



Department of Environmental Protection

Jeb Bush
Governor

South District
P.O. Box 2549
Fort Myers, Florida 33902-2549

Colleen M. Castille
Secretary

STATE OF FLORIDA DOMESTIC WASTEWATER FACILITY PERMIT

PERMITTEE:

City of Fort Myers

PERMIT NUMBER: FL0021270 (Major)
PA FILE NUMBER: FL0021270-010-DW1P
ISSUANCE DATE: July 13, 2006
EXPIRATION DATE: July 12, 2011

RESPONSIBLE AUTHORITY:

Mr. Albert Abdo, Jr.
Public Works Director
P.O. Drawer 2217
Fort Myers, FL 33902

(239) 332-6854

FACILITY:

City of Fort Myers South WWTP
1618 South Drive
Fort Myers, FL 33907
Lee County
Latitude: 26° 35' 16" N Longitude: 81° 51' 44" W

This permit is issued under the provisions of Chapter 403, Florida Statutes, and applicable rules of the Florida Administrative Code and constitutes authorization to discharge to waters of the state under the National Pollutant Discharge Elimination System. This permit is accompanied by an Administrative Order, pursuant to paragraphs 403.088(2)(e) and (f), Florida Statutes. Compliance with Administrative Order, AO-042-SD is a specific requirement of this permit. The above named permittee is hereby authorized to operate and construct substantial modification to the facilities shown on the application and other documents attached hereto or on file with the Department and made a part hereof and specifically described as follows:

TREATMENT FACILITIES:

Operate an existing 12.0 mgd annual average daily flow (AADF) Bardenpho process domestic wastewater treatment plant consisting of influent screening, grit removal, fermentation, first anoxic, aeration, second anoxic, reaeration, secondary clarification, chemical feed, chlorination, and dechlorination for the surface water discharge. A substantial modification to this facility for the production of 9.0 MGD annual average daily flow, AADF, reuse quality water is projected during this permit cycle and consists of constructing and installing three new disk filters with associated backwash pumps, automatic valves, two new disinfection contact basins for high level disinfection, two new 5 mg covered reuse storage tanks, four new transfer pumps to pump reuse water to the storage tanks and four new high service pumps (variable frequency drives) to pump into the distribution system. Residuals handling includes aerobic digestion and belt press thickening with residuals disposed of in accordance with Part II of this permit.

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DISPOSAL:

Surface Water Discharge: An existing 12.0 MGD monthly average daily flow (MADF) permitted discharge to Caloosahatchee River Estuary (Class III marine waters) at Discharge Location (D-001) which is a 48 inch diameter line from the plant and approximately 1760 feet in length from the shoreline and discharges at a depth of approximately 19.8 feet. The point of discharge is located approximately at latitude 26 ° 35' 35" N, longitude 81 ° 54' 15" W.

REUSE:

Land Application:

The reuse distribution service area is currently defined as that identified in permit number FL0021261 for the Fort Myers Central WWTP. At this time, the City of Fort Myers South wastewater treatment facility does not have treatment capability to produce public access reuse quality water. It also does not have the ability to distribute reuse quality water to the irrigation distribution system.

IN ACCORDANCE WITH: The limitations, monitoring requirements and other conditions set forth in Pages 1 through 31 of this permit.

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I. RECLAIMED WATER AND 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 effluent from Outfall D-001 to the Caloosahatchee River Estuary. 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	MGD	Report		12.0	-	-	Continuous	Recording flow meters and totalizers	FLW-1,FLW-2 & CAL-1	See Cond.I.A.4
BOD, Carbonaceous 5 day, 20C	MG/L	Maximum	20.0	25.0	40.0	60.0	5 Days/Week	24-hour flow proportioned composite	EFD-01	
Solids, Total Suspended	MG/L	Maximum	20.0	30.0	45.0	60.0	5 Days/Week	24-hour flow proportioned composite	EFD-01	
pH	SU	Range	-	-	-	6.5 to 8.5	Continuous	Meter	EFA-01	See Cond.I.A.3
Coliform, Fecal	#/100ML	Maximum	See Permit Condition I.A.5.				5 Days/Week	Grab	EFA-01	
Total Residual Chlorine (For Disinfection)	MG/L	Minimum	-	-	-	0.5	Continuous	Meter	EFA-01	See Cond.I.A.3, 6
Total Residual Chlorine (For Dechlorination)	MG/L	Maximum	-	-	-	0.01	Daily	Grab	EFD-01	
Nitrogen, Total (as N)	MG/L	Maximum	3.0	3.0	4.5	6.0	5 Days/Week	24-hour flow proportioned composite	EFD-01	
Phosphorus, Total (as P)	MG/L	Maximum	0.5	0.5	0.75	1.0	5 Days/Week	24-hour flow proportioned composite	EFD-01	
Oxygen, Dissolved (DO)	MG/L	Minimum	5.0 Daily Average			4.0	Daily	Grab	EFD-01	See Cond.I.A.7.
Enterococci	#/100ml	Maximum	-	35.0	-	-	5/month	Grab	EFD-01	See Cond.I.A.17
Whole Effluent Toxicity	See Permit Condition I.A.13								EFD-01	

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

Monitoring Location Site Number	Description of Monitoring Location
EFA-01	At slide gate No. 3 after disinfection.
EFD-01	At slide gate No. 4 downstream of sodium bisulfite addition and pumped to a flow proportioned sampler.
FLW-1	Ultrasonic flow meter (1), at chlorine contact basin 1. Measures, totalizes and records flows through chlorine contact chamber basin one.
FLW-2	Ultrasonic flow meter (2), at chlorine contact basin 2. Measures, totalizes and records flows through chlorine contact chamber 2.
CAL-1	Total of FLW-1 and FLW-2 calculated at the PLC.

3. Hourly measurement of pH and total residual chlorine for disinfection during the period of required operator attendance may be substituted for continuous measurement. The pH values shall not deviate outside the required range more than 7 hours and 26 minutes in any calendar month and no individual excursion shall exceed 60 minutes. An "excursion" is an unintentional and temporary incident in which the pH value of discharge wastewater exceeds the range set forth in this permit. [Chapter 62-601, Figure 2, 40 CFR, Part 401.17] Recording flow meters and totalizers shall be utilized to measure flow and calibrated at least annually. [62-601.200(17) and .500(6)]
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. 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)]
6. 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)]
7. In predominantly marine waters, the discharge concentration of the Dissolved Oxygen shall not average less than 5.0 milligrams per liter (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 in both predominantly fresh waters and predominantly marine waters, in accordance with F.A.C. Rule 62-302.530(31).
8. Florida water quality criteria and standards shall not be violated as a result of the discharge. [Chapter 62-600.500]
9. The SO₂ feed rate shall be monitored daily to assure other water quality parameters such as D.O. are not violated in accordance with Chapter 62-302, F.A.C. [62-620.620(3), 62-4.070(1) & (3)]
10. There shall be no discharge of floating solids or visible foam in other than trace amounts. [62-620.620(3), 62-4.070(1) & (3)]
11. The effluent shall not cause a visible sheen on the receiving water. [62-620.620(3), 62-4.070(1) & (3)]

