lowest four-hour average discharge DO shall be used.

For 24-hour average values:

- a) Shall not be depressed below the 24-hour average intake DO when the 24-hour average intake DO is at or below 5.0 mg/L.
- b) Shall be greater than or equal to 5.0 mg/L when the 24-hour average intake DO is greater than 5.0 mg/L.

24-hour average DO values are defined as the average of all individual DO samples taken at a sample point over a 24-hour period. If there are sample periods in excess of twenty-four hours, a separate average DO shall be calculated for each additional twenty-four hour period.

For purposes of determining compliance with the 24-hour DO limitation in Items a) above, the 24-average discharge DO shall be compared with the 24-hour intake DO over the same time period. For purposes of determining compliance with the 24-hour DO limitation in Items b) above, the lowest 24-hour average discharge DO shall be used.

- 4. Grab samples for both the intake and discharge shall be taken every 10 minutes, for 24 hours, once a week.
- 5. The permittee shall maintain current intake traveling screen practices so as to assure that the screens are cycled at least once per day or at least twice during a 24 hour period of circulating water pump operation unless precluded by repair or maintenance requirements.
- 6. The intake through-screen velocity shall be maintained at current levels such that existing maximum velocity is not exceeded.
- 7. The permittee shall develop a plan in accordance with the schedule in Condition VI.3 to return live fish, shellfish, and other aquatic organisms collected or trapped on the Units 1 and 2 intake screens to their natural habitat. Other material shall be removed from the intake screens and disposed of in accordance with all existing Federal, State and/or local laws and regulations that apply to waste disposal. Such material shall not be returned to the receiving waters.
- 8. The permittee shall comply with the following requirements to evaluate chronic whole effluent toxicity of the discharge from Outfall D-001.
 - a. Effluent Limitation
 - (1) In any routine or additional follow-up test for chronic whole effluent toxicity, the 25 percent inhibition concentration (IC25) shall not be less than 100% effluent. [Rules 62-302.530(61) and 62-4.241(1)(b), F.A.C.]
 - (2) For acute whole effluent toxicity, the 96-hour LC50 shall not be less than 100% effluent in any test. [Rules 62-302.500(1)(a)4. and 62-4.241(1)(a), F.A.C.]
 - b. Monitoring Frequency
 - (1) Routine toxicity tests shall be conducted once every three months, the first starting within 60 days of the issuance date of this permit and lasting for the duration of this permit.
 - (2) Upon completion of four consecutive, valid routine tests that demonstrate compliance with the effluent limitation in 8.a.(1) above, the permittee may submit a written request to the Department for a reduction in monitoring frequency to once every six months. The request shall include a summary of the data and the complete bioassay laboratory reports for each test used to demonstrate compliance. The Department shall act on the request within 45 days of receipt. Reductions in monitoring shall only become effective upon the Department's written confirmation that the facility has completed four consecutive valid routine tests that demonstrate compliance with the effluent limitation in 8.a.(1) above.

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- (3) If a test within the sequence of the four is deemed invalid based on the acceptance criteria in EPA-821-R-02-014, but is replaced by a repeat valid test initiated within 21 days after the last day of the invalid test, the invalid test will not be counted against the requirement for four consecutive valid tests for the purpose of evaluating the reduction of monitoring frequency.
- c. Sampling Requirements
- (1) For each routine test or additional follow-up test conducted, a total of three 24-hour composite samples of final effluent shall be collected and used in accordance with the sampling protocol discussed in EPA-821-R-02-014, Section 8.
 - (2) The first sample shall be used to initiate the test. The remaining two samples shall be collected according to the protocol and used as renewal solutions on Day 3 (48 hours) and Day 5 (96 hours) of the test.
 - (3) Samples for routine and additional follow-up tests shall not be collected on the same day.
- d. Test Requirements
- (1) Routine Tests: All routine tests shall be conducted using a control (0% effluent) and a minimum of five test dilutions: **100%, 50%, 25%, 12.5%, and 6.25%** final effluent.
 - (2) The permittee shall conduct 7-day survival and growth chronic toxicity tests with a mysid shrimp, **Americamysis (Mysdopsis) bahia**, Method 1007.0, and an inland silverside, **Menidia beryllina**, Method 1006.0, concurrently.
 - (3) All test species, procedures and quality assurance criteria used shall be in accordance with Short-term Methods for Estimating the Chronic Toxicity of Effluents and Receiving Waters to Marine and Estuarine Organisms, 3rd Edition, EPA-821-R-02-014. Any deviation of the bioassay procedures outlined herein shall be submitted in writing to the Department for review and approval prior to use. In the event the above method is revised, the permittee shall conduct chronic toxicity testing in accordance with the revised method.
 - (4) The control water and dilution water used shall be artificial sea salts as described in EPA-821-R-02-014, Section 7.2. The test salinity shall be determined as follows:
 - (a) For the **Americamysis bahia** bioassays, the effluent shall be adjusted to a salinity of 20 parts per thousand (ppt) with artificial sea salts. The salinity of the control/dilution water (0% effluent) shall be 20 ppt. If the salinity of the effluent is greater than 20 ppt, no salinity adjustment shall be made to the effluent and the test shall be run at the effluent salinity. The salinity of the control/dilution water shall match the salinity of the effluent.
 - (b) For the **Menidia beryllina** bioassays, if the effluent salinity is less than 5ppt, the salinity shall be adjusted to 5 ppt with artificial sea salts. The salinity of the control/dilution water (0% effluent) shall be 5 ppt. If the salinity of the effluent is greater than 5 ppt, no salinity adjustment shall be made to the effluent and the test shall be run at the effluent salinity. The salinity of the control/dilution water shall match the salinity of the effluent.
 - (c) If the salinity of the effluent requires adjustment, a salinity adjustment control should be prepared and included with each bioassay. The salinity adjustment control is intended to identify toxicity resulting from adjusting the effluent salinity with artificial sea salts. To prepare the salinity adjustment control, dilute the control/dilution water to the salinity of the effluent and adjust the salinity of the salinity adjustment control at the same time and to the same salinity that the salinity of the effluent is adjusted using the same artificial sea salts.
- e. Quality Assurance Requirements
- (1) A standard reference toxicant (SRT) quality assurance (QA) chronic toxicity test shall be conducted with each species used in the required toxicity tests either concurrently or initiated no more than 30 days before the date of each routine or additional follow-up test conducted. Additionally, the SRT test must be conducted concurrently if the test organisms are obtained from outside the test laboratory unless the test organism supplier provides control chart data from at least the last five monthly chronic toxicity tests using the same reference toxicant and test. If the organism supplier provides the required SRT data, the organism supplier's SRT data and the test laboratory's monthly SRT-QA data shall be included in the reports for each companion routine or additional follow-up test required.
 - (2) If the mortality in the control (0% effluent) exceeds 20% for either species in any test or any test does not meet "test acceptability criteria", the test for that species (including the control) shall be invalidated and the test repeated. Test acceptability criteria for each species are defined in EPA-821-

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R-02-014, Section 14.12 (*Americamysis bahia*) and Section 13.12 (*Menidia beryllina*). The repeat test shall begin within 21 days after the last day of the invalid test.

