

Corresp.

JUN 04 1992

REF: 4WM-WPEB

Mr. Richard Drew
Florida Dept. of Environmental Regulation
Twin Towers Office Building
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

Re: Request for State Certification
Scholz Electric Generating Station - NPDES No. FL0002283

Dear Mr. Drew:

EPA hereby requests state certification of the above referenced National Pollutant Discharge Elimination System (NPDES) permit. The draft permit and supporting materials are enclosed with this letter.

In accordance with Section 401 of the Clean Water Act (33 U.S.C. 1251) and the NPDES regulations (40 C.F.R. § 124.53), state certifications must be in writing and must include:

- (1) Conditions which are necessary to assure compliance with the applicable provisions of Clean Water Act Sections 208(e), 301, 302, 303, 306, and 307 and with appropriate requirements of State law;
- (2) Any conditions more stringent than those in the draft permit which the State finds necessary to meet the requirements listed in paragraph (1) above. For each more stringent condition, the Clean Water Act or State law references upon which that condition is based must be cited. Failure to provide such a citation waives the right to certify with respect to that condition; and
- (3) A statement of the extent to which each condition of the draft permit can be made less stringent without violating the requirements of State law, including water quality standards. Failure to provide this statement for any condition waives the right to certify or object to any less stringent condition which may be established during the EPA permit issuance process.

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In accordance with 40 C.F.R. § 124.53(c), EPA cannot issue or deny NPDES permits until the State has either granted or denied certification, or waived its right to certify. Also, in accordance with the regulations, the State will be deemed to have waived its right to certify unless that right is exercised within 60 days from the date of this letter or EPA finds that unusual circumstances require a longer time for certification. EPA anticipates that in some cases certification cannot be provided within 60 days. Therefore, if a longer time is needed, please advise us in writing of the nature of the delay and anticipated date when certification will be completed.

Sincerely yours,

James R. Patrick, Jr., Chief
Permits Section
Water Permits and Enforcement Branch
Water Management Division

Enclosures - Draft Permit with Fact Sheet
Application
Other Information (where applicable)

cc: U.S. Fish & Wildlife Service (with enclosures)

Please Sign & Date: Shell K. S. 5/26 Moore 23mm 6/4
Proofed _____