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12. Testing for total residual chlorine (TRC) after dechlorination shall be conducted according to either the low-level amperometric titration method, or the DPD colorimetric method or the iodometric electrode method as specified in Section 4500-C1 E., 4500-C1 G. or 4500-C1 I, respectively, Standard Methods for the Examination of Water and Wastewater, 18th or most recent Edition. [62-620.620(3), 62-601.400]
13. The permittee shall comply with the following requirements to evaluate acute whole effluent toxicity of the discharge from outfall EFD-01.
 - a. Effluent limitation
 - (1) Whole effluent acute toxicity shall not exceed in any “routine” or in any “additional follow-up” test an LC50 of less than 100% effluent. [Rule 62-302.200(1), Rule 62-302.500(1)(a)4., and Rule 62-4.244(3)(a), F.A.C.]
 - b. Monitoring frequency
 - (1) “Routine” toxicity tests shall be conducted once every six months lasting for the duration of this permit unless notified otherwise in writing by the Department. The initial testing shall be due with the permittee’s current six month sample and testing sequence for toxicity.
 - c. Test Requirements:
 - (1) Routine Tests: All routine tests shall be conducted using a control (0% effluent) and a minimum of five dilutions: **100%, 50%, 25%, 12.5% and 6.25%** effluent
 - (2) Additional Follow-up Tests, if required:
 - (a) If a routine test does not meet the acute toxicity limitation in 1.a. (1) above, the permittee shall conduct two additional follow-up tests on each species that failed the test.
 - (b) The first and second 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. All test results shall be statistically analyzed according to the Appendices in EPA-821-R-02-012.
 - (c) The first test shall be initiated within two weeks of the end of the failed routine test. The remaining additional follow-up test shall be conducted weekly thereafter until a total of two valid additional follow-up tests are completed.
 - (3) **Freshwater Discharges:** When the effluent salinity is < 1.0 ppt, the permittee shall conduct 96-hour acute static renewal multi-concentration toxicity tests using the daphnid, **Ceriodaphnia dubia**, and the bannerfin shiner, **Cyprinella leedsii**, concurrently.
 - (4) **Saltwater Discharges:** When the effluent salinity is ≥ 1.0 ppt, the permittee shall conduct 96-hour acute static renewal toxicity tests using the mysid, **Americamysis (Mysidopsis) bahia**, and the inland silverside, **Menidia beryllina**, concurrent.
 - (5) All test species, procedures and quality assurance criteria used shall be in accordance with Methods for Measuring Acute Toxicity of Effluents and Receiving Waters to Freshwater and Marine Organisms, 5th edition, EPA-821-R-02-012. 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 acute toxicity testing in accordance with the revised method.
 - (6) **Freshwater Discharges:** The control water and dilution water used will be moderately hard water as described in the EPA-821-R-02-012, Table 7, or the most current edition.
 - (7) **Saltwater Discharges:** The control water and dilution water used shall be artificial seawater and diluted to the test salinity as described in EPA-821-R-02-012, Section 7.2.4. The test salinity shall be determined as follows:
 - (a) When the salinity of the effluent is between 1 and 7 parts per thousand (ppt), the following salinity adjustment shall be used. For the **A. bahia** bioassays, the effluent and the control (0% effluent) shall be adjusted to a salinity of 6-7 ppt for the 100% effluent test using artificial sea salts. No salinity adjustment shall be done for the **Menidia beryllina** bioassay test. The salinity of the control/ dilution water shall match the test salinity of the effluent.

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- (b) When the salinity of the effluent is greater than 7 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 test salinity of the effluent.

d. Sampling Requirements

- (1) Routine tests shall be conducted on four separate grab samples collected at evenly-spaced (6-hr) intervals over a 24-hour period and used in four separate tests in order to catch any peaks of toxicity and to account for daily variations in effluent quality. If the duration of the discharge is less than 24-hours, the duration of discharge shall be documented on the chain of custody.
- (2) For additional follow-up tests, the first test shall be conducted on four separate grab samples collected at evenly-spaced (6-hr) intervals over a 24-hour period. Each sample shall be run as a separate test. The second additional follow-up test shall be run on a single grab sample collected on the day and time when the greatest toxicity was identified in the first additional follow-up test. If toxicity was not identified in the first additional follow-up test, the second additional follow-up test shall be run on a single grab sample collected on the day and time when the greatest toxicity was identified in the routine test. Results for each additional test shall include the determination of LC50 values with 95% confidence limits.

e. Quality Assurance Requirements

- (1) A standard reference toxicant (SRT) quality assurance (QA) acute toxicity test shall be conducted with each species used in the required toxicity tests either concurrently or started no more than 30 days before the date of each routine or additional follow-up test conducted. The 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 10% for either species in any test, the test for that species (including the control) shall be invalidated and the test repeated.
- (3) If during any routine separate grab sample test, 100% mortality occurs prior to the end of the test and control mortality is less than 10% at that time, that test (including the control) shall be terminated with the conclusion that the test fails and constitutes non-compliance.
- (4) Additional follow-up tests shall be evaluated for acceptability based on the concentration-response relationship as required by EPA-821-R-02-012, Section 12.2.6.2. and included with the bioassay reports.

f. Reporting Requirements

- (1) Results from all required tests shall be reported on the Discharge Monitoring Report (DMR) as follows:
 - (a) Routine Test Results: If an LC50 > 100% effluent occurs in all four separate grab sample tests for the test species, ">100%" should be entered on the DMR for that test species. If in any of the four separate grab sample tests for the test species a LC50 < 100% effluent occurs, the lowest calculated LC50 effluent concentration shall be entered on the DMR for that test species.
 - (b) Additional Follow-up Test Results: Report the calculated LC50 value for that test species and the 95% confidence limits.
- (2) A bioassay laboratory report for the routine test shall be prepared according to EPA-821-R-02-012, Section 12, Report Preparation and Test Review and mailed to the Department at the address below within 30 days of the completion of the test.
- (3) For additional follow-up tests, a single bioassay laboratory report shall be prepared according to EPA-821-R-02-012, Section 12, and mailed within 45 days of completion of the second valid additional follow-up test. If any additional follow-up tests, or two consecutive routine tests, do not meet the effluent limitation specified in 1.a. (1) above, the permittee shall contact with the Department within 30 days of the laboratory report submittal to discuss the corrective actions necessary to remedy the observed acute toxicity.