- (3) If 100% mortality occurs in all effluent concentrations for either species prior to the end of any test and the control mortality is less than 20% at that time, the test (including the control) for that species shall be terminated with the conclusion that the test fails and constitutes non-compliance.
- (4) Routine and additional follow-up tests shall be evaluated for acceptability based on the observed dose-response relationship as required by EPA-821-R-02-014, Section 10.2.6., and the evaluation shall be included with the bioassay laboratory reports.

f. Reporting Requirements

- (1) Results from all required tests shall be reported on the Discharge Monitoring Report (DMR) as follows:
 - (a) Routine and Additional Follow-up Test Results: The calculated IC25 for each test species shall be entered on the DMR.
- (2) A bioassay laboratory report for each routine test shall be prepared according to EPA-821-R-02-014, Section 10, Report Preparation and Test Review, and mailed to the Department at the address below within 30 days after the last day of the test.
- (3) For additional follow-up tests, a single bioassay laboratory report shall be prepared according to EPA-821-R-02-014, Section 10, and mailed within 30 days after the last day of the second valid additional follow-up test.
- (4) Data for invalid tests shall be included in the bioassay laboratory report for the repeat test.
- (5) The same bioassay data shall not be reported as the results of more than one test.
- (6) All bioassay laboratory reports shall be sent to:
Florida Department of Environmental Protection
Tallahassee Office
2600 Blair Stone Road, M.S. 3545
Tallahassee, Florida 32399-2400

g. Test Failures

- (1) A test fails when the test results do not meet the limits in 8.a.(1).
- (2) Additional Follow-up Tests:
 - (a) If a routine test does not meet the chronic toxicity limitation in 8.a.(1) above, the permittee shall notify the Department at the address above within 21 days after the last day of the failed routine test and conduct two additional follow-up tests on each species that failed the test in accordance with 8.d.
 - (b) The first test shall be initiated within 28 days after the last day of the failed routine test. The remaining additional follow-up tests shall be conducted weekly thereafter until a total of two valid additional follow-up tests are completed.
 - (c) The first additional follow-up test shall be conducted using a control (0% effluent) and a minimum of five dilutions: 100%, 50%, 25%, 12.5%, and 6.25% effluent. The permittee may modify the dilution series in the second additional follow-up test to more accurately bracket the toxicity such that at least two dilutions above and two dilutions below the target concentration and a control (0% effluent) are run. All test results shall be analyzed according to the procedures in EPA-821-R-02-014.
- (3) In the event of three valid test failures (whether routine or additional follow-up tests) within a 12-month period, the permittee shall notify the Department within 21 days after the last day of the third test failure.
 - (a) The permittee shall submit a plan for correction of the effluent toxicity within 60 days after the last day of the third test failure.
 - (b) The Department shall review and approve the plan before initiation.
 - (c) The plan shall be initiated within 30 days following the Department's written approval of the plan.
 - (d) Progress reports shall be submitted quarterly to the Department at the address above.
 - (e) During the implementation of the plan, the permittee shall conduct quarterly routine whole effluent toxicity tests in accordance with 8.d. Additional follow-up tests are not required while the plan is in progress. Following completion or termination of the plan, the frequency of monitoring for routine and additional follow-up tests shall return to the schedule established in

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- 8.b.(1). If a routine test is invalid according to the acceptance criteria in EPA-821-R-02-014, a repeat test shall be initiated within 21 days after the last day of the invalid routine test.
- (f) Upon completion of four consecutive quarterly valid routine tests that demonstrate compliance with the effluent limitation in 8.a.(1) above, the permittee may submit a written request to the Department to terminate the plan. The plan shall be terminated upon written verification by the Department that the facility has passed at least four consecutive quarterly valid routine whole effluent toxicity tests. If a test within the sequence of the four is deemed invalid, but is replaced by a repeat valid test initiated within 21 days after the last day of the invalid test, the invalid test will not be counted against the requirement for four consecutive quarterly valid routine tests for the purpose of terminating the plan.
- (4) If chronic toxicity test results indicate greater than 50% mortality within 96 hours in an effluent concentration equal to or less than the effluent concentration specified as the acute toxicity limit in 8.(a)(2), the Department may revise this permit to require acute definitive whole effluent toxicity testing.
- (5) The additional follow-up testing and the plan do not preclude the Department taking enforcement action for acute or chronic whole effluent toxicity failures.

[62-4.241, 62-620.620(3)]

B. Internal Outfalls

1. During the period beginning on the issuance date and lasting through the expiration date of this permit, the permittee is authorized to discharge **Flue Gas Desulfurization (FGD) wastewater** from **Internal Outfalls I-130** to Outfalls D-011, D-012, D-013, or D-014. Such discharge shall be limited and monitored by the permittee as specified below and reported in accordance with Permit Condition I.C.3:

			Effluent Limitations		Monitoring Requirements			Notes
Parameter	Units	Max/Min	Limit	Statistical Basis	Frequency of Analysis	Sample Type	Monitoring Site Number	
Flow	MGD	Max Max	Report Report	Daily Average Monthly Average	Continuous	Recorder	FLW-2	
Solids, Total Suspended	mg/L	Max	30.0	Instant. Maximum	Quarterly	Grab	EFF-3	
Oil and Grease	mg/L	Max	15.0	Instant. Maximum	Quarterly	Grab	EFF-3	
Arsenic, Total Recoverable	ug/L	Max	Report	Instant. Maximum	Quarterly	Grab	EFF-3	
Chromium, Total Recoverable	ug/L	Max	Report	Instant. Maximum	Quarterly	Grab	EFF-3	
Copper, Total Recoverable	ug/L	Max	Report	Instant. Maximum	Quarterly	Grab	EFF-3	
Lead, Total Recoverable	ug/L	Max	Report	Instant. Maximum	Quarterly	Grab	EFF-3	
Mercury, Total Recoverable	ug/L	Max	Report	Instant. Maximum	Quarterly	Grab	INT-2	
	ug/L	Max	Report	Instant. Minimum	Quarterly	Grab	EFF-3	
	ug/L	Max	0.025	Instant. Maximum	Quarterly	Calculated	EFF-4	See I.B.3
Nickel, Total Recoverable	ug/L	Max	Report	Instant. Maximum	Quarterly	Grab	EFF-3	
Selenium, Total Recoverable	ug/L	Max	Report	Instant. Maximum	Quarterly	Grab	EFF-3	
Alpha, Gross Particle Activity	pCi/L	Max	Report	Instant. Maximum	Quarterly	Grab	EFF-3	
Radium 226 + Radium 228, Total	pCi/L	Max	Report	Instant. Maximum	Quarterly	Grab	EFF-3	
Nitrogen, Ammonia, Total (as N)	mg/L	Max	Report	Instant. Maximum	Monthly	Grab	EFF-3	
Nitrogen, Kjeldahl, Total (as N)	mg/L	Max	Report	Instant. Maximum	Monthly	Grab	EFF-3	
Nitrite plus Nitrate, Total 1 det. (as N)	mg/L	Max	Report	Instant. Maximum	Monthly	Grab	EFF-3	
Nitrogen, Total (as N)	mg/L	Max	Report	Instant. Maximum	Monthly	Grab	EFF-3	
	lbs/mth	Max	Report	Monthly Total	Monthly	Calculated	EFF-3	See I.B.6
	tons/yr	Max	87.9	Annual Total	Monthly	Calculated	EFF-3	See I.B.5, 6, and 7

