



Florida Department of Environmental Protection

Northeast District
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Charlie Crist
Governor

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Lt. Governor

Michael W. Sole
Secretary

STATE OF FLORIDA DOMESTIC WASTEWATER FACILITY PERMIT

PERMITTEE:

JEA

PERMIT NUMBER:

FL0026441 (Major)

PA FILE NUMBER:

FL0026441-010-DW1P/NR

ISSUANCE DATE:

May 06, 2009

EXPIRATION DATE:

May 05, 2014

RESPONSIBLE AUTHORITY:

Mr. Paul K. Steinbrecher, P.E., Director
Permitting and Regulatory Conformance
21 West Church Street, T-8
Jacksonville, Florida 32202
Telephone Number: (904) 665-5653

FACILITY:

Arlington East Water Reclamation Facility
1555 Millcoie Road
Jacksonville, Florida 32225
Duval County
Latitude: 30° 20' 49" N Longitude: 81° 32' 33" 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 (NPDES). This permit is accompanied by an Administrative Order, pursuant to paragraphs 403.088(2)(e) and (f), Florida Statutes (F.S.). Compliance with Administrative Order, AO 110 NE is a specific requirement of this permit. The above named permittee is hereby authorized to operate or construct the facilities in accordance with the documents attached hereto and specifically described as follows:

TREATMENT FACILITIES:

A. Existing Facility:

To operate an existing 20.0 MGD annual average daily flow (AADF) permitted capacity complete mix activated sludge wastewater treatment facility consists of 2 mechanical bar screens with 1 manual bar screen, two primary clarifiers (68 feet in diameter, 3,632 square feet in surface area, a 12-foot side water depth, and 0.33 Mgal. of each), two aeration trains (first aeration train containing four aeration basins with total volume of 2.32 Mgal; second aeration train containing four aeration basins with total volume of 2.88 Mgal.), four secondary clarifiers (4.28 Mgal. total), disk filtration, two chlorine contact chambers (0.98 Mgal. total), and two covered sludge holding tanks (1.70 Mgal. each). Primary and secondary residuals are collected in a

holding tank and pumped to the Buckman wastewater treatment facility for further treatment and final disposal.

B. Improvement and Expansion of the Facility:

To construct improvement to the level of treatment including biological nutrient removal (BNR) and expansion of the permitted capacity of the WWTF from 20.00 MGD AADF to 25.00 MGD AADF. The additional treatment structures and improvements include:

- Installation of an automatic bypass to the manual bar screen by motorizing existing slide gates;
- Construction of a new 105-foot diameter primary clarifier, a new 48-inch diameter pipe between the primary clarifiers and splitter box 2;
- Modify aeration basins and aeration equipment to allow a step feed process with anoxic zones, internal recycle, and dissolved oxygen zone control;
- Upgrade the four existing RAS pumps for higher flow and head conditions;
- Modification of splitter box 3 to minimize head loss;
- Construction of new odor control systems;
- Basic level UV disinfection facility for the river discharge; and
- Expansion of the existing reuse system from a maximum flow capacity of 2 MGD to 6 MGD, which includes:
 - Two disk filters with filter feed pumps;
 - Conversion of existing chlorine contact chambers for high level disinfection;
 - Replacement of existing gaseous chlorine system with new sodium hypochlorite storage and feed facility; and
 - High-pressure reuse distribution pumps.

The final treated effluent is either discharged to the St. Johns River or reused as reclaimed water via public access spray irrigation after receiving high-level disinfection.

DISPOSAL:

Surface Water Discharge: A 25.0 MGD annual average daily flow (AADF) permitted discharge to St. Johns River (Class III marine waters, WBID 2213B) at Discharge Location (D-001) which is approximately 450 feet in length from the shore and discharges at a depth of approximately 31 feet. The point of discharge is located approximately at latitude 30° 23' 05" N, longitude 81° 33' 05" W.

REUSE:

Land Application: An existing 2.0 MGD annual average daily flow (AADF) permitted capacity slow-rate public access irrigation system (R-001).

Upon completion and placing into service of the expansion and improvement of the facilities, the permitted capacity of the slow-rate public access irrigation system (R-001) increases to 6.0 MGD AADF.

IN ACCORDANCE WITH: The limitations, monitoring requirements and other conditions set forth in Pages 1 through 35 of this permit.

PERMITTEE: JEA
FACILITY: JEA – Arlington East WRF

PERMIT NUMBER: FL002644 – 010 – DW1P
EXPIRATION DATE: Draft

I. RECLAIMED WATER AND EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

A. Surface Water Discharges

- During the **interim** period beginning on the **issuance date and prior to the completion and placing into service of the modifications** to the facility, the permittee is authorized to discharge effluent from Outfall D-001 to St. Johns River (Class III marine waters, WBID 2213B). Such discharge shall be limited and monitored by the permittee as specified below and reported in accordance with condition I.C.8:

			Effluent Limitations				Monitoring Requirements			
Parameter	Units	Max/Min	Annual Average	Monthly Average	Weekly Average	Single Sample	Monitoring Frequency	Sample Type	Monitoring Location Site Number	Notes
Flow, Surface Water Discharge from Outfall D-001 (Before Expansion)	MGD	Maximum	20.0	Report	-	-	Continuous	Recording flow meters and totalizers	EFD-1	See Cond. I.A.5
BOD, Carbonaceous 5-day, 20°C	mg/L	Maximum	20.0	25.0	40.0	60.0	7 Days/Week	24-hour flow proportioned composite	EFD-1	
Percent Removal, BOD, Carbonaceous 5-day, 20°C	%	Minimum	-	85.0	-	-	7 Days/Week	Calculated	CAL-1	See Cond. I.A.10
Solids, Total Suspended	mg/L	Maximum	20.0	30.0	45.0	60.0	7 Days/Week	24-hour flow proportioned composite	EFD-1	
Percent Removal, Total Suspended Solids	%	Minimum	-	85.0	-	-	7 Days/Week	Calculated	CAL-1	See Cond. I.A.10
Total Nitrogen, as N	mg/L	Maximum	Report	Report	Report	Report	7 Days/Week	24-hour flow proportioned composite	EFD-1	See Cond. I.A.17

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			Effluent Limitations				Monitoring Requirements			
Parameter	Units	Max/Min	Annual Average	Monthly Average	Weekly Average	Single Sample	Monitoring Frequency	Sample Type	Monitoring Location Site Number	Notes
Total Nitrogen, as N Mass loading	-	Maximum	Report (Lbs/Yr) (Annually Mass Load)	Report (Lbs/Mon) (Monthly Mass Load)	-	-	7 Days/Week	Calculated	CAL-1	See Cond. I.A.17
Oxygen, Dissolved (DO)	mg/L	Minimum	-	-	-	4.0	Daily 7 Days/Week	Instrument or Meter	EFD-1	See Cond. I.A.11
pH	s.u.	Range	-	-	-	6.5 to 8.5	Continuous	Meter	EFD-1	See Cond. I.A.4
Coliform, Fecal	#/100ml	Maximum	See Permit Condition I.A.6.				7 Days/Week	Grab	EFD-1	
Enterococci	#/100ML	Maximum	See Permit Condition I.A.7.				Every 6 days or 5 samples on nonconsecutive days over a 30-day period.	Grab	EFD-1	
Total Residual Chlorine (For Disinfection)	mg/L	Minimum	-	-	-	0.5	Continuous	Instrument	EFA-1	See Cond. I.A.4, 8
Total Residual Chlorine (For Dechlorination)	mg/L	Maximum	-	-	-	0.01	Daily 7 Days/Week	Grab	EFD-1	
Copper, Total Recoverable	µg/L	Maximum	-	-	-	3.7	Monthly	24-hour flow proportioned composite	EFD-1	See Cond. I.A.13
Total Cyanide	µg/L	Maximum	-	-	-	1.0	Monthly	Grab	EFD-1	See Cond. I.A.13 & 14
Organic Nitrogen, as N	mg/L	Maximum	Report	-	-	Report	Quarterly	24-hour flow proportioned composite	EFD-1	See Cond. I.A.15