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- (4) All bioassay reports shall be sent to:
 Florida Department of Environmental Protection
 South District
 P O Box 2549
 Ft. Myers, Florida 33902-2549

14. During the period beginning on the issuance date and lasting through the expiration date of this permit, the permittee is authorized to discharge effluent from Outfall D-001 to Caloosahatchee River Estuary. Such discharge shall be limited and monitored by the permittee as specified below:

			Mass Limitations	Monitoring location No.
Parameter	Units	Max/Min	30 Day Average	Monitoring Location No.
Carbonaceous Biochemical Oxygen Demand (5 day)	lbs./day	Maximum	2504.0	EFD-01
Total Suspended Solids	lbs./day	Maximum	3004.0	EFD-01
Total Nitrogen (as N)	lbs./day	Maximum	300.0	EFD-01
Total Phosphorus (as P)	lbs./day	Maximum	50.0	EFD-01

Note: Monthly mass limitations are in maximum pounds per day based on a 30 day month. The mass limitations shall not be exceeded for any continuous 30 day period. The mass limitations are based on a flow rate of 12.0 mgd and the monthly concentrations specified in specific condition No. I.A.1. of this permit. The facility shall also meet the concentration limitations specified in specific condition No. I.A.1. of this permit. [62-650, 62-620.620(3), 62-4.070(1) & (3)]

15. In the future, should the Department establish a total maximum daily load (TMDL) for the Caloosahatchee River Estuary that is more stringent than the limitations specified in this permit, the Department may revise this permit and the current effluent limitations. [62-4.070(1) & (3)]
16. In addition to the specified limits, the monthly average effluent CBOD₅ and TSS concentrations shall not exceed 15% of the respective influent values (85% removal) and the percent removal shall be reported on the DMR Form. [62-620.620(3), 12-24-96, 62-4.070(1) & (3)]
17. The maximum monthly geometric mean of the enterococci values for a minimum of 5 samples of effluent each collected on nonconsecutive days during a period of 30 consecutive days (monthly), shall not exceed 35 per 100 mL of sample. [62-302.500(1)(a)(6), 40 CFR Part 131(Federal Register/Vol. 69, No. 220, pages 67218-67243)]

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B. Reuse and Land Application Systems

- During the period beginning after the certification of construction and placement into service of the public access reuse system and lasting through 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:

			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	MGD	Report	9.0	-	-	-	Continuous	Recording flow meters and totalizers	FLW-04	See Cond.I.B.4
BOD, Carbonaceous 5 day, 20C	MG/L	Maximum	20.0	30.0	45.0	60.0	5 Days/Week	24-hour flow proportioned composite	EFA-02	
Solids, Total Suspended	MG/L	Maximum	-	-	-	5.0	Daily	Grab	EFA-01	
pH	SU	Range	-	-	-	6.0 to 8.5	Continuous	Meter	EFA-02	See Cond.I.B.3
Coliform, Fecal, % less than detection	PERCENT	Minimum	See Permit Condition I.B.5.				Daily	Grab	EFA-02	
Coliform, Fecal	#/100ML	Maximum	See Permit Condition I.B.5.				Daily	Grab	EFA-02	
Total Residual Chlorine (For Disinfection)	MG/L	Minimum	-	-	-	1.0	Continuous	Meter	EFA-02	See Cond.I.B.6
Turbidity	NTU	Maximum	See Permit Condition I.B.7.				Continuous	Meter	EFA-01	
Giardia	CYSTS/100 L	Maximum	-	-	-	Report	Once every two years	Filtered	EFA-02	
Cryptosporidium	OOCYSTS/100 L	Maximum	-	-	-	Report	Once every two years	Filtered	EFA-02	

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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-02	Sample for the public access reuse water is taken from the discharge force main after the high level disinfection process and prior to distribution to the reuse storage tanks.
EFB-01	Sample for turbidity and TSS is taken after filtration and prior to disinfection for the high level disinfection public access reuse disposal of reclaimed water.
FLW-04	In line flow meter located after the high service pumps and in the reuse service force main that supplies treated water to the reuse irrigation service area.

3. Hourly measurement of pH during the period of required operator attendance may be substituted for continuous measurement. *[Chapter 62-601, Figure 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, at least 75 percent of the fecal coliform values shall be below the detection limits. No sample shall exceed 25 fecal coliforms per 100 mL. No sample shall exceed 5.0 mg/L of total suspended solids (TSS) at a point before the application of the disinfectant. Note: To report the “% less than detection,” count the number of fecal coliform observations that were less than detection, divide by the total number of fecal coliform observations in the month, and multiply by 100% (round to the nearest integer). *[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. 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)]*

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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:

			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	MGD	Maximum	12.0 AADF	-	-	-	Continuous	Recording flow meters and totalizers	INF-02	See Cond.I.C.3, 4
Percent Capacity, (TMADF/Permitted Capacity) x 100	PERCENT	Maximum	-	Report (Mo.Total)	-	-	Monthly	Calculated	CAL-02	
BOD, Carbonaceous 5 day, 20C	MG/L	Maximum	-	Report	-	-	5 Days/Week	24-hour flow proportioned composite	INF-01	See Cond.I.C.3
Solids, Total Suspended	MG/L	Maximum	-	Report	-	-	5 Days/Week	24-hour flow proportioned composite	INF-01	See Cond.I.C.3
Silver, Total Recoverable	UG/L	Maximum	-	-	-	Report	Annually	Grab	EFD-01	
Oil and Grease (Total Recoverable)	MG/L	Maximum	-	-	-	Report	Annually	Grab	EFD-01	
Arsenic, Total Recoverable	UG/L	Maximum	-	-	-	Report	Annually	Grab	EFD-01	
Salinity	MG/L	Maximum	-	-	-	Report	Annually	Grab	EFD-01	
Iron, Total Recoverable	MG/L	Maximum	-	-	-	Report	Annually	Grab	EFD-01	
Aluminum, Total Recoverable	MG/L	Maximum	-	-	-	Report	Annually	Grab	EFD-01	
Antimony, Total Recoverable	UG/L	Maximum	-	-	-	Report	Annually	Grab	EFD-01	
Mercury, Total Recoverable	UG/L	Maximum	-	-	-	Report	Annually	Grab	EFD-01	
Chromium, Hexavalent Total Recoverable	UG/L	Maximum	-	-	-	Report	Annually	Grab	EFD-01	
Copper, Total Recoverable	UG/L	Maximum	-	-	-	3.7	Annually	Grab	EFD-01	
Lead, Total Recoverable	UG/L	Maximum	-	-	-	Report	Annually	Grab	EFD-01	
Nickel, Total Recoverable	UG/L	Maximum	-	-	-	Report	Annually	Grab	EFD-01	
Zinc, Total Recoverable	UG/L	Maximum	-	-	-	Report	Annually	Grab	EFD-01	