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		Effluent Limitations			Monitoring Requirements			
Parameter	Units	Max/ Min	Limit	Statistical Basis	Frequency of Analysis	Sample Type	Monitoring Site Number	Notes
	tons/ yr	Max	58.6	5-year Annual Average	Monthly	Calculated	EFF-3	See I.B.5, 6, and 7
pH	s.u.	Min Max	6.0 9.0	Single Sample Single Sample	Quarterly	In-situ	EFF-3	

2. Effluent samples shall be taken at the monitoring site locations listed in Permit Condition I.B.1. and as described below:

Monitoring Site Number	Description of Monitoring Site
FLW-2	The flow monitoring location for the treated FGD wastewater.
EFF-3	After final treatment but prior to discharge to Outfalls D-011, D-012, D-013, or D-014.
EFF-4	Combined discharge of FGD effluent and power plant cooling water.

3. The effluent limitation for total recoverable mercury shall be applicable to the combined discharge of power plant cooling water and FGD effluent from Outfalls D-011, D-012, D-013, and D-014. The flow weighted concentrations of mercury shall be determined by concurrently sampling the intake (INT-2) and FGD effluent (EFF-3) and calculating the mercury concentration of the combined discharge based on the respective flow rates of each individual discharge at the time of sampling.
4. The facility shall at all times ensure that treated effluent from Outfall I-130 is being discharged to one of four once-through cooling water (OTCW) outfall discharge pipes that is discharging at a flow rate of approximately 250,000 gpm. This shall be achieved by rerouting the flow from Outfall I-130 to another OTCW outfall pipe if flow in the first outfall pipe is being discontinued or reduced.
5. In accordance with the Nutrient Management Consortium "Final-2009 Reasonable Assurance Addendum: Allocation and Assessment Report" dated January 22, 2010, the Total Nitrogen loading shall be calculated from the monthly average Total Nitrogen concentrations. The Total Nitrogen loading shall be calculated as a twelve-month [annual] rolling total and shall not exceed 87.9 tons/year and the five year average of the annual totals shall not exceed 58.6 tons/year.
6. The annual discharge loading is calculated by adding the monthly mass loading of the total nitrogen for each month in the calendar year. The monthly mass loading (expressed in Tons) is calculated using the following equation:

$$Mt = \frac{(\text{Monthly Average Total Nitrogen Concentration, mg/l}) * (\text{Total Monthly Flow, MG}) * (8.3454)}{2000 \text{ lbs}}$$

Where: Mt= Tons/Month

7. The Rolling Annual Total value is the sum of the monthly totals beginning on first day of the second month following permit issuance. During the first 60 months following permit issuance, the 5-year average of the annual totals is the sum of the monthly totals divided by 5. In the 61st month and beyond, the 5-year average of the annual totals shall become a rolling 5-year average of the annual totals calculated from the monthly totals.

Annual Total (At)		
Annual Total at the end of the 2nd Month:	$At_2 = Mt_1 + Mt_2$	(1st month total + 2nd month total)
Annual Total at the end of the 12 th Month:	$At_{12} = Mt_1 + Mt_2 \dots Mt_{12}$	
Annual Total at the end of the 13 th Month:	$At_{13} = Mt_2 + Mt_3 \dots Mt_{13}$	(Now a Rolling Total)
Annual Total at the end of the n th Month:	$At_n = Mt_{n-11} + Mt_{n-10} \dots Mt_n$	(Every Month Thereafter—a Rolling Total)

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5 Year Average of the Yearly Totals (5yr)	
$5yr_n = (Mt_1 + Mt_2 \dots Mt_n) / 5$	(Prior to the 60 th Month)
$5yr_{60} = (Mt_1 + Mt_2 \dots Mt_{60}) / 5$	(After the 60 th Month)
$5yr_{61} = (Mt_2 + Mt_3 \dots Mt_{61}) / 5$	(After the 61 st Month – Now a Rolling Average)
$5yr_n = (Mt_{n-59} + Mt_{n-58} \dots Mt_n) / 5$	(Every Month Thereafter—a Rolling Average)

C. Other Limitations and Monitoring and Reporting Requirements

- The sample collection, analytical test methods, and method detection limits (MDLs) applicable to this permit shall be conducted using a sufficiently sensitive method to ensure compliance with applicable water quality standards and effluent limitations and shall be in accordance with Rule 62-4.246, Chapters 62-160 and 62-601, F.A.C., and 40 CFR 136, as appropriate. The list of Department established analytical methods, and corresponding MDLs (method detection limits) and PQLs (practical quantitation limits), which is titled "FAC 62-4 MDL/PQL Table (April 26, 2006)" is available at <http://www.dep.state.fl.us/labs/library/index.htm>. The MDLs and PQLs as described in this list shall constitute the minimum acceptable MDL/PQL values and the Department shall not accept results for which the laboratory's MDLs or PQLs are greater than those described above unless alternate MDLs and/or PQLs have been specifically approved by the Department for this permit. Any method included in the list may be used for reporting as long as it meets the following requirements:
 - The laboratory's reported MDL and PQL values for the particular method must be equal or less than the corresponding method values specified in the Department's approved MDL and PQL list;
 - The laboratory reported MDL for the specific parameter is less than or equal to the permit limit or the applicable water quality criteria, if any, stated in Chapter 62-302, F.A.C. Parameters that are listed as "report only" in the permit shall use methods that provide an MDL, which is equal to or less than the applicable water quality criteria stated in 62-302, F.A.C.; and
 - If the MDLs for all methods available in the approved list are above the stated permit limit or applicable water quality criteria for that parameter, then the method with the lowest stated MDL shall be used.

When the analytical results are below method detection or practical quantitation limits, the permittee shall report the actual laboratory MDL and/or PQL values for the analyses that were performed following the instructions on the applicable discharge monitoring report.

Where necessary, the permittee may request approval of alternate methods or for alternative MDLs or PQLs for any approved analytical method. Approval of alternate laboratory MDLs or PQLs are not necessary if the laboratory reported MDLs and PQLs are less than or equal to the permit limit or the applicable water quality criteria, if any, stated in Chapter 62-302, F.A.C. Approval of an analytical method not included in the above-referenced list is not necessary if the analytical method is approved in accordance with 40 CFR 136 or deemed acceptable by the Department. [62-4.246, 62-160]

- The permittee shall provide safe access points for obtaining representative influent and effluent samples which are required by this permit. [62-620.320(6)]
- Monitoring requirements under this permit are effective on the first day of the first month following permit issuance. Until such time, the permittee shall continue to monitor and report in accordance with previously effective permit requirements, if any. During the period of operation authorized by this permit, the permittee shall complete and submit to the Department Discharge Monitoring Reports (DMRs) in accordance with the frequencies specified by the REPORT type (i.e. monthly, toxicity, quarterly, semiannual, annual, etc.) indicated on the DMR forms attached to this permit. Monitoring results for each monitoring period shall be submitted in accordance with the associated DMR due dates below.