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			Effluent Limitations				Monitoring Requirements			
Parameter	Units	Max/Min	Annual Average	Monthly Average	Weekly Average	Single Sample	Monitoring Frequency	Sample Type	Monitoring Location Site Number	Notes
Nitrate + Nitrite (NO ₂ +NO ₃), as N	mg/L	Maximum	Report	-	-	Report	Quarterly	24-hour flow proportioned composite	EFD-1	See Cond. I.A.15
Total Ammonia (NH ₃ &NH ₄ ⁺), as N	mg/L	Maximum	Report	-	-	Report	Quarterly	Grab	EFD-1	See Cond. I.A.15
Total Kjeldahl Nitrogen (TKN), as N	mg/L	Maximum	Report	-	-	Report	Quarterly	24-hour flow proportioned composite	EFD-1	See Cond. I.A.15
Total Phosphorus, as P	mg/L	Maximum	Report	-	-	Report	Quarterly	24-hour flow proportioned composite	EFD-1	See Cond. I.A.15
Phosphate, Ortho, as P	mg/L	Maximum	Report	-	-	Report	Quarterly	Grab and filtered	EFD-1	See Cond. I.A.15
Chronic, Whole Effluent Toxicity	See Permit Condition I.A.16								EFD-1	
Stream Monitoring	See Permit Condition I.A.15									
Benthic Monitoring	See Permit Condition I.A.18									

PERMITTEE: JEA
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2. During the period **upon completion and placing** into service the modification, and lasting through the expiration date of this permit, the permittee is authorized to discharge effluent from Outfall D-001 to St. Johns River (Class III marine waters, WBID 2213B). Such discharge shall be limited and monitored by the permittee as specified below:

			Effluent Limitations				Monitoring Requirements			
Parameter	Units	Max/Min	Annual Average	Monthly Average	Weekly Average	Single Sample	Monitoring Frequency	Sample Type	Monitoring Location Site Number	Notes
Flow, Surface Water Discharge from Outfall D-001, (After Expansion)	MGD	Maximum	25.0	Report	-	-	Continuous	Recording flow meters and totalizers	EFD-1	See Cond. I.A.5
BOD, Carbonaceous 5-day, 20°C	mg/L	Maximum	16.0	20.0	24.0	32.0	7 Days/Week	24-hour flow proportioned composite	EFD-1	
Solids, Total Suspended	mg/L	Maximum	16.0	20.0	24.0	32.0	7 Days/Week	24-hour flow proportioned composite	EFD-1	
Total Nitrogen, as N	mg/L	Maximum	Report	Report	Report	Report	7 Days/Week	24-hour flow proportioned composite	EFD-1	See Cond. I.A.17
Total Nitrogen, as N Mass loading	Lbs/day	Maximum	Report (Lbs/Yr)	Report (Lbs/Mon)	-	-	Monthly	Calculated	CAL-1	See Cond. I.A.17
Oxygen, Dissolved (DO)	mg/L	Minimum	-	-	-	4.0	Daily 7 Days/Week	Instrument or Meter	EFD-1	See Cond. I.A.11
pH	s.u.	Range	-	-	-	6.5 to 8.5	Continuous	Meter	EFD-1	See Cond. I.A.4
Coliform, Fecal	#/100ml	Maximum	See Permit Condition I.A.6.				7 Days/Week	Grab	EFD-1	
Enterococci	#/100ML	Maximum	See Permit Condition I.A.7.				Every 6 days or 5 samples on nonconsecutive days over a 30-day period.	Grab	EFD-1	

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			Effluent Limitations				Monitoring Requirements			
Parameter	Units	Max/Min	Annual Average	Monthly Average	Weekly Average	Single Sample	Monitoring Frequency	Sample Type	Monitoring Location Site Number	Notes
Ultraviolet Light Dosage	mW-s/cm ²	Minimum	-	-	-	-	7 Days/Week	Monitored	EFF-2	See Cond. I.A.9
Ultraviolet Light Transmittance	%	Minimum	-	-	-	-	7 Days/Week	Monitored	EFF-2	See Cond. I.A.9
Ultraviolet Light Intensity	mW/cm ²	Minimum	-	-	-	-	7 Days/Week	Monitored	EFF-2	See Cond. I.A.9
Copper, Total Recoverable	ug/l	Maximum	-	-	-	3.7	Monthly	24-hour flow proportioned composite	EFD-1	See Cond. I.A.13
Total Cyanide	µg/L	Maximum	-	-	-	1.0	Monthly	Grab	EFD-1	See Cond. I.A.13 & 14
Organic Nitrogen, as N	mg/L	Maximum	Report	-	-	Report	Quarterly	24-hour flow proportioned composite	EFD-1	See Cond. I.A.15
Nitrate + Nitrite (NO ₂ +NO ₃), as N	mg/L	Maximum	Report	-	-	Report	Quarterly	24-hour flow proportioned composite	EFD-1	See Cond. I.A.15
Total Ammonia (NH ₃ &NH ₄ ⁺), as N	mg/L	Maximum	Report	-	-	Report	Quarterly	Grab	EFD-1	See Cond. I.A.15
Total Kjeldahl Nitrogen (TKN), as N	mg/L	Maximum	Report	-	-	Report	Quarterly	24-hour flow proportioned composite	EFD-1	See Cond. I.A.15
Total Phosphorus, as P	mg/L	Maximum	Report	-	-	Report	Quarterly	24-hour flow proportioned composite	EFD-1	See Cond. I.A.15

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			Effluent Limitations				Monitoring Requirements			
Parameter	Units	Max/Min	Annual Average	Monthly Average	Weekly Average	Single Sample	Monitoring Frequency	Sample Type	Monitoring Location Site Number	Notes
Phosphate, Ortho, as P	mg/L	Maximum	Report	-	-	Report	Quarterly	Grab and filtered	EFD-1	See Cond. I.A.15
Chronic, Whole Effluent Toxicity	See Permit Condition I.A.16								EFD-1	
Stream Monitoring	See Permit Condition I.A.15									
Benthic Monitoring	See Permit Condition I.A.18									

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

Monitoring Location Site Number	Description of Monitoring Location
EFD-1	Effluent sample point immediately after the final treatment, and prior discharge to the St. Johns River.
EFA-1	Effluent sample point immediately after disinfection, but before dechlorination.
EFF-2	Sample point at the UV disinfection channels.
CAL-1	Calculated value.