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			Limitations				Monitoring Requirements			Notes
Parameter	Units	Max/Min	Annual Average	Monthly Average	Weekly Average	Single Sample	Monitoring Frequency	Sample Type	Monitoring Location Site Number	
Chloride (as Cl)	MG/L	Maximum	-	-	-	Report	Annually	Grab	EFD-01	
Fluoride, Total (as F)	MG/L	Maximum	-	-	-	Report	Annually	Grab	EFD-01	
Coliform, Fecal	#/100ML	Maximum	-	-	-	Report	Annually	Grab	EFD-01	
Coliform, Total	#/100ML	Maximum	-	-	-	Report	Annually	Grab	EFD-01	
Chlorodibromomethane	UG/L	Maximum	34.0	-	-	-	Annually	Grab	EFD-01	
Dichlorobromomethane	UG/L	Maximum	22.0	-	-	-	Annually	Grab	EFD-01	
Chloroform	UG/L	Maximum	Report	-	-	-	Annually	Grab	EFD-01	
Specific Conductance	UMHO/CM	Maximum	-	-	-	Report	Annually	Grab	EFD-01	
Beryllium, Total Recoverable	UG/L	Maximum	0.13	-	-	-	Annually	Grab	EFD-01	
Hardness, Total (as CaCO3)	MG/L	Maximum	-	Report	-	Report	Annually	Grab	EFD-01	
Cyanide, Total Recoverable	UG/L	Maximum	-	-	-	1.0	Annually	Grab	EFD-01	

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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-02	Calculated percent (%) of flow. Percent Capacity (TMADF/Permitted Capacity) x 100
EFD-01	After the construction of the basic disinfection chlorine contact chambers, the new discharge sample point is at slide gate No. 4 downstream of sodium bisulfite addition and pumped to a flow proportioned sampler.
INF-01	Influent samples are taken after the screw lift pumps and before the belt screen. Any plant internal recycle streams do not impact the influent samples.
INF-02	Influent flow meter with recorder and totalizer located after the grit removal unit and upstream of the fermentation tank. This measures influent flows and is not impacted by any plant internal recycle streams.

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. Recording flow meters and totalizers shall be utilized to measure flow and calibrated at least annually. [62-601.200(17) and .500(6)]
5. 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(s) may be released to system storage or to the reuse system. Reclaimed water that fails to meet the criteria in the approved operating protocol(s) shall be directed surface water discharge. The operating protocol(s) shall be reviewed and updated periodically to ensure continuous compliance with the minimum treatment and disinfection requirements. Updated operating protocols shall be submitted to the Department for review and approval upon revision of the operating protocol(s) and with each permit application. [62-610.320(6) and 62-610.463(2)]
6. Instruments for continuous on-line monitoring of total residual chlorine and turbidity shall be equipped with an automated data logging or recording device. [62-610.463(2) & .865(8)(d)]
7. 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)]
8. 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)]

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9. 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 quantification 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 from the Department on request and 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 PQL 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 PQL, which is equal to or less than the applicable water quality criteria stated in 62-302 FAC; and
 - If the PQLs 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 PQL shall be used.

Where the analytical results are below method detection or practical quantification 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. 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. However, where necessary, the permittee may request approval for alternative methods or for alternative MDLs and PQLs for any approved analytical method, in accordance with the criteria of Rules 62-160.520 and 62-160.530, F.A.C. [62-4.246][62-160.520 and .530]

10. 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)]
11. 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 31 April 1 – June 30 July 1 – September 30 October 1 – December 31	April 28 July 28 October 28 January 28
Semiannual	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:

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

A copy of the DMR shall also be sent to the Department's south district office at the address specified in this permit.

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

12. During the period of operation authorized by this permit, (effective upon start up of the South Plant's reclaimed water production system) 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 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 Reclaimed Water or Effluent Analysis Report, Form 62-620.910(15), or in another format if requested by the permittee and if approved by the Department as being compatible with data entry into the Department's computer system. 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 by April 28 of each year. *[62-601.300(4)][62-601.500(3)]*
13. 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 (effective upon start up of the South Plant's reclaimed water production system). A combined Annual Reuse Report for the City's Central and South WWTPs may be submitted in lieu of two separate Reports. *[62-610.870(3)]*
14. 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 (effective upon start up of the South Plant's reclaimed water production system). *[62-610.464(5)]*
15. Effluent shall be tested for the parameters applicable to Class III marine waters as specified in condition No. I.C.1 concurrently with acute whole effluent toxicity (WET) tests and concurrently with surface water sampling identified in Specific Condition No. I.C.16. Those parameters not in compliance with Rule 62-302.530, F.A.C shall be retested along with a representative sample from the Caloosahatchee River Estuary to determine whether the River provides adequate dilution. When results warrant testing frequency and sample type may be adjusted. Also, when results warrant, the permit will be modified to include numerical limits for any parameter found to exceed surface water quality criteria. An application for a mixing zone or site specific alternative criteria may be required in the future. *[62-620.620(3), 62-4.070(1) & (3)]*
16. Water quality standards inside the Caloosahatchee River Estuary shall comply with surface water quality classification Recreation Fish and Wildlife, Class III - Marine, 62-302.530, F.A.C. The monitoring shall include but not necessarily limited to the following:
 - a. Sampling Location: Three (3) sampling station locations based on best estimates of plume delineation, upstream, downstream and at the discharge.
 - b. Water Quality Monitoring:
 - 1) Parameters: Total Nitrogen, Ammonia Nitrogen, Total Phosphorous, Total Suspended Solids, CBOD₅, Temperature, Salinity, Dissolved Oxygen, Surface pH, Turbidity, Chlorophyll a, Total and Fecal Coliform Bacteria, Total Recoverable Chlorides, Specific Conductance, Total Recoverable Fluorides, Unionized Ammonia, Total Recoverable Silver, Oil & Grease, Total Recoverable Arsenic, Total Recoverable Iron, Total Recoverable Aluminum, Total Recoverable Antimony, Total Recoverable Mercury, Total Recoverable Hexavalent Chromium, Total Recoverable Copper, Total Recoverable Lead, Total Recoverable Nickel, Total Recoverable Zinc, Detergents, Chlorodibromomethane,

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Dichlorobromomethane, and Chloroform, Total Recoverable Beryllium, Total Recoverable Cyanide and Total Hardness.

- 2) Parameters shall be monitored annually. If the results of toxicity tests indicate the presence of acute toxicity, quarterly analysis will be required until the toxicity testing no longer indicates failure.
- 3) Water quality samples shall be obtained just below the water surface during an ebb tide (falling tide) at least three hours after high tide. The results of this sampling shall be submitted to the Department upon completion of the lab analyses. A brief report shall be included with the submittal which identifies the time and date of sampling, time of high and low tide events for the day, and weather conditions including cloud cover.