REPORT Type on DMR	Monitoring Period	Due Date
Monthly	first day of month - last day of month	28 th day of following month
Quarterly	January 1 - March 31	April 28
	April 1 - June 30	July 28
	July 1 - September 30	October 28
	October 1 - December 31	January 28
Semiannual	January 1 - June 30	July 28
	July 1 - December 30	January 28

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Annual	January 1 - December 31	January 28
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DMRs shall be submitted for each required monitoring period including months of no discharge. The permittee may submit either paper or electronic DMR form(s). If submitting paper DMR form(s), the permittee shall make copies of the attached DMR form(s). If submitting electronic DMR form(s), the permittee shall use a Department-approved electronic DMR system.

The electronic submission of DMR forms shall be accepted only if approved in writing by the Department. For purposes of determining compliance with this permit, data submitted in electronic format is legally equivalent to data submitted on signed and certified paper DMR forms.

The permittee shall submit the completed DMR form(s) to the Department by the twenty-eighth (28th) of the month following the month of operation at the addresses specified below:

Florida Department of Environmental Protection
Wastewater Compliance Evaluation Section, Mail Station 3551
Bob Martinez Center
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

And

Florida Department of Environmental Protection
Southwest District
13051 N. Telecom Parkway
Temple Terrace, Florida 33637
[62-620.610(18)]

4. The permittee shall not submit DMR forms that alter the original format or content of the attached DMR forms without written approval from the Department's Southwest District Office at the address specified below:

Florida Department of Environmental Protection
Southwest District
13051 N. Telecom Parkway
Temple Terrace, Florida 33637

5. Unless specified otherwise in this permit, all reports and other information required by this permit, including 24-hour notifications, shall be submitted to or reported to, as appropriate, the Department's Southwest District Office at the address specified above.
6. All reports and other information shall be signed in accordance with the requirements of Rule 62-620.305, F.A.C. [62-620.305]
7. If there is no discharge from the facility on a day when the facility would normally sample, the sample shall be collected on the day of the next discharge. [62-620.320(6)]
8. Any bypass of the treatment facility which is not included in the monitoring specified in sections I.A, I.B, I.C, or I.D, is to be monitored for flow and all other required parameters. For parameters other than flow, at least one grab sample per day shall be monitored. Daily flow shall be monitored or estimated, as appropriate, to obtain reportable data. All monitoring results shall be reported on the appropriate DMR.
9. The permittee is authorized to discharge from Outfalls D-011, D-012, D-013, and D-014 without limitations or monitoring requirements.
10. The permittee is authorized to discharge intake screen backwash water from Units 1, 2, 3, and 4 to the intake canal without limitations or monitoring requirements, except as noted in Section I.E.12 below.

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11. Intake screen wash water from Units 3 and 4 shall be discharged to the Apollo Beach embayment, south of the discharge canal during the period from March 15 through October 15, and may be discharged without limitations or monitoring requirements. Any bypasses of the fine mesh screens during this period shall be reported to the Department.
12. There shall be no discharge of floating solids or visible foam in such amounts that form a nuisance and no discharge of a visible oil sheen at any time in accordance with Rules 62-302.500(1)(b) and 62-302.530(50)(b), F.A.C. Any such discharges shall be reported to the Department when submitting DMR's.
13. A permit revision from the Department shall be required prior to the use of any biocide or chemical additive used in the cooling system or any other portion of the treatment system which may be toxic to aquatic life. The permit revision request shall include:
 - a. Name and general composition of biocide or chemical
 - b. Frequencies of use
 - c. Quantities to be used
 - d. Proposed effluent concentrations
 - e. Acute and/or chronic toxicity data (laboratory reports shall be prepared according to EPA document No. EPA-821-R-02-012 entitled, "Methods for Measuring the Acute Toxicity of Effluents and Receiving Waters to Freshwater and Marine Organisms, 5th ed.")
 - f. Product data sheet
 - g. Product label

The Department shall review the above information to determine if a major or minor permit revision is necessary. Discharge associated with the use of such biocide or chemical is not authorized without a permit revision by the Department. Permit revisions shall be processed in accordance with the requirements of Chapter 62-620, F.A.C.

14. The Permittee shall continue compliance with the facility's Manatee Protection Plan approved by the Department on August 6, 2003, and as amended thereafter.

II. SLUDGE MANAGEMENT REQUIREMENTS

1. The filter cake sludge from the Flue Gas Desulfurization (FGD) purge treatment system shall be managed in a manner that prevents contact with storm water or the discharge of wastewater to waters of the State.
2. The permittee shall be responsible for proper treatment, management, use, and disposal of its sludge. [62-620.320(6)]
3. Storage, transportation, and disposal of sludge/solids characterized as hazardous waste shall be in accordance with requirements of Chapter 62-730, F.A.C. [62-730]
4. Vegetation and materials removed from intake screens must be properly stored onsite until they are disposed in accordance with requirements in Chapter 62-701, F.A.C., and other applicable State and Federal requirements. Storage, transportation, and disposal of sludge/solids characterized as hazardous waste shall be in accordance with requirements of Chapter 62-730, F.A.C. [62-730]

III. GROUND WATER REQUIREMENTS

The ground water monitoring requirements for this facility are regulated under separate Department permit Number FLA017047.

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IV. ADDITIONAL LAND APPLICATION REQUIREMENTS

Section IV is not applicable to this facility.

V. OPERATION AND MAINTENANCE REQUIREMENTS

1. During the period of operation authorized by this permit, the wastewater facilities shall be operated under the supervision of a person who is qualified by formal training and/or practical experience in the field of water pollution control. [62-620.320(6)]
2. The permittee shall maintain the following records and make them available for inspection on the site of the permitted facility.
 - a. Records of all compliance monitoring information, including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation, including, if applicable, a copy of the laboratory certification showing the certification number of the laboratory, for at least three years from the date the sample or measurement was taken;
 - b. Copies of all reports required by the permit for at least three years from the date the report was prepared;
 - c. Records of all data, including reports and documents, used to complete the application for the permit for at least three years from the date the application was filed;
 - d. A copy of the current permit;
 - e. A copy of any required record drawings; and
 - f. Copies of the logs and schedules showing plant operations and equipment maintenance for three years from the date of the logs or schedules.