4. Hourly measurement of pH and total residual chlorine for disinfection during the period of required operator attendance may be substituted for continuous measurement. *[Chapter 62-601, Figure 2]*
5. Recording flow meters and totalizers shall be utilized to measure flow and calibrated at least annually. *[62-601.200(17) and .500(6)]*
6. The arithmetic mean of the monthly fecal coliform values collected during an annual period shall not exceed 200 per 100 mL of effluent sample. The geometric mean of the fecal coliform values for a minimum of 10 samples of effluent each collected on a separate day during a period of 30 consecutive days (monthly), shall not exceed 200 per 100 mL of sample. No more than 10 percent of the samples collected (the 90th percentile value) during a period of 30 consecutive days shall exceed 400 fecal coliform values per 100 mL of sample. Any one sample shall not exceed 800 fecal coliform values per 100 mL of sample. Note: To report the 90th percentile value, list the fecal coliform values obtained during the month in ascending order. Report the value of the sample that corresponds to the 90th percentile (multiply the number of samples by 0.9). For example, for 30 samples, report the corresponding fecal coliform number for the 27th value of ascending order. *[62-600.440(4)(c)]*
7. The Permittee is required to monitor for enterococci in the effluent before discharge from Outfall D-001. The geometric mean of the enterococci values for a minimum of 5 samples of effluent each collected on a separate day during a period of 30 consecutive days (monthly), shall not exceed 35 per 100 mL. EPA Methods 1106.1 and 1600 are the recommended methods for monitoring enterococci in the effluent. *[62-600, 62-621, 62-302.530, F.A.C.]*
8. A minimum of 0.5 mg/L total residual chlorine must be maintained for a minimum contact time of 15 minutes based on peak hourly flow. *[62-600.440(4)(b)]*
9. The ultraviolet disinfection system consists of a basic-level ultraviolet disinfection system in three channels, with five banks of vertical lamps per channel. Each bank of lamps contains three, 40-lamp modules. The system is designed to provide a UV dose of 35 mJ/cm² at 50 mgd. The UV system shall be monitored for proper operation on each day of operator attendance. The ultraviolet light intensity, ultraviolet light dosage, ultraviolet light transmittance and unit operation shall be monitored and verified. The operation and maintenance shall be performed on a regular basis in accordance with the manufacturer recommended factor of safety. Daily record keeping, routine cleaning and daily system checks of the system shall be conducted and records maintained for review by the Department. *[62-600.440(4)(b)]*

10. The monthly average effluent carbonaceous biochemical oxygen demand 5-day (CBOD₅) and total suspended solids concentrations shall not exceed 15% of the respective influent values (85% removal). [62-620.620(1)(0) and (3)]
11. The average of DO level shall not be less than 5.0 mg/L in a 24-hour period and shall never be less than 4.0 mg/L. Normal daily and seasonal fluctuations above these levels shall be maintained. The lower St. Johns River has an SSAC for DO in accordance with the Lower St. Johns River Basin Management Action Plan (BMAP) adopted on October 10, 2008. [62-302.530(31)]
12. Florida water quality criteria and standards shall not be violated as a result of the discharge [62-620.320(9), 11-29-94][62-302.510(5)]
13. The final limit for total cyanide and total recoverable copper are held in abeyance until the final compliance date listed in Section VI.2. of the permit is completed.
14. The permittee shall be deemed in compliance with the Surface Water Quality Standards for total cyanide, when concentration for the total cyanide in the effluent meet permit limit specified Condition I.A.1 or I.A.2 or shall be undetectable or less than the method detection limit (MDL) level established by Department corresponding to approved analytical method. [62-4.246, 62-302.530(24), F.A.C.]
15. Ambient stream monitoring and reporting shall be conducted in accordance with the locations, frequencies, and parameters in the latest, Department approved, version of JEA's Ambient Stream Monitoring Plan. The ambient stream sample event shall coincide with or within the week of the quarterly effluent-nutrients sample event collected at EFD-1 as described in Condition I.A.1 and I.A.2. JEA will submit to the Department's Northeast District office a report with stream sample data results and graphical analyses for each sample location. Data qualifiers and any important comments concerning the sample event and sample results will be included. The annual report (calendar year monitoring period) shall be submitted to the Northeast District wastewater permitting section by March 1, of the following year. [62-4.240(3)(c)]
16. 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) Whole effluent chronic toxicity shall not result in an Inhibition Concentration 25% (IC₂₅) less than 100% effluent in any test. [Rule 62-302.530(61), as defined in 62-302.200(14) F.A.C.]
 - (2) Whole effluent acute toxicity shall not result in a 96-hour LC₅₀ less than 100% effluent in any test. [Rule 62-302.500(1)(a)4., F.A.C.]
 - b. Monitoring Frequency
 - (1) Routine toxicity tests shall be conducted once every six months, starting within 6 months of the most recent test, and lasting for the duration of the permit.
 - c. Sampling Requirements
 - (1) For each routine test or additional follow-up test conducted, a total of three *flow proportional 24-hour composite* samples of final effluent shall be collected and used in accordance with the sampling protocol discussed in EPA-821-R-02-013, 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%, 75%, 50%, 25%, and 12.5%** final effluent.
- (2) The permittee shall conduct a daphnid, *Ceriodaphnia dubia*, Survival and Reproduction Test and a fathead minnow, *Pimephales promelas*, Larval Survival and Growth Test, 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 Freshwater Organisms, 4th ed., EPA-821-R-02-013. 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 shall be moderately hard water as described in EPA-821-R-02-013, Section 7.

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 conditions. 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 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-R-02-013, Section 13.12 (*Ceriodaphnia dubia*) and Section 11.11 (*Pimephales promelas*). 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 prior to the end of any test and the control mortality is less than 20% at that time, the test (including the control) 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-02-013, 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 entered on the Discharge Monitoring Report (DMR) as the calculated IC₂₅ for each test species.
- (2) A bioassay laboratory report for each routine test shall be prepared according to EPA-821-R-02-013, Section 10, Report Preparation and Test Review, and e-mailed or 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-02-013, Section 10, and e-mailed or 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 e-mailed or mailed to *Jacksonville*:

Florida Department of Environmental Protection
Northeast District – Wastewater Section
7825 Baymeadows Way, B-200
Jacksonville, Florida 32256-7590

g. Test Failures

- (1) A test fails when the test results do not meet the limits in 16.a.
- (2) Additional Follow-up Tests:
 - (a) If a routine test does not meet the chronic toxicity limitation in 16.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 16.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%, 75%, 50%, 25%, and 12.5% 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 are run. All test results shall be statistically analyzed according to the Appendices in EPA-821-R-02-013.
- (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 16.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 16.b.(1). If a routine test is invalid according to the acceptance criteria in EPA-821-R-02-013, a repeat test shall be initiated within 21 days after the last day of the invalid routine test.
 - (f) Upon completion of four consecutive, valid routine tests that demonstrate compliance with the effluent limitation in 16.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 valid routine whole effluent toxicity tests.