[62-620.620(3), 62-4.070(1) & (3), 62-302.560]

17. 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 South District Office at the address specified below:

South District Office
Florida Department of Environmental Protection
P O Box 2549
Ft. Myers, Florida 33902-2549

Phone Number - 239-332-6975

FAX Number - 239-332-6969

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]*

18. The sampling requirements and limits specified in this permit shall be in effect for the duration of this permit, unless notified otherwise by the permit issuing authority. *[62-4.070(1) & (3)]*

II. RESIDUALS MANAGEMENT REQUIREMENTS

1. The method of residuals use or disposal by this facility is land application 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 will not be held responsible for violations resulting from land application of residuals if the permittee can demonstrate that it has delivered residuals that meet the parameter concentrations and appropriate treatment requirements of this rule and the applier (e.g. hauler, contractor, site manager, or site owner) has legally agreed in writing to accept responsibility for proper land application of the residuals. Such an agreement shall state that the applier agrees, upon delivery of residuals that have been treated as required by Chapter 62-640, F.A.C., that he will accept responsibility for proper land application of the residuals as required by Chapter 62-640, F.A.C., and that the applier agrees that he is aware of and will comply with requirements for proper land application as described in the facility's permit.
[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. Land application of residuals shall be in accordance with the conditions of this permit, the approved Agricultural Use Plan(s), and the requirements of Chapter 62-640, F.A.C. *[62-640]*

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6. The domestic wastewater residuals for this facility are classified as Class B.
7. The permittee shall achieve Class B pathogen reduction by meeting the pathogen reduction requirements in section 503.32(b)(2) (Monitoring of Indicator Organisms) of Title 40 CFR Part 503, revised as of October 25, 1995. [62-640.600(1)(b)]
8. The permittee shall achieve vector attraction reduction by meeting the vector attraction reduction requirements in section 503.33(b)(1) (Reduce the mass of volatile solids by a minimum of 38%), 503.33(b)(3) (Demonstrate vector attraction reduction with additional aerobic digestion in a benchscale unit), or 503.33(b)(4) (Meet a specific oxygen uptake rate for aerobically treated biosolids) of Title 40 CFR Part 503, revised as of October 25, 1995. [62-640.600(2)(a)]
9. Treatment of liquid residuals or septage for the purpose of meeting the pathogen reduction or vector attraction reduction requirements set forth in Rule 62-640.600, F.A.C., shall not be conducted in the tank of a hauling vehicle. Treatment of residuals or septage for the purpose of meeting pathogen reduction or vector attraction reduction requirements shall take place at the permitted facility. [62-640.400(8)]
10. The permittee shall sample and analyze the Class A or Class B residuals to monitor for pathogen and vector attraction reduction requirements of Rule 62-640.600, F.A.C., and the parameters listed in the table below at least once every two (2) months.

Parameter	Ceiling Concentrations (Single Sample)	Cumulative Application Limits
Total Nitrogen	(Report only) % dry weight	Not applicable
Total Phosphorus	(Report only) % dry weight	Not applicable
Total Potassium	(Report only) % dry weight	Not applicable
Arsenic	75 mg/kg dry weight	36.6 pounds/acre
Cadmium	85 mg/kg dry weight	34.8 pounds /acre
Copper	4300 mg/kg dry weight	1340 pounds/acre
Lead	840 mg/kg dry weight	268 pounds/acre
Mercury	57 mg/kg dry weight	15.2 pounds/acre
Molybdenum	75 mg/kg dry weight	Not applicable
Nickel	420 mg/kg dry weight	375 pounds/acre
Selenium	100 mg/kg dry weight	89.3 pounds/acre
Zinc	7500 mg/kg dry weight	2500 pounds/acre
pH	(Report only) standard units	Not applicable
Total Solids	(Report only) %	Not applicable

[62-640.650(1), 62-640.700(1), 62-640.700(3)(b), and 62-640.850(3)]

11. Residuals samples shall be taken at the monitoring site locations described below:

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Monitoring Location Site Number	Description of Monitoring Location
RSP-1	Class B Residuals are sampled from the discharge of the belt filter press sludge feed pumps.

12. Sampling and analysis shall be conducted in accordance with Title 40 CFR Part 503, section 503.8 and the U.S. Environmental Protection Agency publication - POTW Sludge Sampling and Analysis Guidance Document, 1989. In cases where disagreements exist between Title 40 CFR Part 503, section 503.8 and the POTW Sludge Sampling and Analysis Guidance Document, the requirements in Title 40 CFR Part 503, section 503.8 will apply. [62-640.650(1), 62-640.700(1), 62-640.700(3)(b), and 62-640.850(3)]
13. Grab samples shall be used for pathogens and determinations of percent volatile solids and SOUR. Composite samples shall be used for metals. [62-640.650(1)(e)]
14. Residuals shall not be land applied if a single sample result for any parameter exceeds the ceiling concentrations given in this permit. Residuals shall not be distributed and marketed if the monthly average of sample results for any parameter exceeds the Class AA parameter concentrations given in this permit. Monthly averages of parameter concentrations shall be determined by taking the arithmetic mean of all sample results for the month. [62-640.650(1)(f)]
15. The permittee shall submit the results of all residuals monitoring with the permittee's Discharge Monitoring Report under Chapter 62-601, F.A.C. The analytical results from each sampling event shall be submitted with the report for the month in which the sampling event occurs. [62-640.650(3)(a)&(e)]
16. Class B residuals shall not be used on unrestricted public access areas. Use of Class B residuals is limited to restricted public access areas such as agricultural sites, forests, and roadway shoulders and medians. [62-640.600(3)(b)]
17. Plant nursery use of Class B residuals is limited to plants, which will not be sold to the public for 12 months after the last application of residuals. [62-640.600(3)(b)1.]
18. Use of Class B residuals on roadway shoulders and medians is limited to restricted public access roads. [62-640.600(3)(b)2.]
19. Food crops, feed crops, and fiber crops shall not be harvested for 30 days following the last application of Class B residuals. [62-640.600(3)(b)6.]
20. Food crops with harvested parts that touch the residuals/soil mixture and are totally above the land surface shall not be harvested for 14 months after the last application of Class B residuals. [62-640.600(3)(b)3.]
21. Food crops with harvested parts below the surface of the land shall not be harvested for 20 months after application of Class B residuals when the residuals remain on the land surface for four months or longer before incorporation into the soil. [62-640.600(3)(b)4.]
22. Food crops with harvested parts below the surface of the land shall not be harvested for 38 months after application of Class B residuals when the residuals remain on the land surface for less than four months before incorporation into the soil. [62-640.600(3)(b)5.]
23. Animals shall not be grazed on the land for 30 days after the last application of Class B residuals. [62-640.600(3)(b)7.]
24. Sod, which will be distributed or sold to the public or used on unrestricted public access areas shall not be harvested for 12 months after the last application of Class B residuals. [62-640.600(3)(b)8.]
25. The public shall be restricted from application zones for 12 months after the last application of Class B residuals. [62-640.600(3)(b)]