[62-620.350]

VI. SCHEDULES

1. A Best Management Practices Pollution Prevention (BMP3) Plan shall be prepared and implemented in accordance with Part VII of this permit and the following schedule:

Action Item	Scheduled Completion Date
Continue Implementing Existing BMP3 Plan	Issuance Date of Permit

2. If the permittee wishes to continue operation of this wastewater facility after the expiration date of this permit, the permittee shall submit an application for renewal no later than one-hundred and eighty days (180) prior to the expiration date of this permit. Application shall be made using the appropriate forms listed in Rule 62-620.910, F.A.C., including submittal of the appropriate processing fee set forth in Rule 62-4.050, F.A.C. [62-620.335(1) and (2)]
3. Within 6 months from the issuance date of this permit, the permittee shall schedule a meeting with the Department to discuss the contents of the aquatic organism return plan in accordance with Condition I.A.7 and shall submit the plan to the Department within 12 months thereafter. The plan shall be implemented within 24 months subsequent to approval by the Department.
4. The permittee shall submit a copy of the Manatee Protection Plan, including any amendments, with the permit renewal application to each of the following agencies no later than one-hundred and eighty days (180) prior to the expiration date of this permit:

Florida Department of Environmental Protection
Industrial Wastewater Section, Mail Station 3545
Bob Martinez Center
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

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Florida Fish and Wildlife Conservation Commission
Bureau of Protected Species Management
620 South Meridian Street
OES-BPS
Tallahassee, Florida 32399-1600

And

US Fish and Wildlife Service
Jacksonville Field Office
7915 Baymeadows Way, Suite 200
Jacksonville, Florida 32256-7517

VII. BEST MANAGEMENT PRACTICES

1. General Conditions

In accordance with Section 304(e) and 402(a)(2) of the Clean Water Act (CWA) as amended, 33 U.S.C. §§ 1251 et seq., and the Pollution Prevention Act of 1990, 42 U.S.C. §§ 13101-13109, the permittee must develop and implement a plan for utilizing practices incorporating pollution prevention measures. References to be considered in developing the plan are "Criteria and Standards for Best Management Practices Authorized Under Section 304(e) of the Act," found at 40 CFR 122.44 Subpart K and the Storm Water Management Industrial Activities Guidance Manual, EPA/833-R92-002 and other EPA documents relating to Best Management Practice guidance.

a. Definitions

- (1) The term "pollutants" refers to conventional, non-conventional and toxic pollutants.
- (2) Conventional pollutants are: biochemical oxygen demand (BOD), suspended solids, pH, fecal coliform bacteria and oil & grease.
- (3) Non-conventional pollutants are those which are not defined as conventional or toxic.
- (4) Toxic pollutants include, but are not limited to: (a) any toxic substance listed in Section 307(a)(1) of the CWA, any hazardous substance listed in Section 311 of the CWA, or chemical listed in Section 313(c) of the Superfund Amendments and Reauthorization Act of 1986; and (b) any substance (that is not also a conventional or non-conventional pollutant except ammonia) for which EPA has published an acute or chronic toxicity criterion.
- (5) "Significant Materials" is defined as raw materials; fuels; materials such as solvents and detergents; hazardous substances designated under Section 101(14) of CERCLA; and any chemical the facility is required to report pursuant to EPCRA, Section 313; fertilizers; pesticides; and waste products such as ashes, slag and sludge.
- (6) "Pollution prevention" and "waste minimization" refer to the first two categories of EPA's preferred hazardous waste management strategy: first, source reduction and then, recycling.
- (7) "Recycle/Reuse" is defined as the minimization of waste generation by recovering and reprocessing usable products that might otherwise become waste; or the reuse or reprocessing of usable waste products in place of the original stock, or for other purposes such as material recovery, material regeneration or energy production.
- (8) "Source reduction" means any practice which: (a) reduces the amount of any pollutant entering a waste stream or otherwise released into the environment (including fugitive emissions) prior to recycling, treatment or disposal; and (b) reduces the hazards to public health and the environment associated with the release of such pollutant. The term includes equipment or technology modifications, process or procedure modifications, reformulation or redesign of products, substitution of raw materials, and improvements in housekeeping, maintenance, training, or inventory control. It does not include any practice which alters the physical, chemical, or biological characteristics or the volume of a pollutant through a process or activity which itself is not integral to, or previously considered necessary for, the production of a product or the providing of a service.
- (9) "BMP3" means a Best Management Practices Pollution Prevention Plan incorporating the requirements of 40 CFR § 125, Subpart K, plus pollution prevention techniques, except where other existing programs are deemed equivalent by the permittee. The permittee shall certify the equivalency of the other referenced programs.

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(10) The term "material" refers to chemicals or chemical products used in any plant operation (i.e., caustic soda, hydrazine, degreasing agents, paint solvents, etc.). It does not include lumber, boxes, packing materials, etc.

2. Best Management Practices/Pollution Prevention Plan

The permittee shall develop and implement a BMP3 plan for the facility, which is the source of wastewater and storm water discharges, covered by this permit. The plan shall be directed toward reducing those pollutants of concern which discharge to surface waters and shall be prepared in accordance with good engineering and good housekeeping practices. For the purposes of this permit, pollutants of concern shall be limited to toxic pollutants, as defined above, known to the discharger. The plan shall address all activities which could or do contribute these pollutants to the surface water discharge, including process, treatment, and ancillary activities.

a. Signatory Authority & Management Responsibilities

The BMP3 plan shall be signed by permittee or their duly authorized representative in accordance with rule 62-620.305(2)(a) and (b). The BMP3 plan shall be reviewed by plant environmental/engineering staff and plant manager. Where required by Chapter 471-(P.E.) or Chapter 492 (P.G.) Florida Statutes, applicable portions of the BMP3 plan shall be signed and sealed by the professional(s) who prepared them.

A copy of the plan shall be retained at the facility and shall be made available to the permit issuing authority upon request.

The BMP3 plan shall contain a written statement from corporate or plant management indicating management's commitment to the goals of the BMP3 program. Such statements shall be publicized or made known to all facility employees. Management shall also provide training for the individuals responsible for implementing the BMP3 plan.

b. BMP3 Plan Requirements

- (1) Name & description of facility, a map illustrating the location of the facility & adjacent receiving waters, and other maps, plot plans or drawings, as necessary;
- (2) Overall objectives (both short-term and long-term) and scope of the plan, specific reduction goals for pollutants, anticipated dates of achievement of reduction, and a description of means for achieving each reduction goal;
- (3) A description of procedures relative to spill prevention, control & countermeasures and a description of measures employed to prevent storm water contamination;
- (4) A description of practices involving preventive maintenance, housekeeping, recordkeeping, inspections, and plant security; and
- (5) The description of a waste minimization assessment performed in accordance with the conditions outlined in condition c below, results of the assessment, and a schedule for implementation of specific waste reduction practices.

c. Waste Minimization Assessment

The permittee is encouraged but not required to conduct a waste minimization assessment (WMA) for this facility to determine actions that could be taken to reduce waste loading and chemical losses to all wastewater and/or storm water streams as described in this permit.

