STATE OF FLORIDA

DEPARTMENT

OF

ENVIRONMENTAL PROTECTION

Conditions of Certification

City of Tallahassee

Sam O. Purdom Generation Station

PA 97-36D

XXX XX, 2014

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SECTION A: GENERAL CONDITIONS

I. SCOPE [Partially replaces existing Condition I. General]

A. Pursuant to the Florida Electrical Power Plant Siting Act (PPSA), Sections 403.501-518, Florida Statutes (F.S.), and Rules 62-17.011-293, Florida Administrative Code (F.A.C.), this certification is issued to the City of Tallahassee as owner/operator and Licensee of the Sam O. Purdom Generating Station (Purdom). Subject to the requirements contained in these Conditions of Certification (Conditions), the City of Tallahassee is authorized to operate a nominal 250 megawatt (MW) natural gas-fired electrical generating facility consisting of a 160 MW combustion turbine and 90 MW steam turbine generator identified as Unit 8, and other associated facilities as described in the site certification application (SCA). These facilities are located on approximately 4 acres within the boundaries of the 63-acre Purdom site at 667 Port Leon Drive, St. Marks, Wakulla County, Florida. The UTM coordinates are: Zone 17, 769.6 km East, 3339.8 km North; and the latitude/longitude are 30°09'44" North/84°12'01" West. The Department does not intend, solely by the incorporation of these general conditions, to require the retrofitting of existing certified facilities.

B. The Certified Facility includes but is not limited to the following major associated facilities;

1. Purdom Unit 8 – A nominal 250 megawatt (MW) one-on-one combined cycle with a 160 MW combustion turbine-generator and a 90 MW steam turbine-generator, Heat Recovery Steam Generator (HRSG), a mechanical draft cooling tower, make-up water intake structure, a zero discharge facility, a gas compressor and other associated auxiliary equipment.
2. Purdom Unit 8 – A nominal 50 MW steam turbine-generator, a steam boiler, associated water cooling intake and discharge structures and other associated auxiliary equipment.
3. Combustion Turbines 1 and 2 – Nominal 12 MW each, associated cooling water intake and discharge structures, start diesel generator and other associated auxiliary equipment.
4. Electrical switchyard and transformers.
5. Natural gas yard, piping and associated facilities
6. Fuel oil tanks and associated facilities
7. Demineralizer and RO equipment and water storage tanks
8. Water intake and discharge canals
9. Administration, warehouse maintenance buildings
10. Roads and parking lots

C. These Conditions, unless specifically amended or modified, are binding upon the Licensee and shall apply to the construction, operation and maintenance of the certified facility. If a conflict should occur between the design criteria of this certified facility and the Conditions, the Conditions shall prevail unless amended or modified. In any conflict between any of these Conditions, the more specific condition governs.

D. Within 60 days after completion of construction of the electrical power plant as defined by 403.503(14), F.S., but excluding off-site linear and non-linear associated facilities, the Licensee shall provide to the Department in .pdf format: a survey map signed by a professional land surveyor, or acceptable equivalent documentation such as an official legal description, delineating the boundaries of the site as defined by Section 403.503(28), F.S., and an

aerial photograph delineating the boundaries of the site. The survey map and aerial photograph shall be identified as the Site Delineation and attached hereto as part of Attachment A (Maps).

The Licensee shall notify the Department of any change to the site boundary depicted in the Site Delineation in Attachment A (Maps). The notification shall be accompanied by an updated land survey map (or legal description) and aerial photograph delineating the new boundaries of the Site for review by the Department. Absent the above description/delineation of the site, the Department will consider the perimeter fence line of the property on which the electrical power plant's generating facility and on-site support facilities are located to be the boundaries of the site.

E. If both certified and uncertified facilities lie within the boundaries of the site, the Licensee shall also comply with the requirements of this paragraph. Within 60 days after completion of construction of the plant and on-site associated facilities, but excluding off-site linear and non-linear associated facilities, the Licensee shall provide to the Department in .pdf format: an acceptable documentation delineating the boundaries of the certified areas within the site such as an aerial photograph delineating these areas. The boundaries of the certified areas within the site shall include both the certified electrical power plant's generating facilities as defined in Section 403.503(28), F.S. and its on-Site certified associated facilities (including on-site linear facilities) as defined by Section 403.503(7), F.S. The document shall be known as the Delineation of the Certified Area of the Site and attached hereto as part of Attachment A (Maps).

F. Within 120 days after completion of construction of the off-site associated non-linear facilities, the Licensee shall provide to the Department in .pdf format; a survey map signed by a professional land surveyor, or acceptable equivalent documentation such as an official legal description, delineating the boundaries of the certified areas for each off-site non-linear certified facility; and an aerial photograph delineating the boundaries of the certified area for each off-site non-linear certified facility. The survey map(s) and aerial photographs shall be known as Delineation of the Certified Areas of the Offsite Non-linear Facilities and attached hereto as part of Attachment A (Maps).

G. Within 180 days after completion of construction of associated off-site linear facilities, as defined by Section 403.503(7), F.S., the Licensee shall provide; an aerial photograph(s)/map(s) at a scale of at least 1:400, or acceptable equivalent documentation such as an official legal description or survey map(s) signed by a professional land surveyor, delineating the boundaries of the certified area(s), following acquisition of all necessary property interests and the corridor narrowing as described in Section 403.503(11), F.S., which shall be known as the Delineation of Offsite Linear Facilities and attached as part of Attachment A (Maps).

Following any post-certification approvals that require a change to the boundaries of the certified area(s) depicted in the Delineation of Offsite Linear Facilities in Attachment A (Maps), the Licensee shall submit an updated aerial photograph/map, survey map or legal description.

[Sections 403.511, F.S.; subsections 62-4.160(8) and 62-17.205(2), F.A.C.]

II. APPLICABLE RULES AND STATUTES [Replaces existing Condition I. General, Paragraph B. Applicable Rules]

The construction, operation and maintenance of the certified facility shall be in accordance with all applicable non-procedural provisions of Florida Statutes and Florida

Administrative Code, including, but not limited to, the applicable non-procedural portions of the following regulations, except to the extent a variance, exception, exemption or other relief is granted in the final order of certification or in a subsequent modification to the Conditions, under any federal permit or as otherwise provided under Chapter 403:

Florida Administrative Codes:

18-2 (Management of Uplands Vested in the Board of Trustees)
18-14 (Administrative Fines for Damaging State Lands)
18-20 (Aquatic Preserves)
18-21 (Sovereign Submerged Lands Management)
62-4 (Permits)
62-17 (Electrical Power Plant Siting)
62-25 (Regulation of Stormwater Discharge)
62-40 (Water Resource Implementation Rule)
62-150 (Hazardous Substance Release Notification)
62-160 (Quality Assurance)
62-204 (Air Pollution Control-General Provisions)
62-210 (Stationary Sources-General Requirements)
62-212 (Stationary Sources-Preconstruction Review)
62-213 (Operation Permits for Major Sources of Air Pollution)
62-214 (Requirements for Sources Subject to the Federal Acid Rain Program)
62-256 (Open Burning)
62-296 (Stationary Sources-Emission Standards)
62-297 (Stationary Sources-Emission Monitoring)
62-301 (Surface Waters of the State)
62-302 (Surface Water Quality Standards)
62-303 (Identification of Impaired Surface Waters)
62-304 (Total Maximum Daily Loads)
62-312 (Dredge and Fill Activities)
62-330 (Environmental Resource Permitting)
62-340 (Delineation of the Landward Extent of Wetlands and Surface Waters)
62-341 (Noticed General Environmental Resource Permits)
62-342 (Mitigation Banks)
62-345 (Uniform Mitigation Assessment Method)
62-520 (Groundwater Classes, Standards and Exemptions)
62-522 (Groundwater Permitting and Monitoring Requirements)
62-528 (Underground Injection Control)
62-531 (Water Well Contractor Licensing Requirements)
62-532 (Water Well Permitting and Construction Requirements)
62-550 (Drinking Water Standards, Monitoring and Reporting)
62-555 (Permitting, Construction, Operation, and Maintenance of Public Water Systems)
62-560 (Requirements for Public Water Systems That Are Out of Compliance)
62-600 (Domestic Wastewater Facilities)
62-601 (Domestic Wastewater Treatment Plant Monitoring)
62-604 (Collection Systems and Transmission Facilities)
62-610 (Reuse of Reclaimed Water and Land Application)

62-620 (Wastewater Facility and Activities Permitting)
62-621 (Generic Permits)
62-650 (Water Quality Based Effluent Limitations)
62-660 (Industrial Wastewater Facilities)
62-699 (Treatment Plant Classification and Staffing)
62-701 (Solid Waste Management Facilities)
62-710 (Used Oil Management)
62-730 (Hazardous Waste)
62-737 (Management of Spent Mercury-Containing Lamps and Devices Destined For Recycling)
62-740 (Petroleum Contact Water)
62-761 (Underground Storage Tank Systems)
62-762 (Aboveground Storage Tank Systems)
62-769 (Florida Petroleum Liability and Restoration Insurance Program)
62-777 (Contaminant Cleanup Target Levels)
62-780 (Contaminated Site Clean-Up Criteria)
62-807 (Natural Gas Transmission Pipeline)
62-814 (Electric and Magnetic Fields)
64E-6 (Standards for Onsite Sewage Treatment and Disposal Systems)
40A-1 (General and Procedural)
40A-2 (Consumptive Uses of Water)
40A-21 (Water Shortage Plan)
40A-3 (Regulation of Wells)
40A-4 (Management and Storage of Surface Water)
40A-6 (Works of the District)

III. REVISIONS TO DEPARTMENT STATUTES AND RULES [Partially replaces existing Condition III. General Conditions, Paragraph F. Certification, Subparagraph 12]

A. The Licensee shall comply with rules adopted by the Department subsequent to the issuance of the certification under the PPSA which prescribe new or stricter criteria, to the extent that the rules are applicable to electrical power plants. Except when express variances, exceptions, exemptions, or other relief have been granted, subsequently adopted Department rules which prescribe new or stricter criteria shall operate as automatic modifications to certifications.

B. Upon written notification to the Department, the Licensee may choose to operate the certified electrical power plant in compliance with any rule subsequently adopted by the Department which prescribes criteria more lenient than the criteria required by the terms and conditions in the certification which are not site-specific.

[Section 403.511(5)(a) and (b), F.S; subsection 62-4.160(10), F.A.C.]

IV. DEFINITIONS [Replaces existing Condition I. General, Paragraph A. Definitions]

Unless otherwise indicated herein, the meaning of terms used herein shall be governed by the applicable definitions contained in Chapters 373 and 403, F.S., and any regulation adopted pursuant thereto. In the event of any dispute over the meaning of a term used in these Conditions which is not defined in such statutes or regulations, such dispute shall be

resolved by reference to the most relevant definitions contained in any other state or federal statute or regulation or, in the alternative by the use of the commonly accepted meaning as determined by the Department. As used herein, the following shall apply:

A. "Application" or "SCA" means the documents required by the Department to be filed to initiate a certification review and evaluation, including the initial document filing, amendments, and responses to requests from the Department for additional data and information. For purposes of this license, the site certification application shall also include materials submitted for post-certification amendments and petitions for modification to the Conditions of Certification, as well as supplemental applications.

B. "Associated Facilities" is defined by Section 403.503(7), F.S.

C. "Certified Area" means the area within the site in which the certified facilities are located. For linear facilities this term shall mean the area encompassed by the boundaries of the certified easements and/or ROWs.

D. "Certified Facility(ies)" means the certified electrical power generation facilities and all on- or off-site associated structures including but not limited to: steam generating units, transformers, substations, fuel and water storage tanks, air and water pollution control equipment, storm water control ponds and facilities, cooling towers, and related structures. This term shall also mean linear and associated facilities, including but not limited to: transmission lines, natural gas pipelines, and compressor stations.

E. "DEO" means the Florida Department of Economic Opportunity.

F. "DEP" or "Department" means the Florida Department of Environmental Protection.

G. "DHR" means the Florida Department of State, Division of Historical Resources.

H. "DOT" means the Florida Department of Transportation.

I. "Emergency conditions" or "Emergency reporting" means urgent circumstances involving potential adverse consequences to human life or property as a result of weather conditions or other calamity.

J. "Feasible" means reasonably achievable considering a balance of land use impacts, environmental impacts, engineering constraints, and costs.

K. "FWC" means the Florida Fish and Wildlife Conservation Commission.

L. "Licensee" means an applicant that has obtained a certification order for the subject project.

M. "NPDES permit" means a federal National Pollutant Discharge Elimination System permit issued by DEP in accordance with the federal Clean Water Act.

N. "Project" means the Purdom Unit 8 and all associated facilities, including but not limited to: the combined cycle unit, fuel and water storage tanks, natural gas delivery metering station, air pollution control equipment, storm water control facilities, the cooling tower and related facilities.

O. "PSD permit" means a federal Prevention of Significant Deterioration air emissions permit issued by DEP in accordance with the federal Clean Air Act.

P. "ARPC" means the Apalachee Regional Planning Council.

Q. "ROW" means the right-of-way to be selected by the Licensee within the certified corridor in accordance with the Conditions of Certification and as defined in Section 403.503(27), F.S.

R. "Site" means any proposed location within which will be located an electrical power plant's generating facility and onsite support facilities, or an alteration or addition of electrical generating facilities and onsite support facilities resulting in an increase in generating capacity, including offshore sites within state jurisdiction.

S. "Surface Water Management System" or "System" means a stormwater management system, dam, impoundment, reservoir, appurtenant work, or works, or any combination thereof. The terms "surface water management system" or "system" include areas of dredging or filling, as those terms are defined in Sections 373.403(13) and (14), F.S. However, until the effective date of the rules authorized by Section 373.4145(1)(b), F.S., the term "surface water management system" is limited to stormwater management systems.

T. "NWFWMD" means the Northwest Florida Water Management District.

U. "Title V permit" means a federal permit issued by DEP in accordance with Title V provisions of the federal Clean Air Act.

V. "Water Recovery Pipeline" means the reclaimed water pipeline from the St. Marks sewage treatment plant to the Purdom Generating Station.

V. DEPARTMENT PERMITS UNDER FEDERAL PROGRAMS [Replaces existing Condition XXI. Federal Operation Permits and Fees; AND partially replaces existing Condition III. General Conditions, Paragraph A. Facility Operation; and Condition III. General Conditions, Paragraph F. Certification]

This certification is not a waiver of any other Department approval that may be required under federally delegated or approved programs. The provisions of the following federal permits shall be conditions of this certification to the extent the provisions of those permits apply to the certified facility(ies). The Licensee shall comply with the applicable provisions and limitations set forth in the permits listed below, and as those provisions may be modified, amended, or renewed in the future by the Department. The Department may consider a violation of any of these permits as a violation of this license.

A. Air [Partially replaces existing Condition XIII. Air]

All Air Construction Permits and Title V Air Operation Permits in force for the certified parts of facility ID 1290001 are incorporated by reference herein as part of these Conditions. The Air Construction Permits and Title V Air Operation Permits can be found at this web link using the facility ID number listed above: http://appprod.dep.state.fl.us/air/emission/apds/default.asp.

[Chapters 62-4, 62-204, 62-210, 62-212, 62-213, 62-214, 62-296, and 62-297, F.A.C.]

B. Water

1. NPDES Industrial Wastewater Discharge [Replaces existing Condition XVII. NPDES]

Licensee shall comply with all applicable provisions of NPDES Permit No. FL0025526 (attached as Appendix I) as well as any subsequent modifications, amendments and/or renewals thereto.

[Chapter 62-620, F.A.C.]

2. NPDES Generic Permit for Stormwater Discharge from Large and Small Construction Activities [Partially replaces existing Condition XII. Construction, Paragraph B. Control Measures, Subparagraph 1. Stormwater Runoff]

Any storm water discharges associated with construction activities on the site shall be in accordance with all applicable provisions of Chapter 62-621, F.A.C. Prior to commencing construction activities on the site that:

- contribute to stormwater discharges to surface waters of the State or into a municipal separate storm sewer system (MS4); and
- disturb one or more acres of land (less than one acre if the activity is part of a larger common plan of development);

a Generic Permit for Stormwater Discharge from Large and Small Construction Activities must be obtained as applicable.

[Section 403.0885, F.S.; Rule 62-621.300, F.A.C.]

3. NPDES Multi-Sector Generic Permit for Stormwater Discharge Associated with Industrial Activity. [Partially replaces existing Condition XIV. Stormwater Discharge]

Any storm water discharges associated with industrial activity on the site shall be in accordance with all applicable provisions of Chapter 62-621, F.A.C. For industrial activities at the site that result in a discharge of stormwater to surface waters of the State or into a municipal separate storm sewer system, and fall under any one of the 11 categories of industrial activities identified in 40 CFR § 122.26(b)(14), a Multi-Sector Generic Permit for Stormwater Discharge Associated with Industrial Activity shall be obtained as applicable.

[Section 403.0885, F.S.; Rule 62-621.300, F.A.C.]

4. NPDES Generic Permit for Discharge of Produced Ground Water from any Non-Contaminated Site Activity and from Petroleum Contaminated Sites.

Prior to discharge of produced ground water from any non-contaminated site activity which discharges by a point source to surface waters of the State, as defined in Chapter 62-620, F.A.C., the Licensee must first obtain coverage under the Generic Permit for Discharge of Produced Ground Water From any Non-Contaminated Site Activity. Similarly, if the activity involves a point source discharge of ground water from a petroleum contaminated site, the Licensee must obtain coverage under the Generic Permit for discharge from petroleum contaminated sites. Before discharge of ground water can occur from such sites, analytical tests on samples of the proposed untreated discharge water shall be performed as required by Rule 62-621.300, F.A.C., to determine if the activity can be covered by either permit.

If the activity cannot be covered by either generic permit, the Licensee shall apply for an individual wastewater permit at least ninety (90) days prior to the date discharge to surface waters of the State is expected. No discharge to surface water is permissible without an effective permit.

[Section 403.0885, F.S.; Rule 62-621.300, F.A.C.]

VI. DESIGN AND PERFORMANCE CRITERIA [Partially replaces existing Condition XII. Construction, Paragraph A. Standards and Review of Plans]

Certification, including these Conditions, is predicated upon preliminary designs, concepts, and performance criteria described in the SCA or in testimony and exhibits in support of certification. Final engineering design will be consistent and in substantial compliance with the preliminary information described in the SCA or as explained at the certification hearing (if any). Conformance to those criteria, unless specifically modified in accordance with Sections 403.516, F.S., and Rule 62-17.211, F.A.C., is binding upon the Licensee in the design, construction, operation and maintenance of the certified facility.