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26. Residuals that do not meet the requirements of Chapter 62-640, F.A.C., for Class AA designation shall not be used for the cultivation of tobacco or leafy vegetables. [62-640.400(7)]
27. Current Agricultural Use Plan(s) identify residuals landspreading on the following sites:

Site Name	Site Type (AG or LR)	App. Area (acres)	Site Location						
			County	Latitude			Longitude		
				DD	MM	SS	DD	MM	SS
Immokalee Groves	AG	893.59	Collier	26	20	32	81	24	30
Skyland-Felda	AG	389	Hendry	26	33	28	81	27	27
Goodno Ranch	AG	284	Hendry	26	45	48	81	26	50
Busy B&B	AG	416.7	Hendry	26	18	56	81	10	48
Howard Ranch	AG	112.5	Hendry	26	30	09	81	33	06
Ivan Howard Cattle Company	AG	912.15	Hendry	26	35	16	81	23	30
Howard-Felda Ranch	AG	305	Hendry	26	32	47	81	23	27
Dinger Grove	AG	196.4	Lee	26	27	30	81	34	25
Drexel Crump Ranch	AG	541.9	Charlotte	26	48	06	81	54	06
Tri-Britton, Inc.	AG	7400	Hendry	26	35	55	81	16	21
Goodno Ranch Southeast	AG	1356	Hendry	26	45	48	81	26	50

The wastewater treatment facility permittee shall apply for a minor permit revision on DEP Form 62-620.910(9) for new, modified, or expanded residuals land application sites. The facility's permit shall be revised to include the new or revised Agricultural Use Plan(s) prior to application of residuals to the new, modified, or expanded sites, unless all of the following conditions are met:

- The permittee notifies the Department within 24 hours that the site is being used;
- The site meets the site use restrictions of Rule 62-640.600(3), F.A.C., and the criteria for land application of residuals in Rule 62-640.700, F.A.C.;
- The permittee submits a new or revised Agricultural Use Plan for the site with a permit application in accordance with Rule 62-640.300(2), F.A.C., within 30 days of beginning use of the site;
- The permittee does not have another approved land application site, another approved disposal method (e.g. landfilling or incineration), or approved storage facilities available for use; and,
- The permittee demonstrates during permit application that application of additional residuals to an existing approved application site would have resulted in violation of Department rules, or was not possible due to circumstances beyond the permittee's control.

[62-640.300(2)&(3)]

28. Residuals application rates are limited to agronomic rates based on the site vegetation as identified in the Agricultural Use Plan. [62-640.750(2)]
29. Residuals shall be applied with appropriate techniques and equipment to assure uniform application over the application zone. [62-640.700(2)(c)]
30. The spraying of liquid domestic wastewater residuals shall be conducted so that the formation of aerosols is minimized. [62-640.700(2)(d)]
31. Residuals storage facilities at land application sites shall be subject to applicable setback requirements for residuals application sites. Residuals stored at land application sites shall be stored in a manner that will not cause runoff or seepage from the residuals, objectionable odors, or vector attraction. Storage areas must be fenced or otherwise provided with appropriate features to discourage the entry of animals and unauthorized persons. At the time of application, the stored residuals must meet the parameter concentrations, pathogen and vector attraction reduction requirements, and cumulative application limits of this permit. Residuals storage facilities at land application sites may

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be used only for temporary storage of stabilized residuals for no more than 30 days during periods of inclement weather or to accommodate agricultural operations, or up to the period (not to exceed two years) specified in the Agricultural Use Plan. [62-640.700(2)(e)]

32. Residuals application sites shall be posted with appropriate advisory signs identifying the nature of the project area. [62-640.700(2)(f)]
 33. The pH of the residuals soil mixture shall be 5.0 or greater at the time residuals are applied. At a minimum, soil pH testing shall be done annually. [62-640.700(5)(d)]
 34. The permittee shall maintain records of application zones and application rates and shall make these records available for inspection within seven days of request by the Department, or delegated Local Program. The permittee shall maintain record items a. through e. below in perpetuity, and maintain record items f. through k. for five years:
 - a. Date of application of the residuals;
 - b. Location of the residuals application site as specified in the Agricultural Use Plan;
 - c. Identification of each application zone used by the permittee at the application site and the acreage of each zone;
 - d. Amount of residuals applied or delivered to each application zone;
 - e. Cumulative loading of each application zone;
 - f. The names of all other wastewater facilities using each of the application zones identified in item c.;
 - g. Method of incorporation (if any);
 - h. Measured pH of the residuals soil mixture at the time the residuals are applied (tested at least annually);
 - i. Unsaturated depth of soil above the water table level at the time of application;
 - j. Concentration of parameters in the residuals as required by this permit, and the date of last analysis; and
 - k. The results of any soil testing that is done under Rule 62-640.500(4)(a), F.A.C.
- [62-640.650(2)]
35. The permittee shall submit an annual summary of residuals application activity to the South District Office on Department Form 62-640.210(2)(b) for all residuals applied during the period of January 1 through December 31. The summary for each year shall be submitted by February 19 of the following year. If more than one facility applies residuals to the same application zones, the summary must include a subtotal of each facility's contribution of residuals to the application zones. [62-640.650(3)(b)]
 36. If residuals that are subject to the cumulative loading limitations of Rule 62-640.700(3), F.A.C., have been applied to an application zone, and the cumulative loading amount of one or more of the pollutants is not known, no further applications of residuals may be made to that application zone. [62-640.700(3)(f)]
 37. A minimum unsaturated soil depth of two feet above the water table level is required at the time the residuals are applied to the soil. [62-640.700(6)(a)]
 38. Residuals shall not be applied during rains that cause runoff from the site or when surface soils are saturated. [62-640.700(7)(a)]
 39. Land application of "other solids" as defined in Chapter 62-640, F.A.C., is only allowed if specifically addressed in the Agricultural Use Plan(s) approved for this facility. Land application of "other solids" is subject to Chapter 62-640, F.A.C., and the permit conditions that apply to land applied residuals. [62-640.860]
 40. 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)]
 41. Storage of residuals or other solids at the permitted facility shall require prior written notification to the Department. [62-640.300(4)]
 42. For sites located in geographic areas subject to the phosphorus provisions of Rule 62-640.500(4), F.A.C., annual soil test results to determine the characterization of soil phosphorus shall be submitted with the Residuals Annual Summary. The permittee shall recalculate residuals application rates each year and submit these calculations as part of

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the Residuals Annual Summary that is required to be submitted to the Department. If the calculations indicate a lower application rate is appropriate, the permittee shall immediately follow the new, lower calculated application rate. If calculations indicate a higher rate is appropriate, the permittee shall wait for Department approval that specifically approves the higher application rate before applying residuals at the new/higher application rate. [62-620.320(6), 62-4.070(1) & (3) & 62-640.500(4)]

III. GROUND WATER REQUIREMENTS

1. Ground water monitoring requirements for this facility are incorporated into the City of Fort Myers Central AWWT Plant permit FL0021261, Part III Ground Water Monitoring Requirements.