If the permittee elects to develop and implement a WMA, information on plan components can be obtained from the Department's Industrial Wastewater website, or from:

Florida Department of Environmental Protection
Industrial Wastewater Section, Mail Station 3545
2600 Blair Stone Road
Tallahassee, Florida 32399-2400
(850) 245-8589
(850) 245-8669 – Fax

d. Best Management Practices & Pollution Prevention Committee Recommended:

A Best Management Practices Committee (Committee) should be established to direct or assist in the implementation of the BMP3 plan. The Committee should be comprised of individuals within the plant

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organization who are responsible for developing the BMP3 plan and assisting the plant manager in its implementation, monitoring of success, and revision. The activities and responsibilities of the Committee should address all aspects of the facility's BMP3 plan. The scope of responsibilities of the Committee should be described in the plan.

e. Employee Training

Employee training programs shall inform personnel at all levels of responsibility of the components & goals of the BMP3 plan and shall describe employee responsibilities for implementing the plan. Training shall address topics such as good housekeeping, materials management, record keeping & reporting, spill prevention & response, as well as specific waste reduction practices to be employed. Training should also disclose how individual employees may contribute suggestions concerning the BMP3 plan or suggestions regarding Pollution Prevention. The plan shall identify periodic dates for such training.

f. Plan Development & Implementation

The BMP3 plan shall be developed and implemented 6 months after the effective date of this permit, unless any later dates are specified in this permit. Any portion of the WMA which is ongoing at the time of development or implementation shall be described in the plan. Any waste reduction practice which is recommended for implementation over a period of time shall be identified in the plan, including a schedule for its implementation.

g. Submission of Plan Summary & Progress/Update Reports

- (1) Plan Summary: Not later than 2 years after the effective date of the permit, a summary of the BMP3 plan shall be developed and maintained at the facility and made available to the permit issuing authority upon request. The summary should include the following: a brief description of the plan, its implementation process, schedules for implementing identified waste reduction practices, and a list of all waste reduction practices being employed at the facility. The results of waste minimization assessment studies already completed as well as any scheduled or ongoing WMA studies shall be discussed.
- (2) Progress/Update Reports: Annually thereafter for the duration of the permit progress/update reports documenting implementation of the plan shall be maintained at the facility and made available to the permit issuing authority upon request. The reports shall discuss whether or not implementation schedules were met and revise any schedules, as necessary. The plan shall also be updated as necessary and the attainment or progress made toward specific pollutant reduction targets documented. Results of any ongoing WMA studies as well as any additional schedules for implementation of waste reduction practices shall be included.
- (3) A timetable for the various plan requirements follows:

Timetable for BMP3 Plan Requirements:

<u>REQUIREMENT</u>	<u>TIME FROM EFFECTIVE DATE OF THIS PERMIT</u>
Progress/Update Reports	3 years, and then annually thereafter

The permittee shall maintain the plan and subsequent reports at the facility and shall make the plan available to the Department upon request.

h. Plan Review & Modification

If following review by the Department, the BMP3 plan is determined insufficient, the permittee will be notified that the BMP3 plan does not meet one or more of the minimum requirements of this Part. Upon such notification from the Department, the permittee shall amend the plan and shall submit to the Department a written certification that the requested changes have been made. Unless otherwise provided by the Department, the permittee shall have 30 days after such notification to make the changes necessary.

3. The permittee shall modify the BMP3 plan whenever there is a change in design, construction, operation, or maintenance, which has a significant effect on the potential for the discharge of pollutants to waters of the State or if the plan proves to be ineffective in achieving the general objectives of reducing pollutants in wastewater or storm water discharges. Modifications to the plan may be reviewed by the Department in the same manner as described above.

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VIII. OTHER SPECIFIC CONDITIONS

A. Specific Conditions Applicable to All Permits

1. Where required by Chapter 471 or Chapter 492, F.S., applicable portions of reports that must be submitted under this permit shall be signed and sealed by a professional engineer or a professional geologist, as appropriate. [62-620.310(4)]
2. The permittee shall provide verbal notice to the Department's Southwest District Office as soon as practical after discovery of a sinkhole or other karst feature within an area for the management or application of wastewater or wastewater sludges. The permittee shall immediately implement measures appropriate to control the entry of contaminants, and shall detail these measures to the Department's Southwest District Office in a written report within 7 days of the sinkhole discovery. [62-620.320(6)]

B. Duty to Reapply

1. The permittee is not authorized to discharge to waters of the State after the expiration date of this permit, unless:
 - a. the permittee has applied for renewal of this permit at least 180 days before the expiration date (**July, 2, 2016**) using the appropriate forms listed in Rule 62-620.910, F.A.C., and in the manner established in the Department of Environmental Protection Guide to Permitting Wastewater Facilities or Activities Under Chapter 62-620, F.A.C., including submittal of the appropriate processing fee set forth in Rule 62-4.050, F.A.C.; or
 - b. the permittee has made complete the application for renewal of this permit before the permit expiration date.[62-620.335(1)-(4), F.A.C.]
2. When publishing Notice of Draft and Notice of Intent in accordance with Rules 62-110.106 and 62-620.550, F.A.C., the permittee shall publish the notice at its expense in a newspaper of general circulation in the county or counties in which the activity is to take place either
 - a. Within thirty days after the permittee has received a notice; or
 - b. Within thirty days after final agency action.

Failure to publish a notice is a violation of this permit.

C. Specific Conditions Related to Existing Manufacturing, Commercial, Mining, and Silviculture Wastewater Facilities or Activities

1. Existing manufacturing, commercial, mining, and silvicultural wastewater facilities or activities that discharge into surface waters shall notify the Department as soon as they know or have reason to believe:
 - a. That any activity has occurred or will occur which would result in the discharge, on a routine or frequent basis, of any toxic pollutant which is not limited in the permit, if that discharge will exceed the highest of the following levels;
 - (1) One hundred micrograms per liter,
 - (2) Two hundred micrograms per liter for acrolein and acrylonitrile; five hundred micrograms per liter for 2, 4-dinitrophenol and for 2-methyl-4, 6-dinitrophenol; and one milligram per liter for antimony, or
 - (3) Five times the maximum concentration value reported for that pollutant in the permit application; or
 - b. That any activity has occurred or will occur which would result in any discharge, on a non-routine or infrequent basis, of a toxic pollutant which is not limited in the permit, if that discharge will exceed the highest of the following levels;
 - (1) Five hundred micrograms per liter,

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- (2) One milligram per liter for antimony, or
- (3) Ten times the maximum concentration value reported for that pollutant in the permit application.

[62-620.625(1)]

D. Reopener Clauses

1. The permit shall be revised, or alternatively, revoked and reissued in accordance with the provisions contained in Rules 62-620.325 and 62-620.345 F.A.C., if applicable, or to comply with any applicable effluent standard or limitation issued or approved under Sections 301(b)(2)(C) and (D), 304(b)(2) and 307(a)(2) of the Clean Water Act (the Act), as amended, if the effluent standards, limitations, or water quality standards so issued or approved:
 - a. Contains different conditions or is otherwise more stringent than any condition in the permit/or;
 - b. Controls any pollutant not addressed in the permit.

The permit as revised or reissued under this paragraph shall contain any other requirements then applicable.

2. The permit may be reopened to adjust effluent limitations or monitoring requirements should future Water Quality Based Effluent Limitation determinations, water quality studies, DEP approved changes in water quality standards, EPA established Total Maximum Daily Loads (TMDLs), or other information show a need for a different limitation or monitoring requirement.
3. The Department or EPA may develop a TMDL during the life of the permit. Once a TMDL has been established and adopted by rule, the Department shall revise this permit to incorporate the final findings of the TMDL.
4. The permit may be reopened for revision as appropriate to address new information that was not available at the time of this permit issuance or to comply with requirements of new regulations, standards, or judicial decisions relating to CWA 316(b).