[Sections 403.511 (2)(a) and 403.516,F.S.; Rules 62-4.160(2) and 62-17.211, F.A.C.]

VII. NOTIFICATION [Replaces existing Condition III. General Conditions, Paragraph F. Certification, Subparagraph 16; AND Partially replaces existing Condition III. General Conditions, Paragraph B. Non-Compliance Notification; Condition III. General Conditions, Paragraph F. Certification, Subparagraph 11; Condition III. General Conditions, Paragraph F. Certification, Subparagraph 18; Condition XII. Construction, Paragraph A. Standards and Review of Plans; and Condition XIX. Toxic, Deleterious or Hazardous Materials, Paragraph A. Spills]

A. If, for any reason, the Licensee does not comply with or will be unable to comply with any condition or limitation specified in this license, the Licensee shall immediately provide the appropriate District Office and/or Branch Office with the following information:

1. A description of and cause of noncompliance; and

2. The period of noncompliance, including dates and times; or, if not corrected, the anticipated time the noncompliance is expected to continue, and steps being taken to reduce, eliminate, and prevent recurrence of the noncompliance. The Licensee shall be responsible for any and all damages which may result and may be subject to enforcement action by the Department for penalties or for revocation of this certification.

All notifications which are made in writing shall additionally be immediately provided to the Siting Coordination Office (SCO) via email to SCO@dep.state.fl.us.

[subsection 62-4.160(8), F.A.C.]

B. The Licensee shall promptly notify the SCO in writing (email acceptable) of any previously submitted information concerning the certified facility that is later discovered to be inaccurate.

[subsection 62-4.160(15), F.A.C.]

C. Within 60 days after certification of an associated linear facility the Licensee shall file a notice of the certified route with the Department and the clerk of the circuit court for each county through which the corridor will pass.

The notice shall consist of maps or aerial photographs in the scale of 1:24,000 which clearly show the location of the certified route and shall state that the certification of the corridor will result in the acquisition of rights-of-way within the corridor. The Licensee shall certify to the Department and clerk that all lands required for the transmission line rights-of-way within the corridor have been acquired within such county.

[Section 403.5112, F.S.]

VIII. EMERGENCY CONDITIONS [New]

The Department will use its enforcement discretion when evaluating violations that result from operating the certified facility under emergency conditions. During and after the emergency conditions, the Licensee must use due diligence to bring the facility back into compliance as soon as possible. In addition, the Licensee must use its best efforts and best management practices to minimize adverse environmental impacts. The Licensee shall notify the SCO and the appropriate DEP District Office when the emergency condition has ended. Furthermore, the Licensee must include all monitoring data, which would otherwise be required under normal operating circumstances, recorded during emergency conditions when submitting reports as required by these conditions. Any exceedances and/or violations recorded during emergency conditions shall be reported as such, but the Department acknowledges that it intends to use its enforcement discretion during this timeframe. This acknowledgement by the Department does not constitute a waiver or variance from any requirements of any federal permit. Relief from any federal agency must be separately sought.

[Sections 403.511,F.S.]

IX. CONSTRUCTION PRACTICES

A. Local Building Codes [New]

Subject to the conditions set forth herein, this certification constitutes the sole license of the state and any agency as to the approval of the location of the site and any associated facility and the construction and operation of any certified facility. The Licensee is not required to obtain building permits for certified facilities. However, this certification shall not affect in any way the right of any local government to charge appropriate fees or require that construction of installations used by the electric utility that are not an integral part of a generating plant, substation, or control center (such as office buildings, warehouses, garages, machine shops, and recreational buildings) be in compliance with applicable building construction codes. Such fees and compliance with such construction codes are outside the scope of this certification.

[Section 403.511(4), F.S.]

B. Open Burning [Replaces existing Condition XII. Construction, Paragraph B. Control Measures, Subparagraph 2. Open Burning]

Prior to open burning in connection with land clearing, the Licensee shall seek authorization from the Florida Forest Service in accordance with the requirements of Chapters 62-256 and 5I-2, F.A.C.

[Chapters 5I-2 and 62-256, F.A.C.]

C. Flood Control Protection

The certified facilities shall be constructed in a manner that complies with any applicable non-procedural County flood protection requirements.

D. Sanitary Wastes [Replaces existing Condition XII. Construction, Paragraph B. Control Measures, Subparagraph 3. Sanitary Wastes]

Disposal of sanitary wastes from construction toilet facilities shall be in accordance with applicable regulations of the appropriate local health agency.

[Chapters 64E-6, F.A.C.]

E. Vegetation

For areas located in any Florida Department of Transportation (DOT) ROW, Chapter 7 of the Florida DOT *Utility Accommodation Manual* available on the DOT website (http://www2.dot.state.fl.us/proceduraldocuments/procedures/bin/710020001/Chapter-7.pdf) shall serve as guidelines for best management practices.

F. Existing Underground Utilities

The Licensee must follow all applicable portions of the Underground Facility Damage Prevention and Safety Act, Chapter 556, F.S. The Licensee shall provide the affected local government and the SCO with copies of valid tickets obtained from Sunshine State One Call of Florida upon request. Tickets shall be available for request until the underground work is completed for the affected area.

[Chapter 556, F.S.]

G. Electric and Magnetic Fields (EMF)

Any associated transmission lines and electrical substations shall comply with the applicable requirements of Chapter 62-814, F.A.C.

[Chapter 62-814, F.A.C.]

H. Existing Wells

Any existing wells to be impacted in the path of construction that will no longer be used shall be abandoned by a licensed well contractor. All abandoned wells shall be filled and sealed in accordance with subsection 62-532.500(5), F.A.C., or with the rules of the authorizing agency, or consistent with these Conditions.

[subsections 62-532.400 and 62-532.500(5), F.A.C.]

I. Abandonment of Existing Septic Tanks

Any existing septic tanks to be impacted by construction and that will no longer be used shall be abandoned in accordance with Rule 64E-6.011, F.A.C., unless these Conditions provide otherwise.

[Chapter 64E-6, F.A.C.]

X. RIGHT OF ENTRY [Replaces existing Condition III. General Conditions, Paragraph F. Certification, Subparagraph 10 and Condition V. Right of Entry; AND Partially

replaces existing Condition III. General Conditions, Paragraph F. Certification, Subparagraph 11; Condition III. General Conditions, Paragraph F. Certification, Subparagraph 18; ~~and~~]

A. Upon presentation of credentials or other documents as may be required by law, the Licensee shall allow authorized representatives of the Department or other agencies with jurisdiction over a portion of the certified facility and any authorized off-site mitigation/compensation or otherwise associated areas:

1. At reasonable times, to enter upon the certified facility in order to monitor activities within their respective jurisdictions for purposes of assessing compliance with this certification; or

2. During business hours, to enter the Licensee's premises in which records are required to be kept under this certification; and to have access to and copy any records required to be kept under this certification.

B. When requested by the Department, on its own behalf or on behalf of another agency with regulatory jurisdiction, the Licensee shall within 10 working days, or such longer period as may be mutually agreed upon by the Department and the Licensee, furnish any information required by law, which is needed to determine compliance with the certification.

[paragraph 62-4.160(7)(a) and subsection 62-4.160(15), F.A.C.]

XI. DISPUTE RESOLUTION [New]

A. General

If a situation arises in which mutual agreement between either the Department and the Licensee, or, the Department and an agency with substantive regulatory jurisdiction over a matter cannot be reached, the Department can act as a facilitator in an attempt to resolve the issue. If the dispute is not resolved in this initial informal meeting, Licensee may request a second informal meeting in which both Licensee and the agency with substantive regulatory jurisdiction over the matter at issue can participate in an attempt to resolve the issue. If, after such meetings, a mutual agreement cannot be reached between the parties, then the matter shall be referred to the Division of Administrative Hearings (DOAH) for disposition in accordance with the provisions of Chapter 120, F.S. The Licensee or the Department may request DOAH to establish an expedited schedule for the processing of such a dispute. Any filing with DOAH shall state with particularity the specific project and geographic location to which the dispute relates. Work unrelated to the specific project and in areas other than the location to which the dispute relates will not be affected by the dispute.

B. Modifications

If written objections are filed regarding a modification, and the objections address only a portion of a requested modification, then the department shall issue a Final Order approving the portion of the modification to which no objections were filed, unless that portion of the requested modification is substantially related to or necessary to implement the portion to which written objections are filed.

C. Post-Certification Submittals

If it is determined, after assessment of a post-certification submittal, that compliance with the Conditions will not be achieved for a particular portion of a submittal, the

Department may make a separate assessment of other portions of the submittal, unless those portions of the submittal are substantially related to or necessary to implement that portion for which it has been determined that compliance with the Conditions will not be achieved.

[Sections 120.57, F.S. and Rule 62-17.211, F.A.C.]

XII. SEVERABILITY [Replaces existing Condition IX. Serverability]

The provisions of this certification are severable, and if any provision of this certification or the application of any provision of this certification to any circumstance is held invalid, the remainder of the certification or the application of such provision to other circumstances shall not be affected thereby.

XIII. ENFORCEMENT [Replaces existing Condition III. General Conditions, Paragraph D. Enforcement; Condition III. General Conditions, Paragraph F. Certification, Subparagraph 1; and Partially replaces existing Condition II. Change in Discharge; Condition III. General Conditions, Paragraph F. Certification, Subparagraph 5]

A. The terms, conditions, requirements, limitations and restrictions set forth in these Conditions are binding and enforceable pursuant to Sections 403.141, 403.161, and 403.514, F.S., as applicable. Any noncompliance by the Licensee with these Conditions constitutes a violation of Chapter 403, F.S., and is grounds for enforcement action, license termination, license revocation, or license revision. The Licensee is placed on notice that the Department may review this certification periodically and may initiate enforcement action for any violation of these Conditions.

B. All records, notes, monitoring data and other information relating to the construction or operation of the certified facility which are submitted to the Department may be used by the Department as evidence in any enforcement case involving the certified facility and arising under the Florida Statutes or Department rules, subject to the restrictions in Sections 403.111 and 403.73, F.S. During enforcement actions, the retention period for all records will be extended automatically unless otherwise stipulated by the Department. Such evidence shall only be used to the extent it is consistent with the Florida Rules of Civil Procedure and appropriate evidentiary rules.

[Sections 403.121, 403.131, 403.141, 403.151, 403.161, and 403.514, F.S.; subsections 62-4.160(1) and 62-4.160(9), F.A.C.]

XIV. REVOCATION OR SUSPENSION [Replaces existing Condition III. General Conditions, Paragraph F. Certification, Subparagraph 2 and Condition VI. Revocation or Suspension; AND Partially replaces existing Condition X. Review of Site Certification]

The certification shall be final unless revised, revoked or suspended pursuant to law. This certification may be suspended or revoked pursuant to Sections 403.512, F.S. This certification is valid only for the specific processes and operations identified in the SCA and approved in the final order of certification and indicated in the testimony and exhibits in support of certification, or approved in a subsequent amendment or modification of the certification. Any unauthorized deviation from the approved drawings, exhibits, specifications, or conditions of this approval may constitute grounds for revocation and enforcement action by the Department. Any enforcement action, including suspension and revocation, shall only affect the portion(s) of the certified facility that are the cause of such action, and other portions of the certified facility shall remain unaffected by such action.

[Sections 403.512, F.S.; subsection 62-4.160(2), F.A.C.]

XV. REGULATORY COMPLIANCE [Replaces existing Condition III. General Conditions, Paragraph F. Certification, Subparagraph 3; AND Partially replaces existing Condition III. General Conditions, Paragraph C. Safety; Condition III. General Conditions, Paragraph F. Certification, Subparagraph 4; Condition III. General Conditions, Paragraph F. Certification, Subparagraph 9; Condition VIII. Property Rights; and Condition XIV. Stormwater Discharge]

As provided in Sections 403.087(7) and 403.722(5), F.S., the issuance of this license 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 any infringement of federal, state, or local laws or regulations. This license is not a waiver of or approval of any other Department license/permit that may be required for other aspects of the certified facility which are not addressed in this license. This license does not relieve the Licensee from liability for harm or injury to human health or welfare, animal, or plant life, or public or private property caused by the construction or operation of this certified facility, or from penalties therefore. [subsections 62-4.160(3) and 62-4.160(5), F.A.C.]

XVI. CIVIL AND CRIMINAL LIABILITY [Replaces existing Condition VII. Civil and Criminal Liability]

Except to the extent a variance, exception, exemption or other relief is granted in the final order of certification, in a subsequent modification to these Conditions, or as otherwise provided under Chapter 403, F.S, this certification does not relieve the Licensee from civil or criminal penalties for noncompliance with any condition of certification, applicable rules or regulations of the Department, or any other state statutes or regulations which may apply.

[Sections 403.141, 403.161, and 403.511, F.S.]

XVII. USE OF STATE LANDS [Partially replaces existing Condition VIII. Property Rights]

A. The issuance of this license 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 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.

B. If any portion of the certified facility is located on sovereign submerged lands, state-owned uplands, or within an aquatic preserve, then the Licensee must comply with the applicable portions of Chapters 18-2, 18-20, and 18-21, F.A.C., and Chapters 253 and 258, F.S. If any portion of the certified facility is located on sovereign submerged lands, the Licensee must submit section G of the Joint Application for Environmental Resource Permits to the Department prior to construction. If any portion of the certified facility is located on state-owned uplands, the Licensee must submit an Upland Easement Application to the Department prior to construction.

C. If a portion of the certified facility is located on sovereign submerged lands or state-owned uplands owned by the Board of Trustees of the Internal Improvement Trust Fund, pursuant to Article X, Section 11 of the Florida Constitution, then the proposed activity on such lands requires a proprietary authorization. Under such circumstances, the proposed activity is

not exempt from the need to obtain a proprietary authorization. The Department has the responsibility to review and take action on requests for proprietary authorization in accordance with Rules 18-2.018 or 18-21.0051, F.A.C.

D. The Licensee is hereby advised that Florida law states: "No person shall commence any excavation, construction, or other activity involving the use of sovereign or other state lands of the state, title to which is vested in the Board of Trustees of the Internal Improvement Trust Fund or the Department of Environmental Protection under Chapter 253, F.S., until such person has received from the Board of Trustees of the Internal Improvement Trust Fund the required lease, license, easement, or other form of consent authorizing the proposed use." Pursuant to Chapter 18-14, F.A.C., if such work is done without consent, or if a person otherwise damages state land or products of state land, the Board of Trustees may levy administrative fines of up to $10,000 per offense.

E. The terms, conditions, and provisions of any required lease or easement issued by the State shall be met. Any construction activity associated with the certified facility shall not commence on sovereign submerged lands or state owned uplands, title to which is held by the Board of Trustees of the Internal Improvement Trust Fund, until all required lease or easement documents have been executed.

[Chapters 253 and 258, and Sections 403.511,F.S.; Chapter 3.1.1. of the B.O.R.; Chapters 18-2, 18-14, 18-21, 62-340, and subsections 62-343.900(1) and 62-4.160(4), F.A.C.; Upland Easement Application and Section G of the Environmental Resource Permit Application Form.]

XVIII. PROCEDURAL RIGHTS

Except as specified in Chapter 403, F.S., or Chapter 62-17, F.A.C., no term or condition of certification shall be interpreted to preclude the post-certification exercise by any party of whatever procedural rights it may have under Chapter 120, F.S., including those related to rule-making proceedings.

[Chapter 120 and Section 403.511(5)(c), F.S.]

XIX. AGENCY ADDRESSES FOR POST-CERTIFICATION SUBMITTALS AND NOTICES

Where a condition requires post-certification submittals and/or notices to be sent to a specific agency, the following agency addresses shall be used unless the Conditions specify otherwise or unless the Licensee and the Department are notified in writing of an agency's change in address for such submittals and notices:

Florida Department of Environmental Protection
Siting Coordination Office, MS 5500
2600 Blair Stone Rd.
Tallahassee, FL 32399-2400

Florida Department of Environmental Protection
Northwest District Office
160 West Government Center, Suite 308
Pensacola, FL 32502-5794

Florida Department of Economic Opportunity
Office of the Secretary
107 East Madison St.
Tallahassee, FL 32399-2100

Florida Fish & Wildlife Conservation Commission
Office of Policy and Stakeholder Coordination
620 South Meridian Street
Tallahassee, FL 32399-1600

Florida Department of Transportation
District Administration
605 Suwannee Street
Tallahassee, FL 32399-0450

Florida Department of Agriculture and Consumer Services
Division of Forestry
3125 Conner Boulevard
Tallahassee, FL 32399-1650

Apalachee Regional Planning Council
Office of the Executive Director
20776 Central Avenue East
Blountstown, FL 32424

Northwest Florida Water Management District
Office of General Counsel
81 Water Management Drive
Havana, FL 32333

Florida Department of State
Division of Historical Resources
500 S. Bronough Street
Tallahassee, FL 32399-0250

Leon County
Office of General Council
301 S. Monroe St., Ste. 202
Tallahassee, FL 32301

Wakulla County
Office of General Council
3093 Crawfordville Hwy
Crawfordville, FL 32327

[Section 403.511, 403.531, and 403.9416, F.S.]

XX. PROCEDURES FOR POST-CERTIFICATION SUBMITTALS [Replaces existing Condition III. General Conditions, Paragraph H. Procedures for Post-Certification Submittals; AND Partially replaces Condition XII. Construction, Paragraph A. Standards and Review of Plans]

A. Purpose of Submittals

Conditions which provide for the post-certification submittal of information to DEP or other agencies by the Licensee are for the purpose of facilitating the agencies' monitoring of the effects arising from the location of the certified facility and the construction and maintenance of the certified facility. This monitoring is for DEP to assure, in consultation with other agencies with applicable regulatory jurisdiction, continued compliance with these Conditions, without further agency action. A submittal of information or determination of compliance pursuant to a post-certification submittal under this Condition does not provide a point of entry for a third party.

B. Filings

All post-certification submittals of information by Licensee are to be filed with the appropriate DEP District Office(s) and any other agency that is entitled to receive a submittal pursuant to these Conditions. The SCO shall be copied on all post-certification submittals in electronic .pdf format only, unless otherwise requested, via email to SCO@dep.state.fl.us. Each submittal shall clearly identify the certified facility name, PA#, and the condition number/s (i.e. Section X, Condition XX.y.(z)) requiring the submittal. As required by Section 403.5113(2), F.S., each post-certification submittal will be reviewed by each agency with regulatory authority over the matters addressed in the submittal on an expedited and priority basis.