- (g) 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 valid 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 16.(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 test failures.
17. The permittee, JEA, shall meet the aggregate cap through collectively managing the total nitrogen loads from individual JEA facilities (Arlington East WRF -FL0026441; Beacon Hills WWTF – FL0026778; Buckman WWTF – FL0026000; District II WWTF – FL0026450; Jacksonville Heights WWTF – FL0023671; Julington Creek WWTF – FL0043591; Mandarin WRF- FL0023493; Monterey WWTF – FL0023604; Royal Lakes WWTF – FL0026751; San Jose WWTF – FL0023663; San Pablo WWTF – FL0024767; Southwest District WWTF – FL0026468; Woodmere WWTF – FL0026786; and JEA Power Plant - FPL), which are listed in the JEA - Aggregate Total Nitrogen (Permit ID: FL0620564). The monthly mass load and annually mass loads of total nitrogen shall be calculated as follows:
- Monthly Mass Load (ML)
$$ML \text{ (Lbs/Mon)} = \left(\text{Flow} \left(\frac{MG}{Mon} \right) \times TN \left(\frac{mg}{L} \right) \times 8.34 \left(\frac{L}{MG} \frac{Lbs}{mg} \right) \right)$$

Where:

ML = Monthly mass load of total nitrogen; (Lbs/Mon)

Flow = Monthly total volume effluent discharged from D-001 in a given month; (million gallons (MG))

TN = Monthly average concentration of total nitrogen monitored at EFF-1; (mg/L)
 - Annually Mass Load (AL)
The annual mass load is computed using a rolling twelve (12) – month period. The calculation shall be the sum of the twelve most recent monthly mass loading of total nitrogen starting from the second month following permit issuance month.
18. The Department reserves the right to require the Permittee to conduct a reconnaissance sediment sampling event to include up to six transects with a minimum of three transects located along the Outfall D-001, and approximately 300 feet upstream and 300 feet downstream of the outfall D-001.
19. JEA shall provide an initial report concerning the integrity of the outfall and shall determine and propose an evaluation and analysis method. The initial report shall be submitted to DEP within one year from permit issuance. Then, annual reports shall be submitted based on the approved evaluation and analysis method to indicate the status of the outfall line on or before January 01 of each year.

PERMITTEE: JEA
FACILITY: JEA – Arlington East WRF

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B. Reuse and Land Application Systems

- During the period beginning upon placing the new facilities into operation and lasting through the expiration date of this permit, the permittee is authorized to direct reclaimed water to Reuse System R-001. Such reclaimed water shall be limited and monitored by the permittee as specified below and reported in accordance with condition I.C.8:

			Reclaimed Water Limitations				Monitoring Requirements			
Parameter	Units	Max/Min	Annual Average	Monthly Average	Weekly Average	Single Sample	Monitoring Frequency	Sample Type	Monitoring Location Site Number	Notes
Flow to the Public Access Reuse System R-001 <i>(Prior to the completion and placing into service the modifications)</i>	MGD	Maximum	2.0	Report	-	-	Continuous	Recording flow meters and totalizers	EFA-2	See Cond. I.B.4 & I.B.10
Flow to the Public Access Reuse System R-001 <i>(After the completion and placing into service the modifications)</i>	MGD	Maximum	6.0	Report	-	-	Continuous	Recording flow meters and totalizers	EFA-2	See Cond. I.B.4 & I.B.10
BOD, Carbonaceous 5-day, 20°C	mg/L	Maximum	20.0	30.0	45.0	60.0	Weekly <i>(Prior to the completion and placing into service of the modifications)</i>	24-hour flow proportioned composite	EFA-2	
							5 Days/wk <i>(After the completion and placing into service of the modifications)</i>			
Solids, Total Suspended	mg/L	Maximum	-	-	-	5.0	7 Days/Week	Grab	EFB-1	
Turbidity Or _____	NTU	Maximum	-	-	-	Report	Continuous	Meter	EFB-1	See Cond. I.B.7 & 8

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			Reclaimed Water Limitations				Monitoring Requirements			
Parameter	Units	Max/Min	Annual Average	Monthly Average	Weekly Average	Single Sample	Monitoring Frequency	Sample Type	Monitoring Location Site Number	Notes
TSS – Meter	mg/L	Maximum	-	-	-	Report	Continuous	Meter	EFB-1	See Cond. I.B.7 & 8
pH	s.u.	Range	-	-	-	6.0 to 8.5	Continuous	Meter	EFA-2	See Cond. I.B.3
Coliform, Fecal, % less than detection	percent	Minimum	See Permit Condition I.B.5.				Monthly	Calculation	CAL-1	
Coliform, Fecal	#/100 mL	Maximum	See Permit Condition I.B.5.				7 Days/Week	Grab	EFA-2	
Total Residual Chlorine (For Disinfection)	mg/L	Minimum	-	-	-	1.0	Continuous	Grab	EFA-2	See Cond. I.B.6 & 7
Primary Drinking Water Standards	mg/L	See Condition I.C.9					Annually	24-hour flow proportioned composite	RWS-A	
Secondary Drinking Water Standards	mg/L	See Condition I.C.9					Annually	24-hour flow proportioned composite	RWS-A	
Giardia	cysts/100 L	Maximum	See Condition I.B.11				Every Two years	Filtered	EFA-2	
Cryptosporidium	oocysts/100 L	Maximum	See Condition I.B.11				Every Two years	Filtered	EFA-2	

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

Monitoring Location Site Number	Description of Monitoring Location
EFA-2	Effluent sample point immediately after high-level disinfection.
EFB-1	Sample point immediately after filtration, and prior to disinfection.
RWS-A	Sample point (same as EFA-2) for Primary and Secondary drinking water standards.
CAL-1	Calculated Value

3. Hourly measurement of pH during the period of required operator attendance may be substituted for continuous measurement. *[Chapter 62-601, Figure 2, Footnotes 1 and 2]*
4. Recording flow meters and totalizers shall be utilized to measure flow and calibrated at least annually. *[62-601.200(17) and .500(6)]*
5. Over a 30 day period, 75 percent of the fecal coliform values (the 75th percentile value) shall be below the detection limits. Any one sample shall not exceed 25 fecal coliform values per 100 mL of sample. Any one sample shall not exceed 5.0 milligrams per liter of total suspended solids (TSS) at a point before application of the disinfectant. Note: To report the 75th percentile value, list the fecal coliform values obtained during that month in ascending order. Report the value of the sample that corresponds to the 75th percentile (multiply the number of samples by 0.75). For example, for 30 samples, report the corresponding fecal coliform value for the 23rd value of ascending order. *[62-600.440(5)(f)]*
6. The minimum total chlorine residual shall be limited as described in the approved operating protocol, such that the permit limitation for fecal coliform bacteria will be achieved. In no case shall the total chlorine residual be less than 1.0 mg/L. *[62-600.440(5)(b); 62-610.460(2), and 62-610.463(2)]*
7. Instrument for continuous on-line monitoring of total residual chlorine and turbidity or TSS-meter shall be equipped with an automated data logging or recording device. JEA shall contact DEP and obtain written approval to install or change the turbidity or TSS meter. *[62-610.463(2) and .865(8), 08-08-99]*
8. The maximum turbidity shall be limited as described in the approved operating protocol, such that the permit limitations for total suspended solids and fecal coliforms will be achieved. *[62-610.463(2)]*
9. Operation of the reclaimed water system shall be limited utilizing a continuous on-line instrument as described in the approved operating protocol, such that the permit limitations for total suspended solids and fecal coliforms (based on laboratory analytical results) will be achieved. *[62-610.463(2)]*
10. The treatment facilities shall be operated in accordance with all approved operating protocols. Only reclaimed water that meets the criteria established in the approved operating protocol may be released to system storage or to the reuse system. Reclaimed water that fails to meet the criteria in the approved operating protocol shall be directed to the St. Johns River at Outfall D-001 (Class III marine waters, WBID 2213B). The operating protocol shall be reviewed and updated periodically to ensure continuous compliance with the minimum treatment and disinfection requirements. Updated operating protocols