IX. GENERAL CONDITIONS

1. The terms, conditions, requirements, limitations and restrictions set forth in this permit are binding and enforceable pursuant to Chapter 403, Florida Statutes. Any permit noncompliance constitutes a violation of Chapter 403, Florida Statutes, and is grounds for enforcement action, permit termination, permit revocation and reissuance, or permit revision. [62-620.610(1)]
2. This permit is valid only for the specific processes and operations applied for and indicated in the approved drawings or exhibits. Any unauthorized deviation from the approved drawings, exhibits, specifications or conditions of this permit constitutes grounds for revocation and enforcement action by the Department. [62-620.610(2)]
3. As provided in subsection 403.087(7), F.S., the issuance of this permit does not convey any vested rights or any exclusive privileges. Neither does it authorize any injury to public or private property or any invasion of personal rights, nor authorize any infringement of federal, state, or local laws or regulations. This permit is not a waiver of or approval of any other Department permit or authorization that may be required for other aspects of the total project which are not addressed in this permit. [62-620.610(3)]
4. This permit conveys no title to land or water, does not constitute state recognition or acknowledgment of title, and does not constitute authority for the use of submerged lands unless herein provided and the necessary title or leasehold interests have been obtained from the State. Only the Trustees of the Internal Improvement Trust Fund may express State opinion as to title. [62-620.610(4)]
5. This permit does not relieve the permittee from liability and penalties for harm or injury to human health or welfare, animal or plant life, or property caused by the construction or operation of this permitted source; nor does

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it allow the permittee to cause pollution in contravention of Florida Statutes and Department rules, unless specifically authorized by an order from the Department. The permittee shall take all reasonable steps to minimize or prevent any discharge, reuse of reclaimed water, or residuals use or disposal in violation of this permit which has a reasonable likelihood of adversely affecting human health or the environment. It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit. [62-620.610(5)]

6. If the permittee wishes to continue an activity regulated by this permit after its expiration date, the permittee shall apply for and obtain a new permit. [62-620.610(6)]
7. The permittee shall at all times properly operate and maintain the facility and systems of treatment and control, and related appurtenances, that are installed and used by the permittee to achieve compliance with the conditions of this permit. This provision includes the operation of backup or auxiliary facilities or similar systems when necessary to maintain or achieve compliance with the conditions of the permit. [62-620.610(7)]
8. This permit may be modified, revoked and reissued, or terminated for cause. The filing of a request by the permittee for a permit revision, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance does not stay any permit condition. [62-620.610(8)]
9. The permittee, by accepting this permit, specifically agrees to allow authorized Department personnel, including an authorized representative of the Department and authorized EPA personnel, when applicable, upon presentation of credentials or other documents as may be required by law, and at reasonable times, depending upon the nature of the concern being investigated, to:
 - a. Enter upon the permittee's premises where a regulated facility, system, or activity is located or conducted, or where records shall be kept under the conditions of this permit;
 - b. Have access to and copy any records that shall be kept under the conditions of this permit;
 - c. Inspect the facilities, equipment, practices, or operations regulated or required under this permit; and
 - d. Sample or monitor any substances or parameters at any location necessary to assure compliance with this permit or Department rules.[62-620.610(9)]
10. In accepting this permit, the permittee understands and agrees that all records, notes, monitoring data, and other information relating to the construction or operation of this permitted source which are submitted to the Department may be used by the Department as evidence in any enforcement case involving the permitted source arising under the Florida Statutes or Department rules, except as such use is proscribed by Section 403.111, F.S., or Rule 62-620.302, F.A.C. Such evidence shall only be used to the extent that it is consistent with the Florida Rules of Civil Procedure and applicable evidentiary rules. [62-620.610(10)]
11. When requested by the Department, the permittee shall within a reasonable time provide any information required by law which is needed to determine whether there is cause for revising, revoking and reissuing, or terminating this permit, or to determine compliance with the permit. The permittee shall also provide to the Department upon request copies of records required by this permit to be kept. If the permittee becomes aware of relevant facts that were not submitted or were incorrect in the permit application or in any report to the Department, such facts or information shall be promptly submitted or corrections promptly reported to the Department. [62-620.610(11)]
12. Unless specifically stated otherwise in Department rules, the permittee, in accepting this permit, agrees to comply with changes in Department rules and Florida Statutes after a reasonable time for compliance; provided, however, the permittee does not waive any other rights granted by Florida Statutes or Department rules. A reasonable time for compliance with a new or amended surface water quality standard, other than those standards addressed in Rule 62-302.500, F.A.C., shall include a reasonable time to obtain or be denied a mixing zone for the new or amended standard. [62-620.610(12)]
13. The permittee, in accepting this permit, agrees to pay the applicable regulatory program and surveillance fee in accordance with Rule 62-4.052, F.A.C. [62-620.610(13)]

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14. This permit is transferable only upon Department approval in accordance with Rule 62-620.340, F.A.C. The permittee shall be liable for any noncompliance of the permitted activity until the transfer is approved by the Department. [62-620.610(14)]
15. The permittee shall give the Department written notice at least 60 days before inactivation or abandonment of a wastewater facility or activity and shall specify what steps will be taken to safeguard public health and safety during and following inactivation or abandonment. [62-620.610(15)]
16. The permittee shall apply for a revision to the Department permit in accordance with Rules 62-620.300, F.A.C., and the Department of Environmental Protection Guide to Permitting Wastewater Facilities or Activities Under Chapter 62-620, F.A.C., at least 90 days before construction of any planned substantial modifications to the permitted facility is to commence or with Rule 62-620.325(2), F.A.C., for minor modifications to the permitted facility. A revised permit shall be obtained before construction begins except as provided in Rule 62-620.300, F.A.C. [62-620.610(16)]
17. The permittee shall give advance notice to the Department of any planned changes in the permitted facility or activity which may result in noncompliance with permit requirements. The permittee shall be responsible for any and all damages which may result from the changes and may be subject to enforcement action by the Department for penalties or revocation of this permit. The notice shall include the following information:
 - a. A description of the anticipated noncompliance;
 - b. The period of the anticipated noncompliance, including dates and times; and
 - c. Steps being taken to prevent future occurrence of the noncompliance.[62-620.610(17)]
18. Sampling and monitoring data shall be collected and analyzed in accordance with Rule 62-4.246 and Chapters 62-160, 62-601, and 62-610, F.A.C., and 40 CFR 136, as appropriate.
 - a. Monitoring results shall be reported at the intervals specified elsewhere in this permit and shall be reported on a Discharge Monitoring Report (DMR), DEP Form 62-620.910(10), or as specified elsewhere in the permit.
 - b. If the permittee monitors any contaminant more frequently than required by the permit, using Department approved test procedures, the results of this monitoring shall be included in the calculation and reporting of the data submitted in the DMR.
 - c. Calculations for all limitations which require averaging of measurements shall use an arithmetic mean unless otherwise specified in this permit.
 - d. Except as specifically provided in Rule 62-160.300, F.A.C., any laboratory test required by this permit shall be performed by a laboratory that has been certified by the Department of Health Environmental Laboratory Certification Program (DOH ELCP). Such certification shall be for the matrix, test method and analyte(s) being measured to comply with this permit. For domestic wastewater facilities, testing for parameters listed in Rule 62-160.300(4), F.A.C., shall be conducted under the direction of a certified operator.
 - e. Field activities including on-site tests and sample collection shall follow the applicable standard operating procedures described in DEP-SOP-001/01 adopted by reference in Chapter 62-160, F.A.C.
 - f. Alternate field procedures and laboratory methods may be used where they have been approved in accordance with Rules 62-160.220, and 62-160.330, F.A.C.[62-620.610(18)]
19. Reports of compliance or noncompliance with, or any progress reports on, interim and final requirements contained in any compliance schedule detailed elsewhere in this permit shall be submitted no later than 14 days following each schedule date. [62-620.610(19)]
20. The permittee shall report to the Department's Tallahassee any noncompliance which may endanger health or the environment. Any information shall be provided orally within 24 hours from the time the permittee becomes