IV. ADDITIONAL REUSE AND LAND APPLICATION REQUIREMENTS

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

1. The permittee is authorized to construct a reuse interconnect with the Fort Myers Central WWTP. This includes reuse irrigation within the city's reuse service area. Additional reuse and land application requirements are referenced in permit number FL0021261 for the City of Fort Myers Central WWTP. Specific conditions that are in Part IV of permit number FL0021261 are part of this permit number FL021270.

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 I, 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. The application to renew this permit shall include an updated capacity analysis report prepared in accordance with Rule 62-600.405, F.A.C. [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)]
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 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;

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- 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. The following actions shall be completed according to the following schedule:

Improvement Action		Completion Date
1	The permittee shall provide the FDEP with a copy of the annual reclaimed water program status reports furnished to the South Florida Management District, SFWMD as part of the permittee's Water Use Permit, WUP, requirements.	Submit annually (March 9 th) as required by the permittee's SFWMD water use permit.
2	The permittee shall meet with FDEP, and SFWMD on an annual basis to discuss the status of the permittee's reclaimed water program. Meeting is to be scheduled within 30 days after the City's submittal to SFWMD their annual reclaimed water program status report. Meeting agenda shall consist of the following items noted below and identified as a., b., etc.	Annually (on the fourth Wednesday of March)
2a.	Interconnect between Central and South Plants. Status of the design for the public access reuse main interconnect between the Central and South Fort Myers wastewater treatment plants. State whether the interconnect routing submitted during the permit process is the finalized route for interconnecting the two plants. If not, state what the changes are to the interconnect route and why the interconnect route is being changed.	Annually (on the fourth Wednesday of March)
2b.	Provide the status of the engineering design work accomplished, work remaining and a schedule as to when the design of the interconnect route will be completed. Identify what funding is available to complete the design and to construct what is designed. Identify what efforts are being made to obtain those funds (Grant money, revolving loans and capital improvement from the City Budget etc.) to maintain	Annually (on the fourth Wednesday of March)

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Improvement Action		Completion Date
	and assure timely design and construction of this interconnect.	
2c.	During the wastewater permit application process, it was noted that the timely attainment of permits from the Railroad and the Department of Transportation could hinder progress. Please provide whether this remains as an obstacle to the progress of the interconnect project.	Annually (on the fourth Wednesday of March)
2d.	Project a time schedule as to when the design of the remaining interconnect links can be completed and the permits from DOT and the railroad attained. Provide a time schedule for the installation of those segments of the interconnect main that needs to be constructed.	Annually (on the fourth Wednesday of March)
2e.	Provide potential alternates for the distribution of the produced reuse water if the city cannot effectively and timely use the reuse water with in their service area. Identify alternative transmission mains that could be considered to move treated reuse water to other utilities if an interconnect is not going to occur because of routing roadblocks to interconnect the two treatment plants.	Annually (on the fourth Wednesday of March)
2f.	During this annual review and joint regulatory meeting with the utility, the utility's progress shall be evaluated. If results are deemed to be unsatisfactory, an option to reopen Water Management's active consumptive use permit and the FDEP's wastewater permit shall be used to provide assurance that the utility maintains focus on the timely implementation of 100% reuse of their total wastewater treatment plant capacity's production and successful distribution of product for public access reuse.	Annually (on the fourth Wednesday of March)
2g.	Please provide the projected timely scheduling for the completion of construction of the reclaimed water production facilities so that reuse water is available for delivery when the reuse distribution lines are in place based on the progress being made during this annual report period.	Annually (on the fourth Wednesday of March)
3	Submit a progress report on the repair and/or replacement of the collection systems that have occurred annually for abating inflow and infiltration flows to the treatment plant. Provide what is occurring on a scheduled basis and what emergency repairs made on systems other than the ones scheduled.	12 months after the issuance date of the permit
4	Submit an updated Capacity Analysis Report annually and compare flows between the dry and wet seasons.	Within 12 months after the issuance date of the permit.

[62-600.735(1)]

2. The following effluent analysis testing and construction schedule for the facilities shall be followed, unless a minor permit revision is issued to amend the schedule:

Implementation Step	Completion Date
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Implementation Step		Completion Date
1	Submit expanded effluent testing for a sample period of January through April 2007. This shall be conducted in accordance with the instructions for Section 3A, items 12, 13, and 14 of permit application Form 2A at Monitoring Location Site Number EFA-01. A summary report shall also be submitted that identifies any parameters which do not meet the surface water standards of 62-302, FAC. If any of the parameters do not meet the surface water standards of 62-302, FAC, the permittee shall contact the Department to schedule a meeting to discuss corrective actions. Reference condition No. VIII. 11.	Report for a sample period of January through April 2006 is due by May 28, 2007
2	Submit expanded effluent testing for a sample period of May through August 2007. This shall be conducted in accordance with the instructions for Section 3A, items 12, 13, and 14 of permit application Form 2A at Monitoring Location Site Number EFA-01. A summary report shall also be submitted that identifies any parameters which do not meet the surface water standards of 62-302, FAC. If any of the parameters do not meet the surface water standards of 62-302, FAC, the permittee shall contact the Department to schedule a meeting to discuss corrective actions. Reference condition No. VIII. 11.	Report for a sample period of May through August 2006 is due by September 28, 2007.
3	Submit expanded effluent testing for a sample period of September through December 2007. This shall be conducted in accordance with the instructions for Section 3A, items 12, 13, and 14 of permit application Form 2A at Monitoring Location Site Number EFA-01. A summary report shall also be submitted that identifies any parameters which do not meet the surface water standards of 62-302, FAC. If any of the parameters do not meet the surface water standards of 62-302, FAC, the permittee shall contact the Department to schedule a meeting to discuss corrective actions. Reference condition No. VIII. 11.	Report for a sample period of September through December 2007 is due by January 28, 2008.
4	Final plans and specifications complete for the 9.0 mgd reclaimed water production facilities at this plant.	June 30, 2007
5	Begin Construction of 9.0 mgd plant modification.	May 15, 2011
6	Submit a complete reuse operating protocol for the WWTP modifications associated with reclaimed water production facilities at this plant, in accordance with Rules 62-610.320(6)(c), FAC, 62-610.320(6)(f), FAC, and 62-610.320.463(2), FAC.	At least 90 days before submitting the certification of completion of construction for the reclaimed water treatment facilities or with the application for permit renewal, whichever is sooner.

[62-620.400]

- In accordance with section 403.0882(2)(e) and (f), Florida Statutes, a compliance schedule for this facility is contained in Administrative Order AO-042-SD which is hereby incorporated by reference.