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shall be submitted to the Department for review and approval upon revision of the operating protocol and with each permit application. *[62-610.320(6) and 62-610.463(2)]*

11. Intervals between sampling for Giardia and Cryptosporidium shall not exceed two years. Sampling results shall be reported on DEP Form 62-610.300(4)(a)4 which is attached to this permit. This form shall be submitted to the Department and to DEP's Reuse Coordinator in Tallahassee. *[62-610.463(4)]*

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C. Other Limitations and Monitoring and Reporting Requirements

- During the period beginning on the issuance date and lasting through the expiration date of this permit, the treatment facility shall be limited and monitored by the permittee as specified below and reported in accordance with condition I.C.8 :

			Limitations				Monitoring Requirements			
Parameter	Units	Max/Min	Annual Average	Monthly Average	Weekly Average	Single Sample	Monitoring Frequency	Sample Type	Monitoring Location Site Number	Notes
Flow, Through the WWTF, <i>(Before Expansion)</i>	MGD	Maximum	20.0	Report	-	-	Daily (7days/wk)	Calculated	CAL-1	See Cond. I.C.4
Flow, Through the WWTF, <i>(After Expansion)</i>	MGD	Maximum	25.0	Report	-	-	Daily (7days/wk)	Calculated	CAL-1	See Cond. I.C.4
Percent Capacity, (TMADE/Permitted Capacity) x 100	%	Maximum	-	Report (Monthly Total)	-	-	Monthly	Calculated	CAL-1	
BOD, Carbonaceous 5-day, 20°C	mg/L	Maximum	-	Report	-	-	Daily (7days/wk)	24-hour flow proportioned composite	INF-1	See Cond. I.C.3
Solids, Total Suspended	mg/L	Maximum	-	Report	-	-	Daily (7days/wk)	24-hour flow proportioned composite	INF-1	See Cond. I.C.3

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

Monitoring Location Site Number	Description of Monitoring Location
CAL-1	Calculated value
INF-1	Influent sample point to the treatment train prior to any biological, chemical, physical treatment or dilution.

3. Influent samples shall be collected so that they do not contain digester supernatant or return activated sludge, or any other plant process recycled waters. [62-601.500(4)]
4. Flow though the WWTF is the sum of the surface water discharge from Outfall D-001(monitored at EFD-1) and the reclaimed water reused at R-001 (monitored at EFA-2).
5. Parameters which must be monitored as a result of a surface water discharge shall be analyzed using a sufficiently sensitive method in accordance with 40 CFR Part 136. Parameters which must be monitored as a result of a ground water discharge (i.e., underground injection or land application system) shall be analyzed in accordance with Chapter 62-601, F.A.C. [62-620.610(18), 3-2-00]
6. The sample collection, analytical test methods and method detection limits (MDLs) applicable to this permit 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 “Florida Department of Environmental Protection Table as Required By Rule 62-4.246(4) Testing Methods for Discharges to Surface Water” is available at <http://www.dep.state.fl.us/labs/guidance/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 a 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.

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 in accordance with 40 CFR 136. [62-4.246, 62-160]

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7. The permittee shall provide safe access points for obtaining representative influent, reclaimed water, and effluent samples which are required by this permit. [62-601.500(5)]
8. Monitoring requirements under this permit are effective on the first day of the second 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	MONITORING PERIOD	DUE DATE
Monthly or Toxicity	first day of month – last day of month	28 th day of following month
Quarterly	January 1 - March 30 April 1 – June 30 July 1 – September 30 October 1 – December 31	April 28 July 28 October 28 January 28
Semi-annual	January 1 – June 30 July 1 – December 31	July 28 January 28
Annual	January 1 – December 31	January 28

DMRs shall be submitted for each required monitoring period including months of no discharge. The permittee shall make copies of the attached DMR form(s) and 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 address specified below:

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

[62-620.610(18)][62-601.300(1),(2), and (3)]

9. During the period of operation authorized by this permit, reclaimed water or effluent shall be monitored annually for the primary and secondary drinking water standards contained in Chapter 62-550, F.A.C., (except for turbidity, total coliforms, color, and corrosivity). Twenty-four (24) hour composite samples shall be used to analyze reclaimed water or effluent for the primary and secondary drinking water standards. These monitoring results shall be reported to the Department annually on the DMR. During years when a permit is not renewed, a certification stating that no new non-domestic wastewater dischargers have been added to the collection system since the last reclaimed water or effluent analysis was conducted may be submitted in lieu of the report. The annual reclaimed water or effluent analysis report or the certification shall be completed and submitted in a timely manner so as to be received by the Department – Northeast District Office by June 28 of each year. Approved analytical methods identified in Rule 62-620.100(3)(i), F.A.C., shall be used for the analysis. If no method is included for a parameter, methods specified in Chapter 62-550, F.A.C., shall be used. [62-601.300(4)][62-601.500(3)][62-610.300(4)]
10. The permittee shall submit an Annual Reuse Report using DEP Form 62-610.300(4)(a)2. on or before January 1 of each year. [62-610.870(3)]

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11. The permittee shall maintain an inventory of storage systems. The inventory shall be submitted to the Department at least 30 days before reclaimed water will be introduced into any new storage system. The inventory of storage systems shall be attached to the annual submittal of the Annual Reuse Report. [62-610.464(5)]
12. 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 Northeast District Office at the address specified below:

Northeast District Office
7825 Baymeadows Way
Suite B-200
Jacksonville, Florida 32256-7590

Phone Number - 904-807-3300
FAX Number - 904-448-4366

All FAX copies shall be followed by original copies. All reports and other information shall be signed in accordance with the requirements of Rule 62-620.305, F.A.C. [62-620.305]

II. RESIDUALS MANAGEMENT REQUIREMENTS

1. The method of residuals use or disposal by this facility is pumped or transport to the JEA Buckman RMF for further treatment and final disposal or disposal in a Class I or II solid waste landfill.
2. The permittee shall be responsible for proper treatment, management, use, and land application or disposal of its residuals. [62-640.300(5)]
3. The permittee shall not be held responsible for treatment, management, use, or land application violations that occur after its residuals have been accepted by a permitted residuals management facility with which the source facility has an agreement in accordance with Rule 62-640.880(1)(c), F.A.C., for further treatment, management, use or land application. [62-640.300(5)]
4. Disposal of residuals, septage, and other solids in a solid waste landfill, or disposal by placement on land for purposes other than soil conditioning or fertilization, such as at a monofill, surface impoundment, waste pile, or dedicated site, shall be in accordance with Chapter 62-701, F.A.C. [62-640.100(6)(k)3 & 4]
5. If the permittee intends to accept residuals from other facilities, a permit revision is required pursuant to Rule 62-640.880(2)(d), F.A.C. [62-640.880(2)(d)]
6. The permittee shall keep hauling records to track the transport of residuals between facilities. The hauling records shall contain the following information:

<i>Source Facility</i>		<i>Residuals Management Facility or Treatment Facility</i>	
1.	Date and Time Shipped	1.	Date and Time Received
2.	Amount of Residuals Shipped	2.	Amount of Residuals Received
3.	Degree of Treatment (if applicable)	3.	Name and ID Number of Source Facility
4.	Name and ID Number of Residuals	4.	Signature of Hauler

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Management Facility or Treatment
Facility

5. Signature of Responsible Party at Residuals
Management Facility or Treatment Facility

These records shall be kept for five years and shall be made available for inspection upon request by the Department. A copy of the hauling records information maintained by the source facility shall be provided upon delivery of the residuals to the residuals management facility or treatment facility. The permittee shall report to the Department within 24 hours of discovery any discrepancy in the quantity of residuals leaving the source facility and arriving at the residuals management facility or treatment facility. [62-640.880(4)]

7. Storage of residuals or other solids at the permitted facility shall require prior written notification to the Department. [62-640.300(4)]

III. GROUND WATER REQUIREMENTS

Construction Requirements

1. Within 30 days after installation of a new monitoring well, the permittee shall submit to the Department's Northeast District Office detailed information on the well's location and construction on the attached DEP Form(s) 62-522.900(3), Monitor Well Completion Report. [62-522.600]

Operational Requirements

2. For the Part III Public Access system, all ground water quality criteria specified in Chapter 62-520, F.A.C., shall be met at the edge of the zone of discharge. For major users of reclaimed water (i.e., using 0.1 MGD or more), the zone of discharge shall extend horizontally 100 feet from the application site or to user's site property line, whichever is less, and vertically to the base of the surficial aquifer. For other users, the zone of discharge shall extend horizontally to the boundary of the general service area identified in the attached map and vertically to the base of the surficial aquifer. [62-520.200(23)] [62-522.400 and 62-522.410]
3. The ground water minimum criteria specified in Rule 62-520.400 F.A.C., shall be met within the zone of discharge. [62-520.400 and 62-520.420(4)]
4. The permittee shall sample ground water in accordance with this permit and the approved ground water monitoring plan prepared in accordance with Rule 62-522.600, F.A.C. [62-522.600(3) and (5)].
5. The following monitoring wells shall be sampled in accordance with the monitoring frequencies specified in Permit Condition III.6. for Reuse System R-001. Quarterly sampling must be reasonably spaced to be representative of potentially changing conditions.

Monitoring Well ID	Alternate Well Name and/or Description of Monitoring Location	Depth (Feet)	Aquifer Monitored	New or Existing
MWB-1	Mill Cove G.C. on east side of Derringer Road	13	Surficial	existing
MWC-2	Mill Cove G.C. along north side of receiving pond	13	Surficial	existing
MWC-3	Mill Cove G.C. along north side of receiving pond	13	Surficial	existing

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MWB = Background; MWI = Intermediate; MWC = Compliance

[62-522.600][62-610.463]



6. The following parameters shall be analyzed for each of the monitoring well(s) identified in Permit Condition(s) III. 5:

Parameter	Compliance Well Limit	Units	Sample Type	Monitoring Frequency
Water Level Relative to NGVD	Report	FEET	In-situ	Quarterly
Solids, Total Dissolved (TDS)	500	MG/L	Grab	Quarterly
Chloride (as Cl)	250	MG/L	Grab	Quarterly
Coliform, Fecal	4	#/100ML	Grab	Quarterly
pH	6.5 to 8.5	SU	In-situ	Quarterly
Sulfate, Total	250	MG/L	Grab	Quarterly
Turbidity	Report	NTU	Grab	Quarterly
Arsenic, Total Recoverable	10	UG/L	Grab	Quarterly
Nitrite plus Nitrate (as N)	10	MG/L	Grab	Quarterly

[62-522.600(11)(b)] [62-601.300(3), 62-601.700, and Figure 3 of 62-601][62-601.300(6)] [62-520.300(9)]

7. If the concentration for any constituent listed in Permit Condition III. 6. in the natural background quality of the ground water is greater than the stated maximum, or in the case of pH is also less than the minimum, the representative natural background quality shall be the prevailing standard. [62-520.420(2)]

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8. In accordance with Part D of Form 62-620.910(10), water levels shall be recorded before evacuating wells for sample collection. Elevation references shall include the top of the well casing and land surface at each well site (NGVD allowable) at a precision of plus or minus 0.01 foot. [62-610.463(3)(a),]
9. Ground water monitoring wells shall be purged prior to sampling to obtain representative samples. [62-601.700(5)]
10. Analyses shall be conducted on unfiltered samples, unless filtered samples have been approved by the Department's Northeast District Office as being more representative of ground water conditions. [62-520.300(9)]
11. Ground water monitoring parameters shall be analyzed in accordance with Chapter 62-601, F.A.C. [62-620.610(18)]
12. Ground water monitoring test results shall be submitted on Part D of Form 62-620.910(10), in accordance with the following schedule. [62-522.600(10) and (11)(b)] [62-601.300(3), 62.601.700, and Figure 3 of 62-601] [62-620.610(18)]

SAMPLE PERIOD	REPORT DUE DATE
January - March	April 28
April - June	July 28
July - September	October 28
October - December	January 28

13. If any monitoring well becomes damaged or cannot be sampled for some reason, the permittee shall notify the Department's Northeast District Office immediately and a written report shall follow within seven days detailing the circumstances and remedial measures taken or proposed. Repair or replacement of monitoring wells shall be approved in advance by the Department's Northeast District Office. [62-522.600][62-4.070(3)]
14. The Permittee shall provide verbal notice to the Department's Northeast District Office as soon as practical after discovery of a sinkhole within an area for the management or application of wastewater, wastewater residuals (sludges), or reclaimed water. The Permittee shall immediately implement measures appropriate to control the entry of contaminants, and shall detail these measures to the Department's Northeast District Office in a written report within 7 days of the sinkhole discovery. [62-4.070(3)]
15. All piezometers and wells not part of the approved ground water monitoring plan are to be plugged and abandoned in accordance with Rule 62-532.500(4), F.A.C., unless there is intent for their future use. [62-532.500(4)]

IV. ADDITIONAL REUSE AND LAND APPLICATION REQUIREMENTS

Part III Public Access System(s) (R-001)

1. Cross-connections to the potable water system are prohibited. [62-610.469(7)]
2. A cross-connection control program shall be implemented and/or remain in effect within the areas where reclaimed water will be provided for use. [62-610.469(7)]