[Section 403.5113, F.S., subsection 62-17.191(3), F.A.C.]

C. Completeness

DEP shall review each post-certification submittal for completeness. This review may include consultation with the other agency/ies receiving the post-certification submittal with regulatory jurisdiction over the matter addressed in the submittal. DEP's finding of completeness shall specify the area of the certified facility affected, and shall not delay further processing of the post-certification submittal for non-affected areas.

If any portion of a post-certification submittal is found to be incomplete, the Licensee shall be so notified. Failure to issue such a notice within 30 days after filing of the submittal shall constitute a finding of completeness. Subsequent findings of incompleteness, if any, shall address only the newly filed information.

[subparagraph 62-17.191(1)(c) 2, F.A.C.]

D. Interagency Meetings

DEP may conduct an interagency meeting with other agencies that received a post-certification submittal. The purpose of such an interagency meeting shall be for the agencies with regulatory jurisdiction over the matters addressed in the post-certification submittal to discuss whether compliance with these Conditions has been provided. Failure of DEP to conduct an interagency meeting or failure of any agency to attend an interagency meeting shall not be grounds for DEP to withhold a determination of compliance with these Conditions nor to delay the timeframes for review established by these Conditions. At DEP's

request, a field inspection shall be conducted with the Licensee and the agency representative in conjunction with the interagency meeting.

E. Determination of Compliance

DEP shall give written notification within 90 days, to the Licensee and the other agency(ies) to which the post-certification information was submitted of DEP's determination of whether there is demonstration of compliance with these Conditions. If it is determined that compliance with the Conditions has not been provided, the Licensee shall be notified with particularity of the deficiencies and possible corrective measures suggested. Failure to notify Licensee in writing within 90 days of receipt of a complete post-certification submittal shall constitute a determination of compliance. A postcertification compliance review may be the basis for initiating modifications to the relevant Condition or to other related Conditions.

F. Commencement of Construction

If DEP does not object within the time period specified in paragraph E. above, Licensee may begin construction pursuant to the terms of these Conditions and the subsequently submitted construction details.

G. Revisions to Design Previously Reviewed for Compliance

If revisions to site-specific designs occur after submittal, the Licensee shall submit revised plans prior to construction for review in accordance with the post-certification process specified in this Condition.

[Sections 120.569, 373.413, 373.416, and 403.511, F.S.; Rules 62-17.191 and 62-17.205, F.A.C.]

XXI. POST-CERTIFICATION SUBMITTAL REQUIREMENTS SUMMARY [New]

Within 90 days after certification, and within 90 days after any subsequent modification or certification, the Licensee shall provide the Department a complete summary of those post-certification submittals that are identified in these Conditions when due-dates for the information required of the Licensee have been identified. A summary shall be provided as a separate document for each transmission line, if any. Such submittals shall include, but are not limited to, monitoring reports, management plans, wildlife surveys, etc. The summary shall be provided to the SCO, in a sortable spreadsheet, electronically, in the format identified below or equivalent. For subsequent modifications and certifications, a Post-Certification Submittal Requirements Summary shall be required for only those resulting in new or altered post-certification requirements.

Condition Number	Requirement and Timeframe	Due Date	Name of Agency or Agency Subunit to whom the submittal is required to be provided

[Section 403.5113, F.S.; Subsection 62-17.191(3), F.A.C.]

XXII. POST CERTIFICATION AMENDMENTS [Partially replaces existing Condition XII. Construction, Paragraph A. Standards and Review of Plans]

If, subsequent to certification, the Licensee proposes any material change to the SCA and revisions or amendments thereto, as certified, the Licensee shall submit a written request for amendment and a description of the proposed change to the SCA to the Department. Within 30 days after the receipt of a complete request for an amendment, the Department shall determine whether the proposed change to the SCA requires a modification to the Conditions.

A. If the Department concludes that the change would not require a modification to the Conditions, the Department shall provide written notification of the approval of the proposed amendment to the Licensee, all agencies, and all other parties to the certification.

B. If the Department concludes that the change would require a modification to the Conditions, the Department shall provide written notification to the Licensee that the proposed change to the SCA requires a request for modification pursuant to Sections 403.516, F.S.

[Section 403.5113, F.S]

XXIII. MODIFICATION OF CERTIFICATION [Replaces existing Condition XI. Modification of Certification; AND Partially replaces existing Condition II. Change in Discharge; Condition III. General Conditions, Paragraph F. Certification, Subparagraph 9; Condition III. General Conditions, Paragraph F. Certification, Subparagraph 15; Condition X. Review of Certification; Condition XII. Construction, Paragraph A. Standards and Review of Plans; and Condition XIII. Air]

A. Pursuant to Section 403.516(1)(a), F.S., and Rule 62-17.211, F.A.C., the Siting Board hereby delegates the authority to the Department to modify any Condition which would not otherwise require approval by the Siting Board, after notice and receipt of no objection by a party to the certification within 45 days after notice by mail to the party's last address of record, and if no other person whose substantial interests will be affected by the modification objects in writing within 30 days of public notice.

B. The Department may modify Conditions, in accordance with Section 403.516(1)(b), F.S., which are inconsistent with the terms of any subsequent and separately DEP-issued permits, permit amendments, permit modifications, or permit renewals under a federally delegated or federally approved permit program. Such modification may be made without further notice if the matter has been previously noticed under the requirements for any federally delegated or approved permit program.

C. In accordance with Section 403.516(1)(c), F.S., the Licensee may file a petition for modification with the Department, or the Department may initiate the modification upon its own initiative.

D. Any anticipated facility expansions, production increases, or process modifications which may result in new, different or increased discharge or emission of

pollutants, change in fuel, or expansion in generating capacity must be reported by submission of an appropriate request for an amendment, modification, or certification.

E. Any anticipated facility change that results in a change to the Site Delineation or the Delineation of the Certified Area, attached hereto as part of Attachment A (Maps), must be accompanied by a map or aerial photo showing the proposed new boundaries of the site and/or certified area. Within 120 days after completion of construction of the approved facility change, the Licensee shall provide the information required by Section A. General Conditions, Condition I. Scope, paragraphs D, E, F, or G, as appropriate.

[Section 403.516, F.S.; Rule 62-17.211, F.A.C.]

XXIV. INCORPORATION OF EXISTING STATE AND LOCAL PERMITS/LICENSES

The operation of the certified facility shall be in accordance with all applicable provisions of any state or local government regulation. All state and locally issued permits are intended to be incorporated herein, such that the Licensee shall comply with the substantive provisions and limitations set forth in those permits. The inadvertent omission of any state or locally issued permit/approval from these Conditions can be remedied by a modification of the Conditions to include provisions from the state or locally issued permit/approval.

At any time following certification, should the Licensee become aware of any state or locally issued permit/approval not included herein, the Licensee shall promptly notify the SCO for incorporation into these Conditions. Likewise, when the Department is made aware of any separately issued permits/approvals that were inadvertently not included in the Conditions, the Conditions will be modified to incorporate the substantive provisions and limitations of any such permit/approval.

XXV. COASTAL ZONE CONSISTENCY

Pursuant to Sections 373.428 and 403.511, F.S., certification of the facility constitutes the State's concurrence that the licensed activity or use is consistent with the federally approved program under the Florida Coastal Management Act.

[Sections 373.428, 380.23, and 403.511(7), F.S.]

XXVI. TRANSFER OF CERTIFICATION [Replaces existing Condition III. General Conditions, Paragraph F. Certification, Subparagraph 6]

A. This certification is transferable in whole or in part, upon Department approval, to an entity determined to be able to comply with these Conditions. A transfer of certification of all or part of the certified facility may be initiated by the Licensee's filing of a Notice of Intent to Transfer Certification with the Department. The notice of intent shall: identify the intended new certification holder or Licensee; identity current and new entity responsible for compliance with the certification; and include a written agreement from the intended Licensee/Transferee to abide by all Conditions of Certification and applicable laws and regulations. Upon receiving a complete notice of intent, the transfer shall be approved by the Department unless the Department objects to the transfer on the grounds that the new Licensee will be unable to comply with the Conditions of Certification, specifies in writing its reasons for its objections, and gives notice and an opportunity to petition and administrative hearing pursuant to Section 120.57, F.S.

Upon approval, the Department will initiate a modification to the Conditions to reflect the change in ownership in accordance with Rule 62-17.211, F.A.C.

B. In the event of the dissolution of the Licensee, the Department may transfer certification to successor entities which are determined to be competent to construct, operate and maintain the certified facility in accordance with the conditions of certification and which are proper applicants as defined by the PPSA. Upon determination that such a successor entity complies with the requirements for transfer of certification, the Department will initiate a modification to the Conditions to reflect the change in ownership in accordance with Rule 62-17.211, F.A.C.

[Chapter 120, F.S.; Rule 62-17.211, F.A.C]

XXVII. LABORATORIES AND QUALITY ASSURANCE [Replaces existing Condition III. General Conditions, Paragraph G. Laboratories and Quality Assurance; AND Partially replaces existing Condition III. General Conditions, Paragraph F. Certification, Subparagraph 17]

Chemical, physical, biological, microbiological and toxicological data collected as a requirement of these Conditions must be reliable, and collected and analyzed by scientifically sound procedures. Unless otherwise specified in these Conditions, the Licensee shall adhere to the minimum field and laboratory quality assurance, methodological and reporting requirements of the Department as set forth in Chapter 62-160, F.A.C. Standard Operating Procedures can be downloaded from the following website: http://www.dep.state.fl.us/labs/qa/sops.htm.

[Rule 62-160, F.A.C.]

XXVIII. ENVIRONMENTAL RESOURCES [Partially replaces existing Condition XII. Construction, Paragraph B. Control Measures, Subparagraph 1. Stormwater Runoff; Condition XII. Construction, Paragraph B. Control Measures, Subparagraph 9. Dewatering Operations; and Condition XIV.Stormwater Discharge]

A. General

1. Submittals for Construction Activities

a. Prior to the commencement of construction of new facilities and/or associated facilities the Licensee shall provide to the appropriate DEP District's Environmental Resource Permitting Section(s) for review, all information necessary for a complete *Joint Application for Environmental Resource Permit* (ERP), DEP Forms 62-330.060(1), F.A.C..

This form may: a) have been submitted concurrently with a SCA; b) be submitted as part of an amendment request or a petition for modification; or c) be submitted as a post-certification submittal following approval of a project through certification, modification or amendment. Such ERP submittals, once received, shall be reviewed in accordance with the non-procedural standards and criteria for issuance of an ERP, including all the provisions related to reduction and elimination of impacts, conditions for issuance, additional conditions for issuance, and mitigation contained in Chapters 62-330 and 62-341, F.A.C., as applicable unless otherwise stated in these Conditions.

Those forms submitted as part of a SCA, an amendment, or modification, shall be processed concurrently with, and under the respective certification, amendment, or modification procedures. Those forms submitted as a post-certification submittal

(after certification, modification, or amendment and prior to construction) shall be processed in accordance with Section A. General Conditions, Condition XX. Procedures for Post-Certification Submittals.

No construction shall commence on a Project feature, or in a particular segment for a linear facility, until the Department has determined that there is a demonstration of compliance with these Conditions. For post-certification submittal reviews, the Department's determination is governed by Section A. General Conditions, Condition XX. Procedures for Post-Certification Submittals.

b. Concurrent with submittal of the DEP form required in Subparagraph A.1.a. above, the Licensee shall submit, as applicable, a survey of wetland and surface water areas as delineated in accordance with Chapter 62-340, F.A.C., and verified by appropriate agency staff for Department approval. Available DEP-approved wetland and surface water delineations within the boundaries of a certified site or a portion thereof may be used and reproduced for this delineation submittal and verification.

[Chapter 62-340, F.A.C.]

[Section 373.416, F.S.; Chapters 62-330, 62-340 and 62-341, F.A.C.]

2 Construction, operation and maintenance of the proposed project (including any access roads and structures constructed within wetlands and other surface waters, and/or associated facilities) shall satisfy any applicable non-procedural requirements in the Department rules.

[Section 373.414(1)(a), F.S.]

3. Any delineation of the extent of a wetland or other surface water submitted as part of the DEP ERP Application Form required by Subparagraph A.1.a. above, including plans or other supporting documentation, shall not be considered binding on the Department unless a specific condition of this Certification or a formal wetlands jurisdictional determination under Section 373.421(2), F.S., provides otherwise.

[Sections 373.421 and 403.504, F.S.]

B. Surface Water Management

1. Information regarding surface water management systems (SWMS) will be reviewed for consistency with the applicable non-procedural requirements of Part IV of Chapter 373, F.S., following submittal of Form 62-330.060(1) Sec. E, F.A.C., to the appropriate office of the Department.

2. All construction, operation, and maintenance of the SWMS(s) for the certified facilities shall be as set forth in the plans, specifications and performance criteria contained in the SCA and other materials presented during the certification proceeding, post-certification submittals, and as otherwise approved. If specific requirements are necessary for construction, operation and/or maintenance of an approved SWMS, those requirements shall be incorporated into a SWMS Plan for that system and included in Attachment B (Surface Water Management System Plans). Any alteration or modification to the SWMS Plan or the SWMS as certified requires prior approval from the Department.

3. To allow for stabilization of all disturbed areas, immediately prior to construction, during construction, and for the period of time after construction of the SWMS, the Licensee shall implement and maintain erosion and sediment control best management practices, such as silt fences, erosion control blankets, mulch, sediment traps, polyacrylamide (PAM), temporary grass seed, permanent sod, and floating turbidity screens to retain sediment on-site and to prevent violations of state water quality standards. These devices shall be installed, used, and maintained at all locations where the possibility exists of transferring suspended solids into the receiving waterbody due to the licensed work, and shall remain in place at all locations until construction in that location is completed and soils are permanently stabilized. All best management practices shall be in accordance with the guidelines and specifications described in *the State of Florida Erosion and Sediment Control Designer and Reviewer Manual* (Florida Department of Transportation and Florida Department of Environmental Protection, by HydroDynamics Incorporated in cooperation with Stormwater Management Academy, June 2007) unless a project-specific erosion and sediment control plan is approved as part of this License. If project-specific Conditions require additional measures during any phase of construction or operation to prevent erosion or control sediments beyond those specified in the approved erosion and sediment control plan, the Licensee shall implement additional best management practices as necessary, in accordance with the guidelines and specifications in *the State of Florida Erosion and Sediment Control Designer and Reviewer Manual*. The Licensee shall correct any erosion or shoaling that causes adverse impacts to the water resources as soon as feasible. Once project construction is complete in an area, including the re-stabilization of all side slopes, embankments and other disturbed areas, and before conversion to the operation and maintenance phase, all silt screens and fences, temporary baffles, and other materials that are no longer required for erosion and sediment control shall be removed.

4. The Licensee shall complete construction of all aspects of the SWMS described in the ERP Application Form, submitted as part of a postcertification submittal, amendment, modification, or certification application including water quality treatment features, and discharge control facilities prior to use of the portion of the certified facility being served by the SWMS.

5. At least 48 hours prior to the commencement of construction of any new SWMS authorized by this certification, the Licensee shall submit to the Department a written notification of commencement using an “Construction Commencement Notice” (DEP Form 62-330.350(1), F.A.C., as applicable), indicating the actual start date and the expected completion date. When the duration of construction will exceed one year, the Licensee shall submit construction status reports to the Department on an annual basis utilizing a "Regional Stormwater Management System Annual Report" (DEP Form No. 62-330.311(2), F.A.C.). Status Report Forms shall be submitted the following June of each year.

6 Each phase or independent portion of the approved system must be completed in accordance with the submitted DEP Form prior to the operation of the portion of the certified facility being served by that portion or phase of the system.

7. Within 30 days after completion of construction of any new portions of the SWMS, the Licensee shall submit to the appropriate DEP District’s ERP Section, and copy the SCO, a written statement of completion and certification by a registered professional engineer (P.E.), or other appropriate registered professional, as authorized by law, utilizing the required “As-Built Certification and Request for Conversion to Operation Phase” (DEP Form 62-330.310

(1), F.A.C.). Additionally, if deviations from the approved drawings are discovered, the As-Built Certification must be accompanied by a copy of the approved drawings with deviations noted.

8. Any substantial deviation from the approved drawings, exhibits, specifications or Conditions, may constitute grounds for revocation or enforcement action by the Department. Examples of substantial deviations may include excavation of ponds, ditches or sump areas deeper than shown on the approved plans.

9. Prior to converting a construction phase SWMS to an operation phase SWMS, the Licensee shall submit to the Department a "Request for Transfer of Environmental Resource Permit to the Perpetual Operation Entity" (DEP Form 62-330.310(2), F.A.C). The operation phase of any new SWMS approved by the Department shall not become effective until the Licensee has complied with the requirements of the conditions herein, the Department determines the system to be in compliance with the approved plans, and the entity approved by the Department accepts responsibility for operation and maintenance of the system.

10. The DEP District ERP Section must be notified in advance of any proposed construction dewatering. If the dewatering activity is likely to result in offsite discharge or sediment transport into wetlands or surface waters, a written dewatering plan must be submitted to and approved by the Department prior to the dewatering event. Additional authorizations may be required for certain dewatering activities, such as an NPDES dewatering generic permit per 62-621.300, F.A.C. (See Condition V. DEPARTMENT PERMITS UNDER FEDERAL PROGRAMS, B.4).

[Section 373.414, F.S.; Chapters 62-25, 62-302, 62-330, and Rule 62-4.242, F.A.C.]

C. Wetland and Other Surface Water Impacts

1. All certified facilities shall be constructed in a manner which will eliminate or reduce adverse impacts to on-site and/or adjacent wetlands or other surface waters to the extent practicable or otherwise comply with substantive criteria for elimination or reduction. When impacts to wetlands will occur as a result of a future amendment, modification, or certification, and cannot be practicably eliminated or reduced, the Licensee may propose and the Department or Board shall consider mitigation to offset otherwise unpermittable activities under the Environmental Resource Permit review process pursuant to subparagraph.A.1 above.

2. Proposed mitigation plans submitted with the DEP ERP Application forms required in Condition subparagraph A.1.a. above, or submitted and approved as part of an amendment, modification, or certification, and that are deemed acceptable by DEP, shall include applicable construction conditions, success criteria and monitoring plans, and shall be incorporated into these Conditions as Attachment C (Mitigation Plans).

[Sections 373.413, 373.414, 373.4145, 403.511, and 403.814(6), F.S.; Chapters 62-312, 62-330, 62-340, 62-341, 62-342, and 62-345, F.A.C.]