PERMITTEE: Tampa Electric Company (TECO)
FACILITY: Big Bend Station

PERMIT NUMBER: FL0000817 (Major)
ISSUANCE DATE: December 30, 2011
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aware of the circumstances. A written submission shall also be provided within five days of the time the permittee becomes aware of the circumstances. The written submission shall contain: a description of the noncompliance and its cause; the period of noncompliance including exact dates and time, and if the noncompliance has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent recurrence of the noncompliance.

- a. The following shall be included as information which must be reported within 24 hours under this condition:
 - (1) Any unanticipated bypass which causes any reclaimed water or effluent to exceed any permit limitation or results in an unpermitted discharge,
 - (2) Any upset which causes any reclaimed water or the effluent to exceed any limitation in the permit,
 - (3) Violation of a maximum daily discharge limitation for any of the pollutants specifically listed in the permit for such notice, and
 - (4) Any unauthorized discharge to surface or ground waters.
- b. Oral reports as required by this subsection shall be provided as follows:
 - (1) For unauthorized releases or spills of treated or untreated wastewater reported pursuant to subparagraph (a)4. that are in excess of 1,000 gallons per incident, or where information indicates that public health or the environment will be endangered, oral reports shall be provided to the STATE WARNING POINT TOLL FREE NUMBER (800) 320-0519, as soon as practical, but no later than 24 hours from the time the permittee becomes aware of the discharge. The permittee, to the extent known, shall provide the following information to the State Warning Point:
 - (a) Name, address, and telephone number of person reporting;
 - (b) Name, address, and telephone number of permittee or responsible person for the discharge;
 - (c) Date and time of the discharge and status of discharge (ongoing or ceased);
 - (d) Characteristics of the wastewater spilled or released (untreated or treated, industrial or domestic wastewater);
 - (e) Estimated amount of the discharge;
 - (f) Location or address of the discharge;
 - (g) Source and cause of the discharge;
 - (h) Whether the discharge was contained on-site, and cleanup actions taken to date;
 - (i) Description of area affected by the discharge, including name of water body affected, if any; and
 - (j) Other persons or agencies contacted.
 - (2) Oral reports, not otherwise required to be provided pursuant to subparagraph b.1 above, shall be provided to the Department's Tallahassee within 24 hours from the time the permittee becomes aware of the circumstances.
- c. If the oral report has been received within 24 hours, the noncompliance has been corrected, and the noncompliance did not endanger health or the environment, the Department's Tallahassee shall waive the written report.

[62-620.610(20)]

21. The permittee shall report all instances of noncompliance not reported under Permit Conditions IX. 17, 18 or 19 of this permit at the time monitoring reports are submitted. This report shall contain the same information required by Permit Condition IX.20 of this permit. [62-620.610(21)]

22. Bypass Provisions.

- a. "Bypass" means the intentional diversion of waste streams from any portion of a treatment works.
- b. Bypass is prohibited, and the Department may take enforcement action against a permittee for bypass, unless the permittee affirmatively demonstrates that:
 - (1) Bypass was unavoidable to prevent loss of life, personal injury, or severe property damage; and
 - (2) There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate back-up equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass which occurred during normal periods of equipment downtime or preventive maintenance; and
 - (3) The permittee submitted notices as required under Permit Condition IX. 22. b. of this permit.

- c. If the permittee knows in advance of the need for a bypass, it shall submit prior notice to the Department, if possible at least 10 days before the date of the bypass. The permittee shall submit notice of an unanticipated bypass within 24 hours of learning about the bypass as required in Permit Condition IX. 20. of this permit. A notice shall include a description of the bypass and its cause; the period of the bypass, including exact dates and times; if the bypass has not been corrected, the anticipated time it is expected to continue; and the steps taken or planned to reduce, eliminate, and prevent recurrence of the bypass.
- d. The Department shall approve an anticipated bypass, after considering its adverse effect, if the permittee demonstrates that it will meet the three conditions listed in Permit Condition IX. 22. a. 1 through 3 of this permit.
- e. A permittee may allow any bypass to occur which does not cause reclaimed water or effluent limitations to be exceeded if it is for essential maintenance to assure efficient operation. These bypasses are not subject to the provisions of Permit Condition IX. 22. a. through c. of this permit.

[62-620.610(22)]

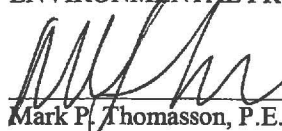
23. Upset Provisions.

- a. "Upset" means an exceptional incident in which there is unintentional and temporary noncompliance with technology-based effluent limitations because of factors beyond the reasonable control of the permittee.
 - (1) An upset does not include noncompliance caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, careless or improper operation.
 - (2) An upset constitutes an affirmative defense to an action brought for noncompliance with technology based permit effluent limitations if the requirements of upset provisions of Rule 62-620.610, F.A.C., are met.
- b. A permittee who wishes to establish the affirmative defense of upset shall demonstrate, through properly signed contemporaneous operating logs, or other relevant evidence that:
 - (1) An upset occurred and that the permittee can identify the cause(s) of the upset;
 - (2) The permitted facility was at the time being properly operated;
 - (3) The permittee submitted notice of the upset as required in Permit Condition IX.5. of this permit; and
 - (4) The permittee complied with any remedial measures required under Permit Condition IX. 5. of this permit.
- c. In any enforcement proceeding, the burden of proof for establishing the occurrence of an upset rests with the permittee.
- d. Before an enforcement proceeding is instituted, no representation made during the Department review of a claim that noncompliance was caused by an upset is final agency action subject to judicial review.

[62-620.610(23)]

Executed in Tallahassee, Florida.

STATE OF FLORIDA DEPARTMENT OF
ENVIRONMENTAL PROTECTION



Mark P. Thomasson, P.E.
Director

Division of Water Resource Management
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

Attachment(s):
Discharge Monitoring Report