3. If a cross-connection between the potable and reclaimed water systems is discovered, the permittee shall:
 - a. Immediately discontinue potable water and/or reclaimed water service to the affected area.
 - b. If the potable water system is contaminated, clear the potable water lines.
 - c. Eliminate the cross-connection.
 - d. Test the affected area for other possible cross-connections.
 - e. Within 24 hours, notify the Northeast District Office's domestic wastewater and drinking water programs, and the Duval County Health Department's drinking water program.
 - f. Within 5 days of discovery of a cross-connection, submit a written report to the Department detailing: a description of the cross-connection, how the cross-connection was discovered, the exact date and time of discovery, approximate time that the cross-connection existed, the location, the cause, steps taken to eliminate the cross-connection, whether reclaimed water was consumed, and reports of possible illness, whether the drinking water system was contaminated and the steps taken to clear the drinking water system, when the cross-connection was eliminated, plan of action for testing for other possible cross-connections in the area, and an evaluation of the cross-connection control and inspection program to ensure that future cross-connections do not occur. *[62-555.350(3) and 62-555.360, 9-22-99][62-620.610(20)]*
4. Maximum obtainable separation of reclaimed water lines and potable water lines shall be provided and the minimum separation distances specified in Rule 62-610.469(7), F.A.C., shall be provided. Reuse facilities shall be color coded or marked. Underground piping which is not manufactured of metal or concrete shall be color coded using Pantone Purple 522C using light stable colorants. Underground metal and concrete pipe shall be color coded or marked using purple as the predominant color. *[62-610.469(7)]*
5. In constructing reclaimed water distribution piping, the permittee shall maintain a 75-foot setback distance from a reclaimed water transmission facility to public water supply wells. No setback distances are required to other potable water supply wells or to any non-potable water supply wells. *[62-610.471(3)]*
6. A setback distance of 75 feet shall be maintained between the edge of the wetted area and potable water supply wells, unless the utility adopts and enforces an ordinance prohibiting potable water supply wells within the reuse service area. No setback distances are required to any non-potable water supply well, to any surface water, to any developed areas, or to any private swimming pools, hot tubs, spas, saunas, picnic tables, barbecue pits, or barbecue grills. *[62-610.471(1), (2), (5), and (7)]*
7. Reclaimed water shall not be used to fill swimming pools, hot tubs, or wading pools. *[62-610.469(4)]*
8. Low trajectory nozzles, or other means to minimize aerosol formation shall be used within 100 feet from outdoor public eating, drinking, or bathing facilities. *[62-610.471(6)]*
9. A setback distance of 100 feet shall be maintained from indoor aesthetic features using reclaimed water to adjacent indoor public eating and drinking facilities. *[62-610.471(8)]*

10. The public shall be notified of the use of reclaimed water. This shall be accomplished by posting of advisory signs in areas where reuse is practiced, notes on scorecards, or other methods. [62-610.468(2)]
11. All advisory signs and labels on vaults, service boxes, or compartments that house hose bibbs along with all labels on hose bibbs, valves, and outlets shall bear the words “do not drink” and “no beber” along with the equivalent standard international symbol. In addition to the words “do not drink” and “no beber,” advisory signs posted at storage ponds and decorative water features shall also bear the words “do not swim” and “no nadar” along with the equivalent standard international symbols. [62-610.468 & .469]
12. The permittee shall ensure that users of reclaimed water are informed about the origin, nature, and characteristics of reclaimed water; the manner in which reclaimed water can be safely used; and limitations on the use of reclaimed water. Notification is required at the time of initial connection to the reclaimed water distribution system and annually after the reuse system is placed into operation. A description of on-going public notification activities shall be included in the Annual Reuse Report. [62-610.468(6)]
13. Routine aquatic weed control and regular maintenance of storage pond embankments and access areas are required. [62-610.414 and 62-610.464]
14. Overflows from emergency discharge facilities on storage ponds shall be reported as an abnormal event to the Department's Northeast District Office within 24 hours of an occurrence. The provisions of Rule 62-610.800(9), F.A.C., shall be met. [62-610.800(9)]

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(n) operator(s) certified in accordance with Chapter 62-602, F.A.C. In accordance with Chapter 62-699, F.A.C., this facility is a Category II, Class A facility and, at a minimum, operators with appropriate certification must be on the site as follows:

A Class C or higher operator 24 hours/day for 7 days/week. The lead operator must be a Class A.
[62-620.630(3)] [62-699.310] [62-610.462]

2. The lead operator shall be employed at the plant full time. “Full Time” shall mean at least 4 days per week, working a minimum of 35 hours per week, including leave time. A certified operator shall be on-site and in charge of each required shift and for periods of required staffing time when the lead operator is not on-site. An operator meeting the lead operator classification level of the plant shall be available during all periods of plant operation. “Available” means able to be contacted as needed to initiate the appropriate action in a timely manner. [62-699.311(10), (5) and (1)]
3. An updated capacity analysis report shall be submitted to the Department annually by January 1 of each year. The updated capacity analysis report shall be prepared in accordance with Rule 62-600.405, F.A.C. JEA will review reuse of reclaimed water and capacity analysis for this facility. JEA will provide an annual report for reuse of reclaimed water, capacity analysis and review flow diversion impacts to reclaimed water distribution and on collection/transmission systems (**see Section VI of this permit**). [62-600.405(5)]
4. The application to renew this permit shall include a detailed operation and maintenance performance report prepared in accordance with Rule 62-600.735, F.A.C. [62-600.735(1)]

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5. 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 and 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 were 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 were filed;
 - d. Monitoring information, including a copy of the laboratory certification showing the laboratory certification number, related to the residuals use and disposal activities for the time period set forth in Chapter 62-640, F.A.C., for at least three years from the date of sampling or measurement;
 - e. A copy of the current permit;
 - f. A copy of the current operation and maintenance manual as required by Chapter 62-600, F.A.C.;
 - g. A copy of the facility record drawings;
 - h. Copies of the licenses of the current certified operators; and
 - i. Copies of the logs and schedules showing plant operations and equipment maintenance for three years from the date of the logs or schedules. The logs shall, at a minimum, include identification of the plant; the signature and certification number of the operator(s) and the signature of the person(s) making any entries; date and time in and out; specific operation and maintenance activities; tests performed and samples taken; and major repairs made. The logs shall be maintained on-site in a location accessible to 24-hour inspection, protected from weather damage, and current to the last operation and maintenance performed. [62-620.350]

VI. SCHEDULES

1. In accordance with sections 403.088(2)(e) and (f), Florida Statutes, a compliance schedule for this facility is contained in Administrative Order AO-110 which is hereby incorporated by reference.
2. The following construction schedule for the facility shall be followed, unless a minor permit revision is issued to amend the schedule:

Implementation Step		Completion Date
1	Begin construction	June 1, 2008
2	End Construction and submit notification to the DEP.	February 1, 2011

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Implementation Step		Completion Date
3	Provide an initial report concerning the integrity of the outfall and determine and propose an evaluation and analysis method. The initial report will be submitted to DEP within one year from permit issuance. Then, annual reports will be submitted to indicate the status of the outfall line.	July 1, 2011
4	Operation level attained.	July 1, 2012
5	Submit notification and availability of Operation and Maintenance Manuals to the DEP.	February 1, 2013

[62-620.400]

2. Prior to placing the new construction into operation or any individual unit processes into operation, for any purpose other than testing for leaks and equipment operation, the permittee shall complete and submit to the Department DEP Form 62-620.910(12), Notification of Completion of Construction for Domestic Wastewater Facilities. [62-620.630(2)]
3. Within six months after a facility is placed in operation, the permittee shall provide written certification to the Department on Form 62-620.910(13) that record drawings pursuant to Chapter 62-600, F.A.C., and that an operation and maintenance manual pursuant to Chapters 62-600 and 62-610, F.A.C., as applicable, are available at the location specified on the form. [62-620.630(7)]

VII. INDUSTRIAL PRETREATMENT PROGRAM REQUIREMENTS

The industrial pretreatment requirements for this facility are covered by the Buckman WWTF, FL0026000 pretreatment program.

VIII. REOPENER CLAUSE

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:

Contains different conditions or is otherwise more stringent than any condition in the permit/or;

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, or other information show a need for a different limitation or monitoring requirement.