XXIX. THIRD PARTY IMPACTS

The Licensee is responsible for maintaining compliance with these Conditions even when third party activities authorized by the Licensee occur in or on the certified site/areas. Such third party activities authorized by the Licensee may include but are not limited to mining, hunting, and timbering.

[Sections 403.506(1), F.S.]

XXX. FACILITY OPERATION [Replaces existing Condition IV. Adverse Impact; AND Partially replaces existing Condition III. General Conditions, Paragraph A. Facility Operation; Condition III. General Conditions, Paragraph C. Safety; Condition III. General Conditions, Paragraph E. Design and Performance Criteria; and Condition III. General Conditions, Paragraph F. Certification, Subparagraph 4]

The Licensee shall properly operate and maintain the certified facility and systems of treatment and control (and related appurtenances) that are installed and used by the Licensee to achieve compliance with these Conditions, as required by the final order of certification, these Conditions, or a post-certification amendment or modification. This provision includes the operation of backup or auxiliary facilities or similar systems when necessary to achieve compliance with the final order of certification, these Conditions, or a post-certification amendment or modification. Further, the Licensee shall take all reasonable steps to minimize any adverse impact resulting from noncompliance with any limitation specified in this certification, including such accelerated or additional monitoring as necessary to determine the nature and impact of the noncomplying event.

[subsection 62-4.160(6), F.A.C.]

XXXI. RECORDS MAINTAINED AT THE FACILITY [Replaces existing Condition III. General Conditions, Paragraph F. Certification, Subparagraphs 7-8]

A. These Conditions or a copy thereof shall be kept at the Site.

B. The Licensee shall hold at the site, or other location designated by these Conditions, records of all monitoring information, including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation required by these Conditions, copies of all reports required by these Conditions, and records of all data used to complete the SCA for this approval. These materials shall be retained at least three (3) years from the date of the sample, measurement, report, or application unless otherwise specified by Department rule.

C. Records of monitoring information shall include:

1. the date, exact place, and time of sampling or measurements;
2. the person responsible for performing the sampling or measurements;
3. the dates analyses were performed;
4. the person responsible for performing the analyses;
5. the analytical techniques or methods used; and,
6. the results of such analyses.

[subsection 62-4.160(12) and paragraph 62-4.160(14)(b), F.A.C.]

XXXII. WATER DISCHARGES

A. Discharges [Partially replaces existing Condition III. General Conditions, Paragraph C. Safety; Condition XII. Construction, Paragraph B. Control Measures, Subparagraph 1. Stormwater Runoff; and Condition XII. Construction, Paragraph B. Control Measures, Subparagraph 9. Dewatering Operations]

1. The Licensee shall not discharge to surface waters wastes which are acutely toxic, or present in concentrations which are carcinogenic, mutagenic, or teratogenic to human beings or to significant locally occurring wildlife or aquatic species. The Licensee shall not discharge to ground waters wastes in concentrations which, alone or in combination with other substances, or components of discharges (whether thermal or non-thermal) are carcinogenic, mutagenic, teratogenic, or toxic to human beings (unless specific criteria are established for such components in Rule 62-520.400, F.A.C.) or are acutely toxic to indigenous species of significance to the aquatic community within surface waters affected by the ground water at the point of contact with surface waters.

2. All discharges and activities must be conducted so as to not cause a violation of the water quality standards set forth in Chapters 62-4, 62-302, 62-520, and 62-550, 62-620, F.A.C., including the provisions of Rules 62-4.243, 62-4.244, and 62-4.246, F.A.C., the antidegradation provisions of paragraphs 62-4.242(1)(a) and (b), F.A.C., subsections 62-4.242(2) and (3), F.A.C., and Rule 62-302.300, F.A.C., and any special standards for Outstanding Florida Waters and Outstanding National Resource Waters set forth in subsections 62-4.242(2) and (3), F.A.C.;

3. All dewatering discharges must be in compliance with Rule 62-621.300, F.A.C.

[Chapters 62-4, 62-302, 62-520, 62-550, and 62-620, F.A.C., and Rule 62-621.300, F.A.C.]

B. Wastewater Incident Reporting [Partially replaces existing Condition III. General Conditions, Paragraph B. Non-Compliance Notification]

1. The Licensee shall report to the appropriate district office any noncompliance with industrial wastewater requirements which may endanger health or the environment. Any information shall be provided orally within 24 hours from the time the Licensee becomes aware of the circumstances.

The Licensee shall provide the following information, to the extent known, to the applicable DEP District Office in the 24-hr oral report:

a. Any unanticipated bypass which causes any reclaimed water or effluent to exceed any permit limitation or results in an unpermitted discharge,

b. Any upset which causes any reclaimed water or the effluent to exceed any limitation in the permit,

c. Violation of a maximum daily discharge limitation for any of the pollutants specifically listed in the permit for such notice, and

d. Any unauthorized discharge to surface or ground waters.

A written submission shall also be provided within five days of the time the Licensee 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.

2. For unauthorized releases or spills of treated or untreated wastewater reported 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 NUMBER (800) 320-0519, as soon as practical, but no later than 24 hours from the time the Licensee becomes aware of the discharge. The Licensee, 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 Licensee 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.

3. 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.

[Chapter 403, F.S.; subsection 62-620.610(20), F.A.C.]

XXXIII. SOLID AND HAZARDOUS WASTE

A. Solid Waste

The Licensee shall comply with all applicable provisions of Chapters 62-701, F.A.C., for any solid waste generated within the certified facility during construction and/or operation.

[Chapters 62-701, F.A.C.]

B. Hazardous Waste and Used Oil

The Licensee shall comply with all applicable non-procedural provisions of DEP Chapter 62-730, F.A.C., for any hazardous waste generated within the certified facility. An EPA identification number must be obtained before beginning hazardous waste activities unless the facility is a Conditionally Exempt Small Quantity Generators (CESQGs). CESQGs generate no more than 100 kg (220 lbs) of hazardous waste in any month.

The Licensee shall comply with all applicable non-procedural provisions of DEP Chapter 62-710, F.A.C., for any used oil and used oil filters generated within the certified facility.

The Licensee shall comply with all applicable non-procedural provisions of DEP Chapter 62-737, F.A.C., for any spent mercury-containing lamps and devices generated within the certified facility.

[Chapters 62-710, 62-730 and 62-737, F.A.C.]

C. Hazardous Substance Release Notification [Partially replaces existing Condition XIX. Toxic, Deleterious or Hazardous Materials, Paragraph A. Spills]

1. Any owner or operator of a facility who has knowledge of any release of a hazardous substance from a certified facility in a quantity equal to or exceeding the reportable quantity in any 24-hour period shall notify the Department by calling the STATE WARNING POINT NUMBER, (800) 320-0519, as soon as possible, but not later than one working day of discovery of the release.

2. Releases of mixtures and solutions are subject to these notification requirements only where a component hazardous substance of the mixture or solution is released in a quantity equal to or greater than its reportable quantity.

3. Notification of the release of a reportable quantity of solid particles of antimony, arsenic, beryllium, cadmium, chromium, copper, lead, nickel, selenium, silver, thallium, or zinc is not required if the mean diameter of the particles released is larger than 100 micrometers (0.004 inches).

[Chapter 62-150, F.A.C.]

D. Used Oil, Petroleum Contact Water and Spent Mercury

The Licensee shall comply with all applicable provisions of Chapter 62-710, F.A.C., for any used oil including oil filters, Chapter 62-740, F.A.C., for any petroleum contact water, and Chapter 62-737, F.A.C., for any spent mercury containing lamps and devices generated within the certified facility during construction and operation.

[Chapters 62-710, 62-737, and 62-740, F.A.C.]

E. Contaminated Site Cleanup

The Licensee shall comply with all applicable non-procedural provisions of DEP Chapter 62-780, F.A.C., for any violations of relevant provisions of Chapter 376 or 403, F.S., that result in legal responsibility for site rehabilitation pursuant to those chapters. This responsibility for site rehabilitation does not affect any activity or discharge permitted or

exempted pursuant to Chapter 376 or 403, F.S., or rules promulgated pursuant to Chapter 376 or 403, F.S.

[Chapter 62-780, F.A.C.]

XXXIV. STORAGE TANK SYSTEMS

Registration, construction, installation, operation, maintenance, repair, closure, and disposal of storage tank systems that store regulated substances shall be in accordance with Chapters 62-761 and 62-762, F.A.C., in order to minimize the occurrence and environmental risks of releases and discharges. Mineral acid storage tank systems are subject only to Rule 62-762.891, F.A.C.

A. Incident Notification Requirements.

Notification of the discovery of the loss of a regulated substance from a storage tank system exceeding 100 gallons on impervious surfaces, other than secondary containment, such as driveways, airport runways, or other similar asphalt or concrete surfaces, provided that the loss does not come in contact with pervious surfaces; or of the discovery of any other incident listed in subsections 62-761.450(2) or 62-762.451(2), F.A.C., shall be made to the County on Incident Notification Form 62-761.900(6) within 24 hours or before the close of the County's next business day.

B. Discharge Reporting Requirements

Upon discovery of an unreported discharge of a regulated substance, the Licensee shall report to the County on Discharge Report Form 62-761.900(1) within 24 hours or before the close of the County's next business day those items listed in paragraph 62-761.450(3)(a), F.A.C., including a spill or overfill event of a regulated substance to soil or another pervious surface, equal to or exceeding 25 gallons, unless the regulated substance has a more stringent reporting requirement specified in C.F.R. Title 40, Part 302.

C. Discharge Cleanup

If a discharge of a regulated substance occurs at a certified facility, actions shall be taken immediately to contain, remove, and abate the discharge under all applicable Department rules (for example, Chapter 62-780, F.A.C., Contaminated Site Clean-Up Criteria). The Licensees is advised that other federal, state, or local requirements may apply to these activities. If the contamination present is subject to the provisions of Chapter 62-780, F.A.C., corrective action, including free product recovery, shall be performed in accordance with that Chapter.

D. Out of Service and Closure Requirements

Storage tank systems shall be taken out-of-service and/or closed as necessary in accordance with Rules 62-761.800 and 62-762.801, F.A.C., as applicable.

[Chapters 62-761 and 62-762, F.A.C.]

SECTION B. SPECIFIC CONDITIONS

I. DEPARTMENT OF ENVIRONMENTAL PROTECTION

A. Design and Performance Criteria [Moved from existing Condition III. General Condition, Paragraph E. Design and Performance Criteria]

The power plant may be operated at up to the maximum electrical output projected from design information without the need for modifying these conditions. Treatment or control facilities or systems installed or used to achieve compliance with the terms and conditions of this certification are not to be bypassed without prior DEP approval.

B. Control Measures

1. Dust and Odors [Moved from existing Condition XII. Construction, Paragraph B. Control Measures, Subparagraph 6. Dust and Odors]

The Licensee shall employ proper odor and dust control techniques to minimize odor and fugitive dust emissions. The applicant shall employ control techniques sufficient to prevent nuisance conditions on adjoining property.

2. Environmental Control Program [Moved from existing Condition XII. Construction, Paragraph C. Environmental Control Program]

An environmental control program shall be established under the supervision of a Florida registered professional engineer or other qualified person to assure that all construction activities conform to applicable environmental regulations and the applicable conditions of certification. If a violation of standards, harmful effects or irreversible environmental damage not anticipated by the application or the evidence presented at the certification hearing are detected during construction, the Licensee shall notify the Northwest District office as required by General Condition VII. Notification.

3. Protection of Vegetation [Moved from existing Condition XII. Construction, Paragraph B. Control Measures, Subparagraph 7. Protection of Vegetation]

The Licensee shall develop the site so as to retain a buffer of trees or shall plant a buffer of trees sufficient to minimize the aesthetic and noise impacts of the facility as described in the application. The buffer, as far as practicable, shall be of sufficient height and width suitable for the purpose of mitigating both construction and operational impacts of the facility.

C. Domestic Wastewater [Moved from existing Condition XV. Domestic Wastewater]

The City is authorized to continue disposing of domestic wastewater in the City of St. Marks sewerage treatment system. Any future request for onsite treatment will require approval to construct and operate any such new facility and will be subject to the non-procedural provisions of Chapter 403, F.S., and F.A.C. Chapter 62-4, and pertinent Rules within the 62-300, 62-500 and 62-600 Series.

D. Groundwater [Moved from existing Condition XVIII. Groundwater]

When required by Chapter 62-701, F.A.C., the City shall file a Ground Water Monitoring plan within 180 days of being advised by the Department for review and approval by the Northwest District of the DEP.

E. Solid and Hazardous Waste

1. Handling of Hazardous Material [Moved from existing Condition XIX. Toxic, Deleterious or Hazardous Materials, Paragraph B.]

The City shall continue to implement its current plan for handling and disposing of hazardous wastes.

2. By-Product and Solid Waste Storage [Moved from existing Condition XX. By-Product and Solid Waste Storage]

a. Solid Waste General

Any solid waste produced by the operation of the facility shall be disposed of in an approved disposal facility. By-products that are to be sold for reuse are not considered solid waste.

b. By-Product & Solid Waste Site Specific Standards

Any future by-product storage areas shall be designed, constructed, operated, maintained, closed and monitored in accordance with acceptable waste disposal practices providing environmental protection equivalent to those described in F.A.C. Chapter 62-701, or Chapter 62-673, as appropriate, and these Conditions. The prohibitions of Chapter 62-701, F.A.C., shall not be violated.

All engineering plans, reports, and related information shall be provided by the engineer of record with professional certification and shall be approved by the Northwest District Solid Waste Section (NWDSWS) of the DEP prior to construction. A construction certification report signed and sealed by a professional engineer, and record drawings showing all modifications to construction plans, shall be submitted to the NWDSWS of the DEP prior to operation of each by-product or solid waste storage and disposal area.

F. Linear Facilities [Moved from existing Condition XXII. Construction of Linear Facilities]

Construction of the reclaimed water pipeline or other future linear facilities shall be in conformance with Best Management Practices for linear facilities. Construction of the reclaimed water pipeline shall also be in conformance with the Conditions recommended by the Department of Economic Opportunity and the Department of Transportation.

II. NORTHWEST FLORIDA WATER MANAGEMENT DISTRICT [Moved from existing Condition XXIII. Northwest Florida Water Management District]

A. This certification is issued based on information provided by the City of Tallahassee demonstrating that the use of water is reasonable and beneficial as defined by Section 373.019(4), F.S., consistent with the public interest, and will not interfere with any legal

use of water existing on the effective date of the SCA. If any of the statements in the SCA are found to be untrue and/or inaccurate, if the use is determined to no longer be reasonable and beneficial and in the public interest, or if the City of Tallahassee fails to comply with all of the Conditions of Certification, the Northwest Water Management District (the District) may initiate action for modification, suspension, or revocation of the certification.

B. The City of Tallahassee shall obtain all other necessary approvals to construct, operate, and certify the withdrawal facilities and the operation of the water system.

C. The City of Tallahassee will continue ownership, lease, or other present control of property rights in underlying, overlying, or adjacent lands. This portion of the certification may be assigned to a subsequent owner who shall accept all of the terms and conditions of this portion of the certification.

D. Withdrawals will not exceed the flows as shown below:

Withdrawal Point		Average Daily Flow gallons	Maximum Daily Flow gallons	Maximum Monthly Flow gallons
#	Description			
SW GT	Gas Turbines	300,000	2,937,600	88,128,000
SW 8	Unit 8 C.W.	1,424,130	1,640,160	49,204,800

E. The use of the permitted water withdrawals is restricted to the use described in the SCA. Any change in the use of said water shall require a modification of the Site Certification.

F. The District's staff, upon proper identification, will have permission to enter, inspect and observe permitted and related facilities in order to determine compliance with the approved plans, specifications, and conditions of this certification.

G. The District's staff, upon providing prior notice and proper identification, may request permission to collect water samples for analysis, measure static and/or pumping water levels and collect any other information deemed necessary to protect the water resources of the area.

H. The City of Tallahassee shall mitigate any significant adverse impact caused by withdrawals permitted herein on the resource and legal water withdrawals and uses, and on adjacent land use, which existed at the time of filing of the SCA. The District reserves the right to curtail permitted withdrawal rates if withdrawals cause significant adverse impacts on the resource and legal water withdrawals and uses, and on adjacent land use, which existed at the time of Site Certification.

I. The City of Tallahassee shall not cause significant saline water intrusion or increased chloride levels. The District reserves the right to curtail permitted withdrawal rates if withdrawals cause significant saline water intrusion or increased chloride levels.

J. The District, pursuant to Section 373.042, F.S., at a future date, may establish minimum and/or management water levels in the aquifer, aquifers, or surface water hydrologically associated with the permitted withdrawals; these water levels may require the City of Tallahassee to limit withdrawal from these water sources to comply with the established levels.

K. Nothing in this Site Certification shall be construed to limit the authority of the Northwest Florida Water Management District to declare water shortages and issue orders pursuant to Section 373.175, F.S., or to formulate and implement a plan during periods of water shortage pursuant to Section 373.222246, F.S., or to declare Water Resource Caution Areas pursuant to Chapters 40A-2.801 and 62-40.41, F.A.C.

1. In the event of a declared water shortage, water withdrawal reductions shall be made as ordered by the District.

2. In the event of a declared water shortage or an area as a Water Resource Caution Area, the District may alter, modify or inactivate all or parts of this section of the Conditions of Certification.

L. The City of Tallahassee shall continue to return all of the surface water withdrawn from the St. Marks River for once-through cooling back to the St. Marks River.

M. The City of Tallahassee shall maintain, in working order, in-line totaling flow meters at any point where surface water is diverted and not returned to the St. Marks River.

N. The City of Tallahassee shall, return essentially 100 percent of the water withdrawn back into the Floridan aquifer. The City of Tallahassee shall record and submit to the District any instances in which the system does not return essentially 100 percent of water withdrawn. The City of Tallahassee shall provide the notification within 30 days of any such occurrence and shall provide an estimate of the amount of water not returned.

O. The District reserves the right, at a future date, to require the City of Tallahassee to submit actual pumpage records for withdrawals not otherwise required by this Certification.

P. The City of Tallahassee shall reference the power plant's wells by their Florida Unique Identification Number when corresponding with the District (pumping reports, etc.).

Q. The City of Tallahassee shall properly plug and abandon any well determined unsuitable for its intended use, not properly operated and maintained, or removed from service. The well(s) shall be plugged and abandoned to District Standards in accordance with Section 40A-3.531, F.A.C. The City shall also notify the District within 30 days of removing any well associated with the facility from service.

R. The City of Tallahassee shall provide for the efficient and non-wasteful use of water, and shall implement water conservation measures designed to enhance water use efficiency and reduce water demand and losses.