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VII. INDUSTRIAL PRETREATMENT PROGRAM REQUIREMENTS

1. The permittee shall function as the Control Authority and shall be responsible for the performance of all pretreatment program requirements contained in Chapter 62-625, F.A.C. The permittee shall be subject to enforcement actions, penalties, and other remedies by the Department or other appropriate parties. The permittee shall implement and enforce its Approved Pretreatment Program. The permittee's Approved Pretreatment Program is hereby made an enforceable condition of this permit. The Department may initiate enforcement action against an industrial user for noncompliance with applicable standards and requirements. *[62-625.500]*
2. The permittee shall enforce the requirements promulgated under Sections 307(b), 307(c), 307(d), and 402(b) of the Act. The permittee shall cause industrial users subject to Federal Categorical Standards to achieve compliance no later than the date specified in those requirements or, in the case of new industrial users, upon commencement of the discharge. *[62-625.410]*
3. The permittee shall perform the pretreatment functions as required in Chapter 62-625, F.A.C., including, but not limited to, the following:
 - a. Implementing the necessary legal authorities as provided in Rule 62-625.500(2)(a), F.A.C. This includes, among other things, the authority to require compliance with applicable pretreatment standards, which includes general prohibitions listed in Rule 62-625.400(1), F.A.C., specific prohibitions in Rule 62-625.400(2), F.A.C., locally developed limits as required by Rules 62-625.400(3) and (4), F.A.C., and national categorical limits in accordance with Rule 62-625.410, F.A.C.;
 - b. Implementing the programmatic functions as required under Rule 62-625.500(2)(b), F.A.C.;
 - c. Providing the required funding, equipment, and personnel to implement the pretreatment program as provided in Rules 62-625.500(2), (3), and (4), F.A.C.; and
 - d. Providing a written technical evaluation that local limits have been developed in accordance with Rule 62-625.400(3)(a), F.A.C. The evaluation shall verify whether existing local limits protect the wastewater facilities, and if not, the permittee shall develop new local limits as part of the evaluation. This evaluation shall be submitted to the Department at the address in the condition below within 180 days after permit renewal.

[62-625.400 and .500]
4. As required by Rules 62-625.600(8) and (12), F.A.C., the permittee shall submit a signed copy of the annual report for pretreatment activities, including DMRs for Monitoring Group Numbers PRT-I, PRT-E, and PRT-R, to the Department at the following address:

Florida Department of Environmental Protection
Domestic Wastewater Section, Mail Station 3540
Twin Towers Office Building
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

The annual report shall contain the information required in accordance with Rule 62-625.600(8), F.A.C., except section (8)(e) as noted below, and shall describe the permittee's pretreatment activities for the reporting year. In the event that the permittee is not in compliance with any conditions or requirements of the pretreatment program, then the permittee shall also include the reasons for noncompliance and state how and when the permittee shall comply with such conditions and requirements.

In order to comply with Rule 62-625.600(8)(e), F.A.C., the permittee shall submit annual DMRs with the analytical results of influent, effluent, and residuals for those pollutants listed on the DMRs. For any other nonpriority pollutants which the permittee believes may be causing or contributing to interference, pass through, or adversely impacting residuals quality, the annual report shall provide a summary of all analytical results of influent, effluent, and residuals. The annual report and DMRs are due on May 1 of each year.

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[62-625.600(12)]

5. Samples for Monitoring Group Numbers PRT-I, PRT-E, and PRT-R shall be taken at the monitoring site locations described below:

Monitoring Location Site Number	Description of Monitoring Location
PRT-I	(INF-01) Influent samples are taken after the screw lift pumps and before the belt screen. Any plant internal recycle streams do not impact the influent samples.
PRT-E	(EFD-01) The discharge sample point is at slide gate No. 4 downstream of sodium bisulfite addition and pumped to a flow proportioned sampler.
PRT-R	(RSP-1) Class B Residuals are sampled from the discharge of the belt filter press sludge feed pumps.

VIII. OTHER SPECIFIC CONDITIONS

1. Prior to placing the new facilities at the WWTP, associated with the public access reuse system, in service for any purpose without written approval from the Department. 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)]
2. 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)]
3. 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)]
4. 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)][62-640.700(2)(b)]
5. 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)]
6. 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)]
7. Collection/transmission system overflows shall be reported to the Department in accordance with Permit Condition IX. 20. [62-604.550] [62-620.610(20)]

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8. 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)]
9. 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)]
10. 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)]
11. Effluent testing shall be conducted in accordance with the instructions for Section 3A, items 12, 13, and 14 of permit application Form 2A at Monitoring Location Site Number EFD-01. Values must be representative of the seasonal variation in the discharge from each outfall. A minimum of three sample events to occur during the months of Jan thru April, May thru August and September thru December. **The results of these sample events shall be furnished with the monthly DMRs no later than the 28th day of the month following the last month of each season. (January 28th May 28th and September 28th).** [62-620.910(2)]

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 deviations 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(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

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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, 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, 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 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 and the Department of Environmental Protection Guide to Wastewater Permitting 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) 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, 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 shall be performed by a laboratory that has been certified by the Department of Health (DOH) under Chapter 64E-1, F.A.C., where such certification is required by Rule 62-160.300, F.A.C. The laboratory must be certified for any specific method and analyte combination that is used to comply with this permit. For domestic wastewater facilities, the on-site test procedures specified in Rule 62-160.300(4), F.A.C., shall be performed by a laboratory certified test for those parameters or under the direction of an operator certified under Chapter 62-602, F.A.C.
 - e. Field activities including on-site tests and sample collection, whether performed by a laboratory or a certified operator, must follow the applicable procedures described in DEP-SOP-001/01 (January 2002). Alternate field procedures and laboratory methods may be used where they have been approved according to the requirements of 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)]

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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 reclaimed water or effluent to exceed any permit limitation or results in an unpermitted discharge,
 - 2. Any upset, which causes 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 Department by calling 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 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 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)]

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22. Bypass Provisions.

- a. 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.
- 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 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 IX. 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 IX. 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 IX. 20. of this permit; and
 4. The permittee complied with any remedial measures required under Permit Condition IX. 5. of this permit.
- b. In any enforcement proceeding, the burden of proof for establishing the occurrence of an upset rests with the permittee.
- c. 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)]

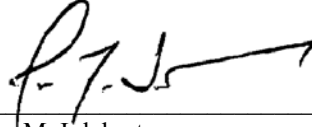
Note: In the event of an emergency the permittee shall contact the Department by calling (850) 413-9911. During normal business hours, the permittee shall call (239) 332-6975.

FACILITY: City of Fort Myers South AWWT Plant
PERMITTEE: City of Fort Myers
P.O. Drawer 2217
Fort Myers, FL 33902

PERMIT NUMBER: FL0021270
PA FILE NUMBER: FL0021270-010-DW1P

Executed in Ft. Myers, Florida.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION



Jon M. Iglehart
Director of
District Management

DATE: Friday, July 13, 2006

JMI/JAA/jli