IX. OTHER SPECIFIC CONDITIONS

1. Prior to placing the modified portions of the existing facilities into operation or any individual unit processes into operation, for any purpose other than testing for leaks and equipment operation, the permittee shall complete and submit to the Department DEP Form 62-620.910(12), Notification of Completion of Construction for Domestic Wastewater Facilities. [62-620.630(2)]
2. The newly constructed Part III reuse system shall not be placed in service for any purpose without written approval from the Department. For projects identified in the permit as being constructed in phases, written permission is only required for the first phase. Application for approval shall be made to the Department on DEP Form 62-610.300(4)(a)3, Application for Permission to Place a Public Access Reuse System in Operation. [62-610.800(7)]
3. Within six months after a facility is placed in operation, the permittee shall provide written certification to the Department on Form 62-620.910(13) that record drawings pursuant to Chapter 62-600, F.A.C., and that an operation and maintenance manual pursuant to Chapters 62-600 and 62-610, F.A.C., as applicable, are available at the location specified on the form. [62-620.630(7)]
4. 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, using Department Forms 62-620.910(1) and (2), no later than one-hundred and eighty days (180) prior to the expiration date of this permit. [62-620.410(5)]
5. Florida water quality criteria and standards shall not be violated as a result of any discharge or land application of reclaimed water or residuals from this facility. [62-620.320(9) and 62-302.500(2)(e)][62-610.850(1)(a) and (2)(a)]
6. In the event that the treatment facilities or equipment no longer function as intended, are no longer safe in terms of public health and safety, or odor, noise, aerosol drift, or lighting adversely affects neighboring developed areas at the levels prohibited by Rule 62-600.400(2)(a), F.A.C., corrective action (which may include additional maintenance or modifications of the permitted facilities) shall be taken by the permittee. Other corrective action may be required to ensure compliance with rules of the Department. Additionally, the treatment, management, use or land application of residuals shall not cause a violation of the odor prohibition in Rule 62-296.320(2), F.A.C. [62-600.410(8) and 62-640.400(6)]
7. The deliberate introduction of stormwater in any amount into collection/transmission systems designed solely for the introduction (and conveyance) of domestic/industrial wastewater; or the deliberate introduction of stormwater into collection/transmission systems designed for the introduction or conveyance of combinations of storm and domestic/industrial wastewater in amounts which may reduce the efficiency of pollutant removal by the treatment plant is prohibited, except as provided by Rule 62-610.472, F.A.C. [62-604.130(3)]
8. Collection/transmission system overflows shall be reported to the Department in accordance with Permit Condition X. 20. [62-604.550] [62-620.610(20)]
9. The operating authority of a collection/transmission system and the permittee of a treatment plant are prohibited from accepting connections of wastewater discharges which have not received necessary pretreatment or which contain materials or pollutants (other than normal domestic wastewater constituents):
 - a. Which may cause fire or explosion hazards; or
 - b. Which may cause excessive corrosion or other deterioration of wastewater facilities due to chemical action or pH levels; or

- c. Which are solid or viscous and obstruct flow or otherwise interfere with wastewater facility operations or treatment; or
 - d. Which result in treatment plant discharges having temperatures above 40°C. [62-604.130(4)]
10. The treatment facility, storage ponds, rapid infiltration basins, and/or infiltration trenches shall be enclosed with a fence or otherwise provided with features to discourage the entry of animals and unauthorized persons. [62-600.400(2)(b)]
11. Screenings and grit removed from the wastewater facilities shall be collected in suitable containers and hauled to a Department approved Class I landfill or to a landfill approved by the Department for receipt/disposal of screenings and grit. [62-701.300(1)(a)]
12. In accordance with Jacksonville Environmental Protection Board (JEPB) Rule 3.409C.2., the Master Plan for Regional Sewerage Development for the Arlington East Wastewater Treatment Facility Certificated Area of Service shall be updated no less than once every two years, and submitted to Jacksonville Regulatory and Environmental Services Department (RES-D), Air and Water Quality Division (AWQD), 117 West Duval Street, Suite 225, Jacksonville, Florida 32202-4111. The Master Plan shall address the requirements of JEPB Rule 3.409C.3

X. 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 deviations from the approved drawings, exhibits, specifications or conditions of this permit constitute grounds for revocation and enforcement action by the Department Northeast. [62-620.610(2)]
3. As provided in Subsection 403.087(6), 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 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 Northeast 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 Northeast may be used by the Department Northeast 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, Florida Statutes, or Rule 62-620.302, Florida Administrative Code. 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 Northeast, 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 Northeast 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 Northeast, such facts or information shall be promptly submitted or corrections promptly reported to the Department. [62-620.610(11)]

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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)]
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 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, 62-620.420 or 62-620.450, F.A.C., as applicable, at least 90 days before construction of any planned substantial modifications to the permitted facility is to commence or with Rule 62-620.300 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 Northeast 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, Chapters 62-160 and 62-601, 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).
 - 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. Any laboratory test required by this permit for domestic wastewater facilities shall be performed by a laboratory that has been certified by the Department of Health (DOH) under Chapter 64E1, F.A.C., to perform the test. On-site tests for dissolved oxygen, pH, and total chlorine residual shall be performed by a laboratory certified to test for those parameters or under the direction of an operator certified under Chapter 62-602, F.A.C.
 - e. Under Chapter 62-160, F.A.C., sample collection shall be performed by following the protocols outlined in “DER Standard Operating Procedures for Laboratory Operations and Sample Collection Activities” (DER-QA-001/92). Alternatively, sample collection may be performed by an organization that has an approved Comprehensive Quality Assurance Plan (CompQAP) on file with the Department. The CompQAP shall be approved for collection of samples from the required matrices and for the required tests. 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 any noncompliance which may endanger health or the environment. Any information shall be provided orally within 24 hours from the time the permittee becomes 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. For releases or spills of treated or untreated wastewater, unless authorized elsewhere in this permit, oral notifications as required above shall be provided using the following procedures:
 1. For unauthorized releases or spills in excess of 1,000 gallons per incident, or where public health or the environment may be endangered, 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.

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- 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.
 - j) Other persons or agencies contacted.
2. For unauthorized releases or spills of 1,000 gallons or less, per incident, oral reports shall be provided to the Department within 24 hours from the time the permittee becomes aware of the discharge.
- 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 shall waive the written report. [62-620.610(20)]
21. The permittee shall report all instances of noncompliance not reported under Permit Conditions IX. 18. and 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 is prohibited, and the Department Northeast 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 X. 22. b. of this permit.
 - b. 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

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corrected, the anticipated time it is expected to continue; and the steps taken or planned to reduce, eliminate, and prevent recurrence of the bypass.

- c. 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 X. 22. a. 1. through 3. of this permit.
- d. 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 X. 22. a. through c. of this permit. [62-620.610(22)]

23. Upset Provisions

- a. 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 X. 20. of this permit; and
 - 4. The permittee complied with any remedial measures required under Permit Condition X. 5. of this permit.
- b. In any enforcement proceeding, the permittee seeking to establish the occurrence of an upset has the burden of proof.
- c. Before an enforcement proceeding is instituted, no representation made during the Department Northeast 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 Jacksonville, Florida.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION



Melissa M. Long, P.E.
Water Facilities Administrator

DATE: May 6, 2009