III. DEPARTMENT OF ECONOMIC OPPORTUNITY [Moved from existing Condition XXIV. Department of Community Affairs]

A. Hurricane Preparation, Evacuation and Recovery Plan

Tallahassee shall develop a comprehensive hurricane preparation, evacuation and recovery plan (the "Plan") for the Purdom Generating Station ("Purdom"). The Plan shall be developed jointly by the City's Electric Utility and Emergency Management personnel and shall be included in Tallahassee's overall city emergency management plan. The Plan shall include the following elements:

1. Annual pre-season hurricane preparation activities.

2. Process for hurricane preparation to be undertaken prior to expected arrival of tropical storm-force winds (sustained winds greater than 39 mph), including (as appropriate to the expected force of storm):

a. Securing and/or removing any hazardous materials at Purdom

b. Minimum fuel levels necessary for stability of fuel oil tanks No. 1 and 4

c. Processes and criteria for staffing, securing and evacuation of Purdom including:

(1) Determination of essential staffing

(2) Criteria for release of non-essential staff

(3) Process for preparing Purdom for essential staff to remain on site

(4) Criteria for determining whether evacuation of essential staff is required

(5) Process for preparing Purdom and conducting an evacuation of all staff, including provisions for securing fuel supplies

3. Communications plan for:

a. Notification of storm-specific decisions by and between Tallahassee and the City of St. Marks and Wakulla and Leon Counties

b. Coordination of post-storm Purdom recovery efforts with the City of St. Marks and Wakulla and Leon Counties

c. Coordination of changes in the Plan with the City of St. Marks and Wakulla and Leon Counties

4. General recovery estimates:

a. Types of damage which could be sustained at Purdom from flooding at the following elevations:

(1) 12.4 feet above mean sea level (msl) or less

(2) 12.4 feet msl to 22.7 feet msl

(3) 22.7 feet msl and above

b. For each elevation category identified above:

(1) Procedures for re-entry to Purdom for recovery purposes

(2) Processes for achieving recovery

(3) Ranges of estimated time periods required for recovery

(4) Order-of-magnitude ranges of estimated recovery costs

5. Certification by Tallahassee of the inclusion of Purdom in the City's risk management program, and coverage(s) of Purdom within that program.

Tallahassee shall submit the Plan to the Department of Economic Opportunity (two copies), Florida Department of Environmental Protection, City Manager of St. Marks, Wakulla County Emergency Management Office, and Leon County Division of Emergency Management no later than the commencement of construction of Purdom Unit 8. All receiving agencies shall provide their comments on the Plan to the Department of Economic Opportunity and Tallahassee within 30 days of receipt. The Department of Economic Opportunity and Tallahassee shall confer about the comments within the next 30 days. Within 30 days after such conferral, the Department of Economic Opportunity shall consolidate and provide to Tallahassee such comments as it deems appropriate. Tallahassee shall finalize the

Plan within 60 days thereafter and provide copies to the Department of Environmental Protection, the Department of Economic Opportunity, the City of St. Marks, Wakulla County and Leon County. The Plan shall be formally updated, using the same process, no less frequently than every 5 years following commercial operation of Purdom Unit 8.

If the Department of Economic Opportunity deems the Plan or any of its periodic updates not to be in compliance with the requirements of this Condition, it may petition for enforcement of this condition pursuant to the Florida Electrical Power Plant Siting Act (ss. 403-501-403.518, Florida Statutes)

IV. DEPARTMENT OF TRANSPORTATION [Moved from existing Condition XXV. Department of Transportation]

A. Access Connection Facility

1. If traffic volumes remain the same or less than stated in the certification application, turn lanes on State Road 363 will not be required. If site plans are changed to generate a greater volume of traffic than stated in the certification application, then the requirements of Rule Chapter 14-96, F.A.C., will have to be met.

2. The site plans in the certification application do not specify if the access connection to State Road 363 will be improved or modified within the Florida Department of Transportation's right-of-way. If any access modifications do occur at the connection with State Road 363 as a result of this application, the following requirements will apply within the Department of Transportation's right-of-way:

a. Minimum turning radius will be 50 feet.

b. The access facility width will be a minimum of 36 feet.

c. Pavement will extend from the edge of State Road 363 to the right of way line.

d. Pavement design of the access facility will conform to Florida Department of Transportation standards.

e. The access connection facility will have a mitered culvert with paved aprons.

f. The design of the access connection facility will be signed and sealed by a professional engineer.

g. The Department's Tallahassee Maintenance Engineer must be contacted a minimum of 2 working days prior to the beginning of any construction, allowing the Department to coordinate its plans with the construction schedule and meet any requirements regarding public notification.

h. All work on Florida Department of Transportation right of way shall be in accordance with the Manual on Uniform Traffic Control Devices, including work zone safety requirements.

i. Roadway shoulders shall be restored to a safe and maintainable condition, which may include re-grassing, as determined by the Department' s Tallahassee Maintenance Engineer.

j. The applicant is responsible for moving all utilities on the roadway and in the right of way before construction begins.

k. The applicant is required to obtain any Florida Department of Environmental Protection permits before beginning any work on Florida Department of Transportation right of way.

l. The applicant will be responsible for establishing erosion control and silt barriers for any work areas on Florida Department of Transportation right of way.

m. The applicant will provide final design drawings, signed and sealed by a professional engineer, upon con completion of construction.

n. Pavement markings including stop bar and message and stop sign shall be included on the access connection facility exit. Refer to DOT Index 17346.

B. Drainage

1. Post-development runoff rates shall not exceed pre-development runoff rates on the Florida Department of Transportation's right of way for any storm event. This includes the 2, 5, 10, 25, 50, and 100 year storm frequencies having durations varying from one (1) hour to ten (10) days. The intent of this requirement is that the developer meet Rule Chapter 145-86, F.A.C.

2. Storm water discharge must meet federal, State and local storm water quantity and quality standards.

3. The applicant will provide storm water calculations, signed and sealed by a professional engineer.

C. Crossing of State Road 363

The crossing of State Road 363 shall meet the requirements of the Florida Department of Transportation's Utility Accommodation Manual, Rule Chapter 14-46, F.A.C.

D. Tallahassee-St. Marks Trail

1. The crossing of the Tallahassee-St. Marks Trail shall be by the jack and bore method and the strength of the pipe shall be as outlined in the Florida Department of Transportation's Utility Accommodation Manual, Rule Chapter 14-46, Florida Administrative Code, for rail corridors. The Tallahassee-St. Marks Trail is maintained as a rail corridor.

2. The Tallahassee-St. marks Trail shall not be obstructed during construction and standard maintenance of traffic barriers shall be placed around the jack and bore pits.

3. Signs, north and south of the work zone, shall be placed to warn users of the work in progress.

4. The placement of the water recovery pipeline in a longitudinal run paralleling the Tallahassee-St. Marks Trail shall be in accordance with the American Railway Engineering Association, Manual for Railway Engineering, Chapter 1, Part 5, Section 5.3, for uncaged pipelines.

5. The applicant will cross the trail with heavy equipment only at the water recovery pipeline crossing site. The trail must be restored by the applicant to its original

condition at the crossing site following construction of the water recovery pipeline. Other than the crossing site, following heavy equipment shall be prohibited from the paved trail. All other damages to the trail resulting from installation of the water recovery pipeline shall be repaired to restore the trail facility to at least original condition and such restoration shall be at the applicant's expense.

E. Request For Restricted Areas

The applicant is requested to minimize the use of the Tallahassee-St. Mark's Trail. The water recovery pipeline should only cross the trail at one location.

F. Postcertification Review Of Specific Problems

If improvements to the power plant access road extend into the Florida Department of Transportation's right of way, the applicant must submit its plans under the permitting process of Rule Chapter 14-96, F.A.C., and upon completion of construction that the applicant provide signed aid sealed final construction drawings, certifying by a professional engineer that the construction was in accordance with applicable Florida Department of Transportation standard.

G. Best Management Practices

1. The applicant shall comply with the requirements of the Florida Department of Transportation's Utility Accommodation Manual, Chapter 14-46, F.A.C., specifically to the alignment of the water recovery pipeline in conjunction with the Tallahassee-St. Mark's Trail and crossing of State Road 363, requirements for permits, materials used, mitigation of damages to and restoration of the facility and its environment, maintenance, and safety of traffic flow and operations.

2. Traffic control will be maintained by the applicant during construction and maintenance in compliance with the standards contained in the Manual of Uniform Traffic Control Devices, Chapter 14-94, F.A.C.; Florida Department of Transportation's Design Standards; and Florida Department of Transport Specifications for Roads and Bridges, whichever is more stringent.

3. Existing access roads and temporary construction roads may be upgraded and maintained by the applicant, as necessary, during construction. If such upgrading results in an alteration to the connection to the State Highway System (i.e. a change in design, configuration or location), the alteration shall adhere to the non-procedural standards of access management contained in Chapters 14-96 and 14-97, F.A.C. Right-of-way cannot be used for staging, parking or other activities associated with construction and maintenance of the power plant or water recovery pipeline without special use permission.

4. The Manual on Uniform Traffic Control Devices, Florida Department of Transportation's Design Standards, the Florida Department of Transportation's Specifications for Roads and Bridges and pertinent sections of the Florida Department of Transportation's Project Development and Environment Manual as required by Section 334.044(2), F.S., will be adhered to in all circumstances involving the State Highway System and other transportation facilities. (Chapters 14-96 and 14-97, F.A.C.).

5. Oversight for the permitting of individual cross or any type of encroachment on the State Highway System shall rest with the Florida Department of Transportation.

6. If the final chosen alignment for the water recovery pipeline necessarily traverses a Florida Department of Transportation owned and operated or an abandoned rail corridor, the pipeline shall be buried and comply with the Florida Department of Transportation's Utility Accommodation Manual and the American Railway Engineering Association, Manual for Railway Engineering, Chapter 1, Part 5, Section 5.3, Pipelines, for uncaged pipelines unless otherwise stipulated to be encased by the Florida Department of Transportation.

7. All borings under state roadways will maintain a minimum depth of cover as stipulated in each site permit. If the bore should fail, the applicant will abandon the effort and backfill the entire bore with materials as specified by the Florida Department of Transportation. If the bore should fail within Florida Department of Transportation right of way, the applicant shall stop all efforts and apprise the Florida Department of Transportation Tallahassee Maintenance Engineer of the situation and any proposed action prior to attempting to recover equipment or initiating another bore.

8. All crossings should be as close to a right angle possible and completed by conventional jack and bore (track) method. Directional drill methods will only be allowed after the conventional method has been proven impractical.

V. FLORIDA FISH & WILDLIFE CONSERVATION COMMISSION [New]

A. Listed Species Survey.

Before land clearing and construction activities within the certified facility occur, the Licensee shall conduct an assessment for listed species which will note all habitat, occurrence or evidence of listed species. Listed species to be included in this survey shall include those listed as endangered, threatened or of special concern by Florida Fish and Wildlife Conservation Commission (FWC) or those listed as endangered or threatened by U.S. Fish and Wildlife Service (USFWS. Resources that may be consulted in conducting this assessment are available through the "Florida Wildlife Conservation Guide" at: http://myfwc.com/CONSERVATION/FWCG.htm.

1. This survey shall be conducted in accordance with USFWS/FWC guidelines and methodologies by a person or firm that is knowledgeable and experienced in conducting flora and fauna surveys for listed species.

2. This survey shall identify any wading bird colonies within the project that may be affected.

3. This survey shall identify locations of breeding locations, nests, and burrows for listed wildlife species. Nests and burrows may be recorded with GPS coordinates, identified on an aerial photograph, and submitted with the final listed species report. Although nests and burrows may be recorded individually with GPS, the FWC prefers that a protection radius surrounding nest sites and burrows be included, rather than individual nests and burrows, and be physically marked so that clearing and construction will avoid impacting them.

4. This survey shall include an estimate of the acreage and percent cover of each existing vegetation community (Florida Land Use, Cover and Forms Classification System,

or FLUCFCS, at the third degree of detail) including a wildlife-based habitat classification scheme such as the Comprehensive Wildlife Conservation Strategy (FWC 2005), Descriptions of Vegetation and Land Cover Types (FWC 2004), or Natural Communities Guide (FNAI 1990) of each community that is contained within the Certified Facility prior to land clearing and construction activities using GIS.

B. Listed Species Locations

Where any suitable habitat and evidence is found of the presence of listed species within the certified facility, the Licensee will report those locations to, and confer with, the appropriate regulatory agencies for possible additional pre-clearing surveys and to identify potential mitigation, or avoidance recommendations. If pre-clearing surveys are required, they shall be timed to be reasonably compatible with the construction schedule, considering the in-service date specified in the Public Service Commission's need determination. The Licensee will not construct in areas where evidence of listed species was identified during the initial survey until the particular listed species issues have been resolved.

1. *Listed Wildlife Species*: If listed wildlife species are found, their presence shall be reported to the DEP Siting Coordination Office, the appropriate DEP District Office(s), the FWC's Office of Policy and Stakeholder Coordination, the appropriate WMD, the appropriate local government(s) and the USFWS.

2. *Listed Vegetation Species*: If listed vegetation species are found on public land or water, their presence shall be reported to the DEP Siting Coordination Office and the Florida Department of Agriculture and Consumer Services (DACS). Listed wildlife species and listed vegetation species on public land or water shall not be disturbed, if feasible.

3. *Species Management Plan:* If avoidance is not feasible, the Licensee shall consult with DEP, FWC, and, if necessary, the USFWS for listed wildlife species, and with the DACS for listed vegetation species on public land or water, to determine the steps appropriate for the species involved which are to be taken to avoid, minimize, mitigate, or otherwise appropriately address impacts within each agency's respective jurisdiction. For wildlife species, these steps shall be memorialized in a Wildlife Management Plan and submitted to DEP, FWC, and the appropriate local government.

[Chapter 379, F.S.]

VI. DEPARTMENT OF STATE – DIVISION OF HISTORICAL RESOURCES

[Replaces existing Condition XII. Construction, Paragraph B. Control Measures, Subparagraph 10. Historical or Archaeological Finds]

A. Prior to new construction in areas not previously surveyed, the Licensee shall conduct a survey of sensitive cultural resource areas, as determined in consultation with the Department of State, Division of Historical Resources (DHR). A qualified cultural resources consultant will identify an appropriate work plan for this project based on a thorough review of the certified facility. Prior to beginning any field work, the work plan will be reviewed in consultation with DHR. Upon completion of the survey, the results will be compiled into a report which shall be submitted to DHR. If feasible, sites considered to be eligible for the National Register shall be avoided during construction of the project and access roads, and subsequently during maintenance. If avoidance of any discovered sites is not feasible, impact

shall be mitigated through archaeological salvage operations or other methods acceptable to DHR, as appropriate.

B. If historical or archaeological artifacts or features are discovered at any time within the certified facility, the Licensee shall notify the appropriate DEP District office (s) and the DHR, R.A. Gray Building, 500 S. Bronough Street, Rm 423, Tallahassee, Florida 32399-0250, telephone number (850) 487-6333, and the Licensee shall consult with DHR to determine appropriate action.

[Sections 267.061, 403.531, and 872.02, F.S.]

VII. DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES [Replaces existing Condition XII. Construction, Paragraph B. Control Measures, Subparagraph 7. Transmission Lines]

Only herbicides registered by the U.S. Environmental Protection Agency and the Florida Department of Agriculture and Consumer Services shall be used at certified facilities. Herbicide applications will be in accordance with label directions and will be carried out by a licensed applicator, in compliance with all federal, state and local regulations. Herbicide applications shall be selectively applied to targeted vegetation. Broadcast application of herbicide shall not be used unless effects on non-targeted vegetation are minimized.

[Chapter 487, F.S.]

HISTORY

Certification issued 10/28/97; signed by Governor Chiles
Modified 01/11/02; signed by Deputy Secretary Bedwell
Modified 07/29/05; signed by Siting Administrator Oven
Modified XX/XX/XX; signed by Siting Administrator Mulkey

Attachment A – Maps

To be inserted following final action by Department

Site Delineation
Delineation of Certified Area of Site
Delineation of Certified Areas of Offsite Non-Linear Facilities (If Applicable)
Delineation of Offsite Linear Facilities (If Applicable)

Appendix I – NPDES Permit

Florida Department of Environmental Protection

Bob Martinez Center
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

Rick Scott
Governor

Jennifer Carroll
Lt. Governor

Herschel T. Vinyard Jr.
Secretary

April 12, 2013

SENT BY EMAIL TO:
(Ricardo.Fernandez@talgov.com)

Ricardo Fernandez
City of Tallahassee
300 S. Adams Street
Tallahassee, FL 32301-1737

Re: City of Tallahassee
Sam O. Purdom Generating Station
NPDES Permit No. FL0025526
Minor Permit Revision

Dear Mr. Fernandez:

On September 10, 2013, the Department of Environmental Protection (Department) received a minor revision application for the above referenced facility. Based upon the provisions of Condition I.A.6 from the existing permit, City of Tallahassee requested the discontinuance of mercury monitoring from Outfall D-001. After review, the Department hereby approves the request pursuant to Rules 62-620.200(24), 62-620.200(25), and 62-620.325(2), Florida Administrative Code. All other conditions of the permit shall remain the same except as specifically revised. This letter and the attached revised permit (Revision A) replaces the original permit.

If you object to this permit revision you may petition for an administrative hearing in accordance with the enclosed Notice of Rights. If a petition is filed, then this permit revision does not become effective. If you have any questions regarding this permit revision, please contact Mr. Marc Harris, P.E., in the Industrial Wastewater Section at (850) 245-8589.

Sincerely,

Elsa Potts

Elsa Potts, P.E.
Program Administrator
Industrial Wastewater Program
Division of Water Resource Management

EAP/mh/kl

Attachment

cc: Hazem Tamimi, P.E., City of Tallahassee (Hazem.Tamimi@talgov.com)
Bill Evans, P.E., DEP Pensacola (Bill.Evans@dep.state.fl.us)
Kim Allen, P.E., DEP Pensacola (Kim.Allen@dep.state.fl.us)

NOTICE OF RIGHTS

A person whose substantial interests are affected by this permit revision may petition for an administrative proceeding (hearing) in accordance with Section l20.57, Florida Statutes. The petition must contain the information set forth below and must be filed (received) in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000, within 14 days of receipt of this Permit. A petitioner, other than the applicant, shall mail a copy of the petition to the applicant at the address indicated in the attached letter at the time of filing. Failure to file a petition within this time period shall constitute a waiver of any right such person may have to request an administrative determination (hearing) under Section l20.57, Florida Statutes.

The Petition shall contain the following information:

(a) The name, address, and telephone number of each petitioner; the name, address, and telephone number of the petitioner's representative, if any; the Department case identification number and the county in which the subject matter or activity is located;

(b) A statement of how and when each petitioner received notice of the Department action;

(c) A statement of how each petitioner's substantial interests are affected by the Department action;

(d) A statement of all disputed issues of material fact. If there are none, the petition must so indicate;

(e) A statement of facts that the petitioner contends warrant reversal or modification of the Department action;

(f) A concise statement of the ultimate facts alleged, as well as the rules and statutes which entitle the petitioner to relief; and

(g) A statement of the relief sought by the petitioner, stating precisely the action that the petitioner wants the Department to take.

If a petition is filed, the administrative hearing process is designed to formulate agency action. Accordingly, the Department's final action may be different from the position taken by it in this intent. Persons whose substantial interests will be affected by any decision of the Department with regard to the application have the right to petition to become a party to the proceeding. The petition must conform to the requirements specified above and be filed (received) within 14 days of receipt of this intent in the Office of General Counsel at the above address of the Department. Failure to petition within the allowed time frame constitutes a waiver of any right such person has to request a hearing under Section l20.57, F.S., and to participate as a party to this proceeding. Any subsequent intervention will only be at the approval of the presiding officer upon motion filed pursuant to Rule 28-5.207, F.A.C.

FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION

2600 BLAIR STONE ROAD
TALLAHASSEE, FLORIDA 32399-2400

STATEMENT OF BASIS FOR MINOR PERMIT REVISION

Permit Number: FL0025526
Permit Writer: Kevin Ledbetter
Application Date: September 10, 2012

DEP File No.: FL0025526-004-IWB
Designation: Major
Additional Information: April 8, 2013

1. SYNOPSIS OF APPLICATION

A. Name and Address of Applicant:

City of Tallahassee
300 S Adams Street
Tallahassee, FL 32301-1737

For:

City of Tallahassee
Sam O. Purdom Generating Station
667 Port Leon Dr
St. Marks, Florida 32355

B. Description of Proposed Activity

The Department received a minor revision application for the above referenced NPDES permit for the City of Tallahassee (COT) Sam O. Purdom Generating Station.

Based upon the provisions of Condition I.A.6 of the existing permit, COT is seeking approval for the discontinuance of monitoring for total recoverable mercury at Outfall D-001.

Total Recoverable Mercury

In general, waters within the State of Florida have been deemed impaired due to mercury as a result of elevated mercury levels in fish tissue. These impaired waters are included on the Verified Lists of impaired waters that were adopted by Secretarial Orders for all hydrological basin groups across the state during two water quality assessment cycles (2002-2006 and 2007-2011). According to the 1999 Florida Watershed Restoration Act (FWRA), Chapter 99-223, Laws of Florida, once a waterbody is included on the Verified List, a total maximum daily load (TMDL) must be developed. The Department is in the process of finalizing a statewide mercury TMDL. Its purpose is to establish the allowable loadings, reductions, of mercury into Florida's fresh and marine waters that would restore these waterbodies so that the human health concern associated with the elevated mercury in fish tissue impairment will be addressed.

Implementation of TMDLs refers to any combination of regulatory, non-regulatory, or incentive-based actions that attain the necessary reduction in pollutant loading. Non-regulatory or incentive-based actions may include development and implementation of Best Management Practices (BMPs), pollution prevention activities, and habitat preservation or restoration. Regulatory actions may include issuance or

revision of wastewater, stormwater, or environmental resource permits to include permit conditions (including waste minimization plans) consistent with the TMDL. These permit conditions may be numeric effluent limitations or, for technology-based programs, requirements to use a combination of structural and non-structural BMPs needed to achieve the necessary pollutant load reduction. The Department is in the process of finalizing the statewide TMDL, where the permittee can use BMPS and pollution prevention activities to meet the requirements of the TMDL for stormwater and wastewater discharges.

In the existing permit, mercury monitoring is required for Outfall D-001. However, the permit includes a provision allowing for either the reduction or the discontinuance of monitoring for total recoverable mercury at Outfall D-001 after 24 months of monitoring if the City demonstrates that the facility is not contributing to the impairment. The City submitted with the minor revision application two years of monitoring data from the outfall. The Department reviewed the data, which demonstrates that the mercury levels in the discharge to be well below the mercury Class III marine water quality standard in Rule 62-302.530, F.A.C. Hence, the Department is removing the mercury monitoring from the requirements of outfall D-001. Note, the permit continues to include requirements for to implement and continually improve best management practices and pollution prevention activities. Thus, the facility will remain to be a non-contributor to the mercury impairment.

Distillate Discharge

In the past, during Unit 8 outages at the facility, the permittee has requested authorization of the bypass provisions of the permit in order to discharge distillate water from the zero-liquid discharge system. In order to allow for greater flexibility in operation of the facility, a permit condition was included in the revision in order to allow for the discharge of the distillate without the permittee having to request authorization from the Department each event. The permit condition sets restrictions for the discharge and requires the permittee to certify that no expected parameters will be above water quality standards from 62-302.530, F.A.C.

Changes to Permit

(1) Page 3, I.A.1. The monitoring frequency for total recoverable mercury was removed from the effluent limitations.

(2) Page 4, I.A.6. The condition allowing for either the reduction of mercury monitoring or the discontinuance was removed from the permit.

(3) Page 8, I.A.14. A condition was included in the permit to allow for discharge of distillate to the Unit 7 intake during unscheduled Unit 8 outages.

(4) Page 11, I.C.3. The permit condition was updated to include the language allowing for the submittal of electronic DMRs.

This constitutes Revision A (Rev. A) to the permit. All changes to the permit are noted in Rev. A by underline or strike-through where changes have been made for this revision. The Discharge Monitoring Reports (DMRs) have been updated to reflect the above changes.

STATE OF FLORIDA
INDUSTRIAL WASTEWATER FACILITY PERMIT

PERMITTEE:
City of Tallahassee

PERMIT NUMBER: FL0025526-003 (Major) *(Rev. A)*
FILE NUMBER: FL0025526-003-IW1S
ISSUANCE DATE: **May 14, 2010**
REVISION DATE: **April 11, 2013**
EXPIRATION DATE: **May 13, 2015**

RESPONSIBLE OFFICIAL:
Ricardo Fernandez
300 S Adams Street
Tallahassee, Florida 32301-1737
(850) 891-8580

FACILITY:

Sam O. Purdom Generating Station
667 Port Leon Dr
St. Marks, Florida 32355
Wakulla County
Latitude: 30° 9' 46.68" N Longitude: 84° 11' 57.19" W

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

FACILITY DESCRIPTION:

The facility is an electric generating plant with a total nameplate rating of 318.6 megawatts (MW). The existing facility consists of one fossil-fueled steam electric generating unit (Unit 7), one combined cycle unit (Unit 8), two simple cycle combustion turbines (Units GT-1 and GT-2), and one auxiliary boiler. The maximum nameplate generating capacities for Unit 7, Unit 8 and combustion turbines are 44 MW, 250 MW, and 12.3 MW each, respectively. Unit 7 is fired by natural gas, No. 2 fuel oil or on-specification used oil. Unit 8 and the combustion turbines are fired by natural gas or No. 2 fuel oil. The auxiliary boiler is natural-gas fired and is only used as a source of steam when either Unit 7 or Unit 8 is not operating.

Unit 7 has a condenser once-through cooling water (OTCW) system that uses water from the St. Marks River, a Class III fresh water. Unit 8 has a cooling tower. The cooling tower blowdown discharges to a zero liquid discharge (ZLD) system. During ZLD system repair/maintenance, Unit 8 cooling tower blowdown comingles with the Unit 7 OTCW discharge through an internal outfall. Unit 8 cooling tower makeup water consists of reclaimed water from the City of St. Marks domestic wastewater treatment plant, industrial wastewater from the St. Marks Powder, Inc. facility, river water from the St. Marks River, and low volume wastes (LVW) from Units 7 and 8. LVW includes floor drains, boiler blowdown, demineralizer regeneration waste, laboratory wastes, and miscellaneous equipment washes.

Each combustion turbine, Units GT-1 and GT-2, has an auxiliary equipment cooling water system that uses water from the St. Marks River.

Units 8 is regulated under the Florida Electrical Power Plant Siting Act (License No. PA97-36).

WASTEWATER TREATMENT:
Wastewater currently consists of blowdown from Unit 8 cooling tower when the ZLD is off-line for repair/maintenance, OTCW from Unit 7, and once-through, non-contact auxiliary equipment cooling water from Units GT-1 and GT2. Unit 8 cooling tower water is treated by pH adjustment with sulfuric acid, mixing, sedimentation, and disinfection with sodium hypochlorite, and by the addition of scale and corrosion inhibitors. LVW is treated in an oil/water separator and then routed to the Unit 8 cooling tower for use as makeup water.

REUSE OR DISPOSAL:

Surface Water Discharge D-001: An existing 61.9 MGD maximum permitted discharge from Unit 7 to the discharge canal and thence to the St. Marks River, Class III Fresh Waters (WBID 793B). The point of discharge is located approximately at latitude 30° 09' 44" N, longitude 84° 10' 00" W.

Surface Water Discharge D-003: An existing stormwater permitted discharge to St. Marks River, Class III Fresh Waters (WBID 793B), from the north diked petroleum storage area. The point of discharge is located approximately at latitude 30° 9' 59" N, longitude 84°11' 59" W.

Surface Water Discharge D-004: An existing stormwater permitted discharge to St. Marks River, Class III Fresh Waters (WBID 793B), from the south diked petroleum storage area. The point of discharge is located approximately at latitude 30° 9' 59" N, longitude 84° 11' 59" W.

Surface Water Discharge D-005: An existing 1.0 MGD maximum permitted discharge from combustion turbine Units GT-1 and GT-2 to the discharge canal and thence to the St. Marks River, Class III Fresh Waters (WBID 793B). The point of discharge is located approximately at latitude 30° 09' 72.1" N, longitude 84° 12' 0.4" W.

Internal Outfall I-002: An existing permitted discharge from Unit 8 into a concrete structure in which it mixes with OTCW from Unit 7 before entering the discharge canal.

Internal Outfall I-003: A new permitted discharge from the Unit 8 oily water sump to the oil and water separator, thence to the Unit 8 cooling tower.

Other Stormwater Outfalls: Other stormwater discharges are authorized by a Department-issued Multi-Sector General Permit (MSGP No. FLR05B823)

IN ACCORDANCE WITH: The limitations, monitoring requirements and other conditions set forth in this Cover Sheet and Part I through Part IX on pages 1 through 23 of this permit.

I. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

A. Surface Water Discharges

1. During the period beginning on the issuance date and lasting through the expiration date of this permit, the permittee is authorized to discharge once-through non-contact cooling water from Outfall D-001 to St. Marks River. Such discharge shall be limited and monitored by the permittee as specified below and reported in accordance with Permit Condition I.C.3.:

			Effluent Limitations		Monitoring Requirements			
Parameter	Units	Max/ Min	Limit	Statistical Basis	Frequency of Analysis	Sample Type	Monitoring Site Number	Notes
Flow	MGD	Max Max	Report Report	Monthly Average Daily Maximum	Daily; 24 hours	Pump Logs	INT-1	
Temperature, Water	Deg F	Max Max	90 95	Daily Average Instantaneous Maximum	Continuous	Meter	EFF-1	
Chlorine, Total Residual	mg/L	Max	0.01 0.01	Monthly Average Daily Maximum	Weekly, when discharging	Grab	EFF-1	See I.A.4
Chromium, Trivalent Total Recoverable	ug/L	Max		Single Sample	Weekly, when discharging	Grab	EFF-1	See I.A.4, I.A.5
Copper, Total Recoverable	ug/L	Max		Single Sample	Weekly, when discharging	Grab	EFF-1	See I.A.4, I.A.5
Iron, Total Recoverable	mg/L	Max	1.0 1.0	Monthly Average Daily Maximum	Weekly, when discharging	Grab	EFF-1	See I.A.4
~~Mercury, Total Recoverable~~	~~ug/L~~	~~Max~~	~~0.012~~ ~~0.012~~	~~Monthly Average~~ ~~Daily Maximum~~	~~Monthly, when discharging~~	~~Grab~~	~~EFF-1~~	~~See I.A.4, I.A.6~~
Zinc, Total Recoverable	ug/L	Max		Single Sample	Weekly, when discharging	Grab	EFF-1	See I.A.4, I.A.5
Hardness, Total (as CaCO3)	mg/L	Max	Report	Single Sample	Weekly, when discharging	Grab	EFF-1	See I.A.4, I.A.5
Chronic Whole Effluent Toxicity, 7-Day IC25 (Mysidopsis bahia/ Ceriodaphnia dubia)	percent	Min	100	Single Sample	Semi-annually	24-hr TPC	EFF-1	See I.A.4, I.A.9
Chronic Whole Effluent Toxicity, 7-Day IC25 (Menidia beryllina/ Pimephales promelas)	percent	Min	100	Single Sample	Semi-annually	24-hr TPC	EFF-1	See I.A.4, I.A.9

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

Monitoring Site Number	Description of Monitoring Site
INT-1	Unit 7 intake canal.
EFF-1	Centerline of the discharge canal at the catwalk approximately 175 feet downstream from the end-of-pipe.

3. The discharge shall not contain components that settle to form putrescent deposits or float as debris, scum, oil, or other matter. *[62-302.500(1)(a)]*

4. Monitoring for Total Residual Chlorine, Total Recoverable Iron, Total Recoverable Chromium (III), Total Recoverable Copper, Total Recoverable Mercury, Total Recoverable Zinc, Total Hardness, and Whole Effluent

Toxicity shall only be required during times when Unit 8 cooling tower blowdown discharges to St. Marks River. If sampling and analysis of the parameter is not required during a given monitoring period, please write the no data indicator code "MNR" (monitoring not required) *in place of the data* on the Discharge Monitoring Report for monitoring location EFF-1 instead of leaving a blank space.

5. The limit for "Chromium, Trivalent Total Recoverable, Zinc, Total Recoverable, and Copper, Total Recoverable" shall be calculated using the following equation(s):

$Cr \leq e^{(0.819[\ln H]+0.6848)}$
$Zn \leq e^{(0.8473[\ln H]+0.884)}$
$Cu \leq e^{(0.8545[\ln H]-1.702)}$

Total hardness shall be measured at the time of the effluent sample. The "ln H" means the natural logarithm of total hardness expressed as mg/L of $CaCO_3$. For metals criteria involving equations with hardness, the hardness shall be set at 25 mg/L if actual hardness is <25 mg/L and set at 400 mg/L if actual hardness is >400 mg/L.

The measured effluent value shall be recorded on the DMR in the parameter row for "Chromium, Trivalent Total Recoverable, Zinc, Total Recoverable, and Copper, Total Recoverable (effluent)." The calculated effluent limit shall be recorded on the DMR in the parameter row for "Chromium, Trivalent Total Recoverable, Zinc, Total Recoverable, and Copper, Total Recoverable (calculated limit)." Compliance with the effluent limitation is determined by calculating the difference between the measured effluent value and the calculated. The compliance value shall be recorded on the DMR in the parameter row for "Chromium, Trivalent Total Recoverable, Zinc, Total Recoverable, and Copper, Total Recoverable (effluent minus calculated limit)." The compliance value shall not exceed 0.00. *[62-302.530(19), 62-302.530(70), and 62-302.530(23)]*

~~6. After 24 months of monitoring for Total Recoverable Mercury, the permittee may request through a permit revision for a reduction or discontinuance of the monitoring requirement.~~

6. The permittee shall maintain the current intake through-screen velocity such that the existing maximum velocity is not exceeded.

7. The permittee shall maintain current traveling screen practices at Unit 7 so as to assure that the screens are cycled twice during each 24 hours of continuous operation unless precluded by repair/maintenance requirements.

8. The permittee shall develop a plan in accordance with the schedule in Condition VI.2 to help return live fish, shellfish, and other aquatic organisms collected or trapped on the intake screens to their natural habitat. Other material shall be removed from the intake screens and disposed of in accordance with all existing Federal, State and/or Local laws and regulations that apply to waste disposal. Such material shall not be returned to the receiving waters.

9. The permittee shall comply with the following requirements to evaluate chronic whole effluent toxicity of the discharge from outfall D-001.

   a. Effluent Limitation
      (1) In any routine follow-up test for chronic whole effluent toxicity, the 25 percent inhibition concentration (IC25) shall not be less than 100% effluent. *[Rules 62-302.530(61) and (1)(b), F.A.C.]*
      (2) For acute whole effluent toxicity, the 96-hour LC50 shall not be less than 100% effluent in any test. *[Rules 62-302.500(1)(a)4. and 62-4.241(1)(a), F.A.C.]*

   b. Monitoring Frequency
      (1) Routine toxicity tests shall be conducted once every six months during the first occurrence in each six month period of the Unit 8 cooling tower blowdown discharging to the St. Marks River and lasting for the duration of this permit.

c. Sampling Requirements
(1) For each routine test or additional follow-up test conducted, a total of three 24-hour composite samples of final effluent shall be collected and used in accordance with the sampling protocol discussed in EPA-821-R-02-014, Section 8.
(2) The first sample shall be used to initiate the test. The remaining two samples shall be collected according to the protocol and used as renewal solutions on Day 3 (48 hours) and Day 5 (96 hours) of the test.
(3) Samples for routine and additional follow-up tests shall not be collected on the same day.

d. Test Requirements
(1) Routine Tests: All routine tests shall be conducted using a control (0% effluent) and a minimum of five test dilutions: **100%**, **50%**, **25%**, **12.5%**, and **6.25%** final effluent.
(2) The permittee shall conduct 7-day survival and growth chronic toxicity tests with a mysid shrimp, **Americamysis (Mysidopsis) bahia**, Method 1007.0, and an inland silverside, **Menidia beryllina**, Method 1006.0, concurrently. If the composite effluent sample salinity is less than 1 ppm, measured as conductivity, the permittee may conduct a daphnid, **Ceriodaphnia dubia**, Survival and Reproduction Test and a fathead minnow, **Pimephales promelas**, Larval Survival and Growth Test, concurrently. However, the permittee should consider whether the salinity of the composite effluent in the second or third sample will continue to be less than 1 ppm.
(3) All test species, procedures and quality assurance criteria used shall be in accordance with **Short-term Methods for Estimating the Chronic Toxicity of Effluents and Receiving Waters to Marine and Estuarine Organisms**, 3rd Edition, EPA-821-R-02-014, if using saltwater species; and **Short-term Methods for Estimating the Chronic Toxicity of Effluents and Receiving Waters to Freshwater Organisms**, 4th Edition , EPA-821-R-02-013 if using freshwater species. Any deviation of the bioassay procedures outlined herein shall be submitted in writing to the Department for review and approval prior to use. In the event the above method is revised, the permittee shall conduct chronic toxicity testing in accordance with the revised method.
(4) (a) If saltwater species are used, the control water and dilution water used shall be artificial sea salts as described in EPA-821-R-02-014, Section 7.2. The test salinity shall be determined as follows:
1. For the **Americamysis bahia** bioassays, the effluent shall be adjusted to a salinity of 20 parts per thousand (ppt) with artificial sea salts. The salinity of the control/dilution water (0% effluent) shall be 20 ppt. If the salinity of the effluent is greater than 20 ppt, no salinity adjustment shall be made to the effluent and the test shall be run at the effluent salinity. The salinity of the control/dilution water shall match the salinity of the effluent.
2. For the **Menidia beryllina** bioassays, if the effluent salinity is less than 5ppt, the salinity shall be adjusted to 5 ppt with artificial sea salts. The salinity of the control/dilution water (0% effluent) shall be 5 ppt. If the salinity of the effluent is greater than 5 ppt, no salinity adjustment shall be made to the effluent and the test shall be run at the effluent salinity. The salinity of the control/dilution water shall match the salinity of the effluent.
3. If the salinity of the effluent requires adjustment, a salinity adjustment control should be prepared and included with each bioassay. The salinity adjustment control is intended to identify toxicity resulting from adjusting the effluent salinity with artificial sea salts. To prepare the salinity adjustment control, dilute the control/dilution water to the salinity of the effluent and adjust the salinity of the salinity adjustment control at the same time and to the same salinity that the salinity of the effluent is adjusted using the same artificial sea salts.

(b) If freshwater species are used, the control water and dilution water shall be moderately hard water as described in EPA-821-R-02-013, Section 7.2.3.

e. Quality Assurance Requirements
(1) A standard reference toxicant (SRT) quality assurance (QA) chronic toxicity test shall be conducted with each species used in the required toxicity tests either concurrently or initiated no more than 30 days before the date of each routine or additional follow-up test conducted. Additionally, the SRT test must be conducted concurrently if the test organisms are obtained from outside the test laboratory unless the test organism supplier provides control chart data from at least the last five monthly chronic toxicity tests using the same reference toxicant and test conditions. If the organism supplier provides

the required SRT data, the organism supplier's SRT data and the test laboratory's monthly SRT-QA data shall be included in the reports for each companion routine or additional follow-up test required.

(2) If the mortality in the control (0% effluent) exceeds 20% for either species in any test or any test does not meet "test acceptability criteria", the test for that species (including the control) shall be invalidated and the test repeated. Test acceptability criteria for each species are defined in EPA-821-R-02-014, Section 14.12 (**Americamysis bahia**) and Section 13.12 (**Menidia beryllina**); and EPA-821-R-02-013, Section 13.12 (**Ceriodaphnia dubia**) and Section 11.11 (**Pimephales promelas**). The repeat test shall begin within 21 days after the last day of the invalid test.

(3) If 100% mortality occurs in all effluent concentrations for either species prior to the end of any test and the control mortality is less than 20% at that time, the test (including the control) for that species shall be terminated with the conclusion that the test fails and constitutes non-compliance.

(4) Routine and additional follow-up tests shall be evaluated for acceptability based on the observed dose-response relationship as required by EPA-821-R-02-014 or EPA-821-R-02-013, Section 10.2.6., and the evaluation shall be included with the bioassay laboratory reports.

f. Reporting Requirements

(1) Results from all required tests shall be reported on the Discharge Monitoring Report (DMR). The calculated IC25 for each test species shall be entered on the DMR.

(2) A bioassay laboratory report for each routine test shall be prepared according to EPA-821-R-02-014 or EPA-821-R-02-013, Section 10, Report Preparation and Test Review, and mailed to the Department at the address below within 30 days after the last day of the test.

(3) For additional follow-up tests, a single bioassay laboratory report shall be prepared according to EPA-821-R-02-014 or EPA-821-R-02-013, Section 10, and mailed within 30 days after the last day of the second valid additional follow-up test.

(4) Data for invalid tests shall be included in the bioassay laboratory report for the repeat test.

(5) The same bioassay data shall not be reported as the results of more than one test.

(6) All bioassay laboratory reports shall be sent to:
Florida Department of Environmental Protection
Northwest District Office
160 Governmental Center
Pensacola, Florida 32502-5794

g. Test Failures

(1) A test fails when the test results do not meet the limits in 9.a.(1).

(2) Additional Follow-up Tests:

(a) If a routine test does not meet the chronic toxicity limitation in 9.a.(1) above, the permittee shall notify the Department at the address above within 21 days after the last day of the failed routine test and conduct two additional follow-up tests according to 9.d. on each species that failed the test on each species that failed the test in accordance with 9.d.

(b) The first test shall be initiated within 28 days after the last day of the failed routine test. The remaining additional follow-up tests shall be conducted weekly thereafter until a total of two valid additional follow-up tests are completed.

(c) The first additional follow-up test shall be conducted using a control (0% effluent) and a minimum of five dilutions: 100%, 50%, 25%, 12.5%, and 6.25% effluent. The permittee may modify the dilution series in the second additional follow-up test to more accurately bracket the toxicity such that at least two dilutions above and two dilutions below the target concentration and a control (0% effluent) are run. All test results shall be analyzed according to the procedures in EPA-821-R-02-014or EPA-821-R-02-013, as appropriate.

(3) In the event of three valid test failures (whether routine or additional follow-up tests) within a 12-month period, the permittee shall notify the Department within 21 days after the last day of the third test failure.

(a) The permittee shall submit a plan for correction of the effluent toxicity within 60 days after the last day of the third test failure.

(b) The Department shall review and approve the plan before initiation.

(c) The plan shall be initiated within 30 days following the Department's written approval of the plan.

(d) Progress reports shall be submitted quarterly to the Department at the address above.
(e) During the implementation of the plan, the permittee shall conduct quarterly routine whole effluent toxicity tests in accordance with 9.d. Additional follow-up tests are not required while the plan is in progress. Following completion or termination of the plan, the frequency of monitoring for routine and additional follow-up tests shall return to the schedule established in 9.b.(1). If a routine test is invalid according to the acceptance criteria in EPA-821-R-02-014 or EPA-821-R-02-013, as appropriate, a repeat test shall be initiated within 21 days after the last day of the invalid routine test.
(f) Upon completion of four consecutive quarterly valid routine tests that demonstrate compliance with the effluent limitation in 9.a.(1) above, the permittee may submit a written request to the Department to terminate the plan. The plan shall be terminated upon written verification by the Department that the facility has passed at least four consecutive quarterly valid routine whole effluent toxicity tests. If a test within the sequence of the four is deemed invalid, but is replaced by a repeat valid test initiated within 21 days after the last day of the invalid test, the invalid test will not be counted against the requirement for four consecutive quarterly valid routine tests for the purpose of terminating the plan.

(4) If chronic toxicity test results indicate greater than 50% mortality within 96 hours in an effluent concentration equal to or less than the effluent concentration specified as the acute toxicity limit in 9.(a)(2), the Department may revise this permit to require acute definitive whole effluent toxicity testing.
(5) The additional follow-up testing and the plan do not preclude the Department taking enforcement action for acute or chronic whole effluent toxicity failures.

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

10. The permittee is authorized to discharge stormwater from the north and south diked petroleum storage areas from Outfalls D-003 and D-004, respectively, to St. Marks River, provided the following conditions are met:

    Such discharges shall be limited and monitored by the permittee as specified below:

    a. The permittee shall enforce at all times a spill prevention and response contingency plan that describes methods to prevent spills along with clean-up procedures and notification procedures. The methods and procedures shall be made available to appropriate personnel. An adequate inventory of the required spill cleanup material and equipment must be on-site or readily available to areas where bulk petroleum products are stored. A Spill Prevention Control Countermeasure Plan (SPCC) that conforms to 40 CFR 112 may be used to comply with this permit condition.

    b. In draining the diked area, a portable oil skimmer or similar device or absorbent material shall be used to remove oil and grease (as indicated by the presence of a sheen) immediately prior to draining.

    c. Monitoring records shall be maintained in the form of a log and shall contain the following information as a miniumum:
        (1) Date and time of discharge;
        (2) Estimated volume of discharge;
        (3) Initials of person making visual inspection and authorizing discharge; and
        (4) Observed conditions of stormwater discharged.

11. During the period beginning on the issuance date and lasting through the expiration date of this permit, the permittee is authorized to discharge once-through non-contact auxiliary equipment cooling water from Outfall D-005 to St. Marks River. Discharge of auxiliary equipment cooling water is permitted without monitoring requirements.

12. The discharge of chlorine from the chlorination of auxiliary equipment cooling water system to waters of the State is not authorized by this permit.

13. *During Unit 8 outages, the permittee is authorized to discharge distillate from the ZLD system to the Unit 7 intake canal, in accordance with the following conditions:*

    a. *The permittee shall notify the Department's Northwest District Office at least 24 hours prior to discharge of the condensate.*

    b. *The permittee shall keep logs of the discharge, including duration of discharge and total volume of distillate discharged, in accordance with Condition V.2. This information shall be submitted to the Department's Northwest District Office upon completion of each discharge event.*

    c. *The permittee shall sample the distillate water for the following parameters the first discharge of each calendar year to show that the effluent meets the standards from 62-302.530, F.A.C., and shall submit the results to the Northwest District Office upon completion of the discharge event:*

       pH, free available chlorine, total recoverable iron, total recoverable zinc, total recoverable copper, and total recoverable chromium.

14. The permittee shall submit a notification to the Department within 21 days after decommissioning Unit 7 at the following addresses:

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

    And

    Florida Department of Environmental Protection Northwest District Office
    Industrial Wastewater Program
    160 Governmental Center
    Pensacola, Florida 32501-5794

B. Internal Outfalls

1. During the period beginning on the issuance date and lasting through the expiration date of this permit, the permittee is authorized to discharge Unit 8 cooling tower blowdown and low volume wastes consisting of boiler blowdown, regenerator wastes, laboratory wastes, floor drain wastewater, and miscellaneous wastestreams from I-002 to into a concrete structure in which it mixes with OTCW from Unit 7 before entering the discharge canal. Such discharge shall be limited and monitored by the permittee as specified below and reported in accordance with Permit Condition I.C.3.:

			Effluent Limitations		Monitoring Requirements			
Parameter	Units	Max/ Min	Limit	Statistical Basis	Frequency of Analysis	Sample Type	Monitoring Site Number	Notes
Flow	MGD	Max Max	Report Report	Monthly Average Daily Maximum	Daily, when discharging	Meter	OUI-2	
Solids, Total Suspended	mg/L	Max Max	30.0 100.0	Monthly Average Daily Maximum	Weekly, when discharging	Grab	OUI-2	
Chlorine, Free Available	mg/L	Max	0.2 0.5	Monthly Average Daily Maximum	Per application, when discharging	Multiple Grab	OUI-2	
Chromium, Trivalent Total Recoverable	ug/L	Max	200 200	Monthly Average Daily Maximum	Weekly, when discharging	Grab	OUI-2	
Copper, Total Recoverable	ug/L	Max	Report	Daily Maximum	Weekly, when discharging	Grab	OUI-2	

			Effluent Limitations		Monitoring Requirements			
Parameter	Units	Max/ Min	Limit	Statistical Basis	Frequency of Analysis	Sample Type	Monitoring Site Number	Notes
Zinc, Total Recoverable	ug/L	Max	1000 1000	Monthly Average Daily Maximum	Weekly, when discharging	Grab	OUI-2	
Nitrogen, Kjeldahl, Total (as N)	mg/L	Max	Report	Daily Maximum	Weekly, when discharging	Grab	OUI-2	
Nitrogen, Total	mg/L	Max	Report	Daily Maximum	Weekly, when discharging	Grab	OUI-2	
Nitrite plus Nitrate, Total 1 det. (as N)	mg/L	Max	Report	Daily Maximum	Weekly, when discharging	Grab	OUI-2	
Duration of Discharge	hr/yr[1]	Max	438	Annual Total	Monthly	Calculated	OUI-2	See I.B.5
126 priority pollutants	ug/L	Max Max	<MDL <MDL	Daily Maximum Monthly Average	Annually	Grab or Calculation	OUI-2	See I.B.6

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

Monitoring Site Number	Description of Monitoring Site
OUI-2	Sampling point for Unit 8 cooling tower blowdown after discharge from Wastewater Tank No. 2 and before mixing with OTCW from Unit 7 in the concrete structure at the head of the discharge canal.

3. The permittee shall conduct monitoring of I-002 in accordance with Permit Condition I.B.1 only when Unit 8 cooling tower blowdown is discharging to the St. Marks River. If sampling and analysis of a parameter is not required during a given monitoring period, please write the no data indicator code "MNR" (monitoring not required) *in place of the data* on the Discharge Monitoring Report for monitoring location OUI-2 instead of leaving a blank space.

4. Unit 8 cooling tower blowdown shall not be discharged to the St. Marks River except when the ZLD is off-line for repair/maintenance, Unit 7 once-through cooling water system is discharging approximately 31 MGD (monitored at INT-1), and at least one Unit 7 circulator pump is in operation.

5. The permittee shall not discharge Unit 8 cooling tower blowdown to the St. Marks River for more than a total of 438 hours in a calendar year.

6. The permittee shall, within 30 days of permit issuance and yearly thereafter, provide certification that the 126 priority pollutants (as listed in 40 CFR Part 423, Appendix A) are below the method detection limits (MDL) for the applicable analytical methods required under permit condition I.C.1 in the cooling tower blowdown as a result of the addition of any maintenance chemicals. Compliance shall be demonstrated by one of the three methods:

   Method 1: Sampling at a frequency of not less than once per year for all priority pollutants referenced above with submission of analysis results with each certification.

   Method 2: Submission of certification(s) from the manufacturer that each product used contains no priority pollutants. Such submission is required only once for each product used, unless subsequent changes in the product formulation occur or the product is obtained from a different source. Certifications for all products in use shall be maintained on site.

[1] The units in which this parameter is reported on the Discharge Monitoring Report is in terms of hours, which shall mean the cumulative number of hours that blowdown from Unit 8 cooling tower has been discharged to the St. Marks River since January 1 of the current year.

Method 3: Calculations to assure that if priority pollutants are contained in any product(s), no discharge of any individual priority pollutant can occur at concentrations greater than detectable levels using analytical methods in 40 CFR Part 136 due to dilution within the cooling water system.

The certification shall be in the following form: "I certify that no priority pollutants at concentrations greater than detectable levels using analytical methods in 40 CFR Part 136 are being discharged from any maintenance chemicals added to the cooling towers. Compliance is demonstrated by Method____."

7. During the period beginning on the issuance date and lasting through the expiration date of this permit, the permittee is authorized to discharge low volume wastes from I-003 to the Unit 8 cooling tower. Such discharge shall be limited and monitored by the permittee as specified below and reported in accordance with Permit Condition I.C.3.:

			Effluent Limitations		Monitoring Requirements			
Parameter	Units	Max/ Min	Limit	Statistical Basis	Frequency of Analysis	Sample Type	Monitoring Site Number	Notes
Oil and Grease	mg/L	Max Max	15.0 20.0	Monthly Average Daily Maximum	Weekly, when discharging	Grab	OUI-3	
Solids, Total Suspended	mg/L	Max Max	30.0 100.0	Monthly Average Daily Maximum	Weekly, when discharging	Grab	OUI-3	

8. Effluent samples shall be taken at the monitoring site locations listed in Permit Condition I.B.7. and as described below:

Monitoring Site Number	Description of Monitoring Site
OUI-3	Sampling point of the water from the Unit 8 oily water sump after the oil/water separator, prior to the Unit 8 cooling tower.

9. The permittee shall conduct monitoring of I-003 in accordance with Permit Condition I.B.7 only when Unit 8 cooling tower blowdown is discharging to the St. Marks River. If sampling and analysis of a parameter is not required during a given monitoring period, please write the no data indicator code "MNR" (monitoring not required) *in place of the data* on the Discharge Monitoring Report for monitoring location OUI-3 instead of leaving a blank space.

C. Other Limitations and Monitoring and Reporting Requirements

1. The sample collection, analytical test methods, and method detection limits (MDLs) applicable to this permit shall be conducted using a sufficiently sensitive method to ensure compliance with applicable water quality standards and effluent limitations and shall be in accordance with Rule 62-4.246, Chapters 62-160 and 62-601, F.A.C., and 40 CFR 136, as appropriate. The list of Department established analytical methods, and corresponding MDLs (method detection limits) and PQLs (practical quantitation limits), which is titled "FAC 62-4 MDL/PQL Table (April 26, 2006)" is available at http://www.dep.state.fl.us/labs/library/index.htm. The MDLs and PQLs as described in this list shall constitute the minimum acceptable MDL/PQL values and the Department shall not accept results for which the laboratory's MDLs or PQLs are greater than those described above unless alternate MDLs and/or PQLs have been specifically approved by the Department for this permit. Any method included in the list may be used for reporting as long as it meets the following requirements:

   a. 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;

   b. The laboratory reported MDL for the specific parameter is less than or equal to the permit limit or the applicable water quality criteria, if any, stated in Chapter 62-302, F.A.C. Parameters that are listed as "report

only" in the permit shall use methods that provide an MDL, which is equal to or less than the applicable water quality criteria stated in 62-302, F.A.C.; and

c. If the MDLs for all methods available in the approved list are above the stated permit limit or applicable water quality criteria for that parameter, then the method with the lowest stated MDL shall be used.

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

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

2. The permittee shall provide safe access points for obtaining representative influent and effluent samples which are required by this permit. *[62-620.320(6)]*

3. 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. *Unless specified otherwise in this permit*, monitoring results for each monitoring period shall be submitted in accordance with the associated DMR due dates below.

REPORT Type on DMR	Monitoring Period	Due Date
Monthly ~~or Toxicity~~	first day of month - last day of month	28th 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 30	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:~~

The permittee may submit either paper or electronic DMR forms. If submitting paper DMR forms, the permittee shall make copies of the attached DMR forms, without altering the original format or content unless approved by the Department, and shall submit the completed DMR forms to the Department by the twenty-eighth (28th) of the month following the month of operation at the address specified below:

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

If submitting electronic DMR forms, the permittee shall use the electronic DMR system(s) approved in writing by the Department and shall electronically submit the completed DMR forms to the Department by the twenty-

eighth (28th) of the month following the month of operation. Data submitted in electronic format is equivalent to data submitted on signed and certified paper DMR forms. [62-620.610(18)]

4. 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 Northwest District Office at the address specified below:

   Florida Department of Environmental Protection Northwest District Office
   160 Governmental Center
   Pensacola, Florida 32501-5794

   Phone Number - (850)595-8300
   FAX Number - (850)595-8417
   (All FAX copies and e-mails shall be followed by original copies.)

   [62-620.305]

5. All reports and other information shall be signed in accordance with the requirements of Rule 62-620.305, F.A.C. *[62-620.305]*

6. If there is no discharge from the facility on a day when the facility would normally sample, the sample shall be collected on the day of the next discharge. *[62-620.320(6)]*

7. Pursuant to Rules 62-302.500(2)(d) and 62-620.620(2)(c)1., F.A.C., metals concentrations shall be reported and expressed as the total recoverable fraction.

8. Discharge of any product registered under the Federal Insecticide, Fungicide, and Rodenticide Act to any waste stream which ultimately may be released to waters of the State is prohibited unless specifically authorized elsewhere in this permit. This requirement is not applicable to products used for lawn and agricultural purposes or to the use of herbicides if used in accordance with labeled instructions and any applicable State permit.

   A permit revision from the Department shall be required prior to the use of any biocide or chemical additive used in the cooling system (except chlorine as authorized elsewhere in this permit) or any other portion of the treatment system which may be toxic to aquatic life. The permit revision request shall include:

   a. Name and general composition of biocide or chemical
   b. Frequencies of use
   c. Quantities to be used
   d. Proposed effluent concentrations
   e. Acute and/or chronic toxicity data (laboratory reports shall be prepared according to Section 12 of EPA document no. EPA-821-R-02-012 EP entitled, Methods for Measuring the Acute Toxicity of Effluents and Receiving Waters for Freshwater and Marine Organisms, or most current addition.)
   f. Product data sheet
   g. Product label

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

9. There shall be no discharge of polychlorinated biphenyl compounds such as those commonly used for transformer fluid. The permittee shall dispose of all known PCB equipment, articles, and wastes in accordance with 40 CFR 761. The permittee shall certify each time that this disposal has been accomplished.

10. The permittee is authorized to use the following chemicals and biocides in the Unit 8 cooling tower and other wastewater streams:

Chemical Name	System Used	Chemical Purpose
Sulfuric Acid (98%)	Unit 8 Cooling Tower Water	pH control
Sodium Hypochlorite	Unit 8 Cooling Tower Water	Biological control
PRE-TECT 5500	Boiler Feedwater	Dissolved Oxygen control
3D TRASAR® 3DT193	Cooling Water	Scale and corrosion inhibitor
NALCO 7221	Boiler Water	Boiler water dispersant
NALCO 7471	Zero Liquid Discharge Unit	ZLD antifoam
NALCO® 352	Boiler Feedwater	Condensate neutralizing agent
TRASAR® TRAC101	Closed Loop System	Closed-loop treatment

11. Any bypass of the treatment facility which is not included in the monitoring specified in Sections I.A and I.B is to be monitored for flow and all other required parameters. For parameters other than flow, at least one grab sample per day shall be monitored. Daily flow shall be monitored or estimated, as appropriate, to obtain reportable data. All monitoring results shall be reported on the appropriate DMR.

II. SLUDGE MANAGEMENT REQUIREMENTS

Section II is not applicable to this facility.

III. GROUND WATER REQUIREMENTS

Section III is not applicable to this facility.

IV. ADDITIONAL LAND APPLICATION REQUIREMENTS

Section IV is not applicable to this facility.

V. OPERATION AND MAINTENANCE REQUIREMENTS

1. During the period of operation authorized by this permit, the wastewater facilities shall be operated under the supervision of a person who is qualified by formal training and/or practical experience in the field of water pollution control. *[62-620.320(6)]*

2. The permittee shall maintain the following records and make them available for inspection at the following address: on the site of the permitted facility.

   a. Records of all compliance monitoring information, including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation, including, if applicable, a copy of the laboratory certification showing the certification number of the laboratory, for at least three years from the date the sample or measurement was taken;

   b. Copies of all reports required by the permit for at least three years from the date the report was prepared;

c. Records of all data, including reports and documents, used to complete the application for the permit for at least three years from the date the application was filed;

d. A copy of the current permit;

e. A copy of any required record drawings; and

f. Copies of the logs and schedules showing plant operations and equipment maintenance for three years from the date of the logs or schedules.

[62-620.350]

VI. SCHEDULES

1. The following improvement actions shall be completed according to the following schedule. The Best Management Practices/Pollution Prevention (BMP3) Plan shall be prepared and implemented in accordance with Part VII of this permit.

Improvement Action	Completion Date
1. Continue implementing the existing BMP3 Plan	Issuance date of permit

[62-620.320(6)]

2. Within 30 months of the effective date of this permit, the permittee shall schedule a meeting with the Department to discuss the contents of the aquatic organism return plan in accordance with Condition I.A.9 and shall submit the plan to the Department no later than 36 months after issuance of this permit. The plan shall be implemented within 18 months subsequent to approval by the Department.

VII. BEST MANAGEMENT PRACTICES/STORMWATER POLLUTION PREVENTION PLANS

1. General Conditions

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

a. Definitions
   (1) The term "pollutants" refers to conventional, non-conventional and toxic pollutants.
   (2) Conventional pollutants are: biochemical oxygen demand (BOD), suspended solids, pH, fecal coliform bacteria and oil & grease.
   (3) Non-conventional pollutants are those which are not defined as conventional or toxic.
   (4) Toxic pollutants include, but are not limited to: (a) any toxic substance listed in Section 307(a)(1) of the CWA, any hazardous substance listed in Section 311 of the CWA, or chemical listed in Section 313(c) of the Superfund Amendments and Reauthorization Act of 1986; and (b) any substance (that is not also a conventional or non-conventional pollutant except ammonia) for which EPA has published an acute or chronic toxicity criterion.
   (5) "Significant Materials" is defined as raw materials; fuels; materials such as solvents and detergents; hazardous substances designated under Section 101(14) of CERCLA; and any chemical the facility is required to report pursuant to EPCRA, Section 313; fertilizers; pesticides; and waste products such as ashes, slag and sludge.
   (6) "Pollution prevention" and "waste minimization" refer to the first two categories of EPA's preferred hazardous waste management strategy: first, source reduction and then, recycling.

(7) "Recycle/Reuse" is defined as the minimization of waste generation by recovering and reprocessing usable products that might otherwise become waste; or the reuse or reprocessing of usable waste products in place of the original stock, or for other purposes such as material recovery, material regeneration or energy production.

(8) "Source reduction" means any practice which: (a) reduces the amount of any pollutant entering a waste stream or otherwise released into the environment (including fugitive emissions) prior to recycling, treatment or disposal; and (b) reduces the hazards to public health and the environment associated with the release of such pollutant. The term includes equipment or technology modifications, process or procedure modifications, reformulation or redesign of products, substitution of raw materials, and improvements in housekeeping, maintenance, training, or inventory control. It does not include any practice which alters the physical, chemical, or biological characteristics or the volume of a pollutant through a process or activity which itself is not integral to, or previously considered necessary for, the production of a product or the providing of a service.

(9) "BMP3" means a Best Management Practices Pollution Prevention Plan incorporating the requirements of 40 CFR § 125, Subpart K, plus pollution prevention techniques, except where other existing programs are deemed equivalent by the permittee. The permittee shall certify the equivalency of the other referenced programs.

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

2. Best Management Practices/Pollution Prevention Plan

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

a. Signatory Authority & Management Responsibilities

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

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

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

b. BMP3 Plan Requirements

(1) Name & description of facility, a map illustrating the location of the facility & adjacent receiving waters, and other maps, plot plans or drawings, as necessary;

(2) Overall objectives (both short-term and long-term) and scope of the plan, specific reduction goals for pollutants, anticipated dates of achievement of reduction, and a description of means for achieving each reduction goal;

(3) A description of procedures relative to spill prevention, control & countermeasures and a description of measures employed to prevent storm water contamination;

(4) A description of practices involving preventive maintenance, housekeeping, recordkeeping, inspections, and plant security; and

(5) The description of a waste minimization assessment performed in accordance with the conditions outlined in condition c below, results of the assessment, and a schedule for implementation of specific waste reduction practices.

c. Waste Minimization Assessment

The permittee is encouraged but not required to conduct a waste minimization assessment (WMA) for this facility to determine actions that could be taken to reduce waste loading and chemical losses to all wastewater and/or storm water streams as described in Part VII.D.2 of this permit.

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

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

d. Best Management Practices & Pollution Prevention Committee Recommended:

A Best Management Practices Committee (Committee) should be established to direct or assist in the implementation of the BMP3 plan. The Committee should be comprised of individuals within the plant organization who are responsible for developing the BMP3 plan and assisting the plant manager in its implementation, monitoring of success, and revision. The activities and responsibilities of the Committee should address all aspects of the facility's BMP3 plan. The scope of responsibilities of the Committee should be described in the plan.

e. Employee Training

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

f. Plan Development & Implementation

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

g. Submission of Plan Summary & Progress/Update Reports

(1) Plan Summary: Not later than 2 years after the effective date of the permit, a summary of the BMP3 plan shall be developed and maintained at the facility and made available to the permit issuing authority upon request. The summary should include the following: a brief description of the plan, its implementation process, schedules for implementing identified waste reduction practices, and a list of all waste reduction practices being employed at the facility. The results of waste minimization assessment studies already completed as well as any scheduled or ongoing WMA studies shall be discussed.

(2) Progress/Update Reports: Annually thereafter for the duration of the permit progress/update reports documenting implementation of the plan shall be maintained at the facility and made available to the permit issuing authority upon request. The reports shall discuss whether or not implementation schedules were met and revise any schedules, as necessary. The plan shall also be updated as necessary and the attainment or progress made toward specific pollutant reduction targets documented. Results of any ongoing WMA

studies as well as any additional schedules for implementation of waste reduction practices shall be included.

(3) A timetable for the various plan requirements follows:

Timetable for BMP3 Plan Requirements:

REQUIREMENT	TIME FROM EFFECTIVE DATE OF THIS PERMIT
Complete WMA	6 months
Progress/Update Reports	3 years, and then annually thereafter

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

h. Plan Review & Modification

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

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

VIII. OTHER SPECIFIC CONDITIONS

A. Specific Conditions Applicable to All Permits

1. Where required by Chapter 471 or Chapter 492, F.S., applicable portions of reports that must be submitted under this permit shall be signed and sealed by a professional engineer or a professional geologist, as appropriate. *[62-620.310(4)]*

2. The permittee shall provide verbal notice to the Department's Northwest District Office as soon as practical after discovery of a sinkhole or other karst feature within an area for the management or application of wastewater, or wastewater sludges. The Permittee shall immediately implement measures appropriate to control the entry of contaminants, and shall detail these measures to the Department's Northwest District Office in a written report within 7 days of the sinkhole discovery. *[62-620.320(6)]*

3. Drawings, plans, documents or specifications submitted by the permittee, not attached hereto, but retained on file at the Department's Northwest District Office, are made a part hereof.

4. This permit satisfies Industrial Wastewater program permitting requirements only and does not authorize operation of this facility prior to obtaining any other permits required by local, state or federal agencies.

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

1. Existing manufacturing, commercial, mining, and silvicultural wastewater facilities or activities that discharge into surface waters shall notify the Department as soon as they know or have reason to believe:

   a. That any activity has occurred or will occur which would result in the discharge, on a routine or frequent basis, of any toxic pollutant which is not limited in the permit, if that discharge will exceed the highest of the following levels;
      (1) One hundred micrograms per liter,

(2) Two hundred micrograms per liter for acrolein and acrylonitrile; five hundred micrograms per liter for 2, 4-dinitrophenol and for 2-methyl-4, 6-dinitrophenol; and one milligram per liter for antimony, or
(3) Five times the maximum concentration value reported for that pollutant in the permit application; or

b. That any activity has occurred or will occur which would result in any discharge, on a non-routine or infrequent basis, of a toxic pollutant which is not limited in the permit, if that discharge will exceed the highest of the following levels;
(1) Five hundred micrograms per liter,
(2) One milligram per liter for antimony, or
(3) Ten times the maximum concentration value reported for that pollutant in the permit application.

[62-620.625(1)]

C. Duty to Reapply

1. The permittee shall apply for renewal of this permit such that the Department receives the application at least 180 days before the expiration date of the permit using the appropriate forms listed in Rule 62-620.910, F.A.C., including submittal of the appropriate processing fee set forth in Rule 62-4.050, F.A.C. The existing permit shall not expire until the Department has taken final action on the application renewal in accordance with the provisions of 62-620.335(3) and (4), F.A.C.

   180 days prior to expiration date: November 14, 2014

D. Reopener Clauses

1. The permit shall be revised, or alternatively, revoked and reissued in accordance with the provisions contained in Rules 62-620.325 and 62-620.345 F.A.C., if applicable, or to comply with any applicable effluent standard or limitation issued or approved under Sections 301(b)(2)(C) and (D), 304(b)(2) and 307(a)(2) of the Clean Water Act (the Act), as amended, if the effluent standards, limitations, or water quality standards so issued or approved:

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

   b. Controls any pollutant not addressed in the permit.

   The permit as revised or reissued under this paragraph shall contain any other requirements then applicable.
2. The permit may be reopened to adjust effluent limitations or monitoring requirements should future Water Quality Based Effluent Limitation determinations, water quality studies, DEP approved changes in water quality standards, EPA established Total Maximum Daily Loads (TMDLs), or other information show a need for a different limitation or monitoring requirement.

3. The Department or EPA may develop a TMDL during the life of the permit. Once a TMDL has been established and adopted by rule, the Department shall revise this permit to incorporate the final findings of the TMDL.

4. The permit shall be reopened for revision as appropriate to address new information that was not available at the time of this permit issuance or to comply with requirements of new regulations, standards, or judicial decisions relating to CWA 316(b).

IX. GENERAL CONDITIONS

1. The terms, conditions, requirements, limitations and restrictions set forth in this permit are binding and enforceable pursuant to Chapter 403, Florida Statutes. Any permit noncompliance constitutes a violation of Chapter 403, Florida Statutes, and is grounds for enforcement action, permit termination, permit revocation and reissuance, or permit revision. *[62-620.610(1)]*

2. This permit is valid only for the specific processes and operations applied for and indicated in the approved drawings or exhibits. Any unauthorized 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 affecting human health or the environment. It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit. *[62-620.610(5)]*

6. If the permittee wishes to continue an activity regulated by this permit after its expiration date, the permittee shall apply for and obtain a new permit. *[62-620.610(6)]*

7. The permittee shall at all times properly operate and maintain the facility and systems of treatment and control, and related appurtenances, that are installed and used by the permittee to achieve compliance with the conditions of this permit. This provision includes the operation of backup or auxiliary facilities or similar systems when necessary to maintain or achieve compliance with the conditions of the permit. *[62-620.610(7)]*

8. This permit may be modified, revoked and reissued, or terminated for cause. The filing of a request by the permittee for a permit revision, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance does not stay any permit condition. *[62-620.610(8)]*

9. The permittee, by accepting this permit, specifically agrees to allow authorized Department personnel, including an authorized representative of the Department and authorized EPA personnel, when applicable, upon presentation of credentials or other documents as may be required by law, and at reasonable times, depending upon the nature of the concern being investigated, to:

   a. Enter upon the permittee's premises where a regulated facility, system, or activity is located or conducted, or where records shall be kept under the conditions of this permit;

   b. Have access to and copy any records that shall be kept under the conditions of this permit;

   c. Inspect the facilities, equipment, practices, or operations regulated or required under this permit; and

   d. Sample or monitor any substances or parameters at any location necessary to assure compliance with this permit or Department rules.

   [62-620.610(9)]

10. In accepting this permit, the permittee understands and agrees that all records, notes, monitoring data, and other information relating to the construction or operation of this permitted source which are submitted to the Department may be used by the Department as evidence in any enforcement case involving the permitted source arising under

the Florida Statutes or Department rules, except as such use is proscribed by Section 403.111, F.S., or Rule 62-620.302, F.A.C. Such evidence shall only be used to the extent that it is consistent with the Florida Rules of Civil Procedure and applicable evidentiary rules. *[62-620.610(10)]*

11. When requested by the Department, the permittee shall within a reasonable time provide any information required by law which is needed to determine whether there is cause for revising, revoking and reissuing, or terminating this permit, or to determine compliance with the permit. The permittee shall also provide to the Department upon request copies of records required by this permit to be kept. If the permittee becomes aware of relevant facts that were not submitted or were incorrect in the permit application or in any report to the Department, such facts or information shall be promptly submitted or corrections promptly reported to the Department. *[62-620.610(11)]*

12. Unless specifically stated otherwise in Department rules, the permittee, in accepting this permit, agrees to comply with changes in Department rules and Florida Statutes after a reasonable time for compliance; provided, however, the permittee does not waive any other rights granted by Florida Statutes or Department rules. A reasonable time for compliance with a new or amended surface water quality standard, other than those standards addressed in Rule 62-302.500, F.A.C., shall include a reasonable time to obtain or be denied a mixing zone for the new or amended standard. *[62-620.610(12)]*

13. The permittee, in accepting this permit, agrees to pay the applicable regulatory program and surveillance fee in accordance with Rule 62-4.052, F.A.C. *[62-620.610(13)]*

14. This permit is transferable only upon Department approval in accordance with Rule 62-620.340, F.A.C. The permittee shall be liable for any noncompliance of the permitted activity until the transfer is approved by the Department. *[62-620.610(14)]*

15. The permittee shall give the Department written notice at least 60 days before inactivation or abandonment of a wastewater facility or activity and shall specify what steps will be taken to safeguard public health and safety during and following inactivation or abandonment. *[62-620.610(15)]*

16. The permittee shall apply for a revision to the Department permit in accordance with Rules 62-620.300, F.A.C., and the Department of Environmental Protection Guide to Permitting Wastewater Facilities or Activities Under Chapter 62-620, F.A.C., at least 90 days before construction of any planned substantial modifications to the permitted facility is to commence or with Rule 62-620.325(2), F.A.C., for minor modifications to the permitted facility. A revised permit shall be obtained before construction begins except as provided in Rule 62-620.300, F.A.C. *[62-620.610(16)]*

17. The permittee shall give advance notice to the Department of any planned changes in the permitted facility or activity which may result in noncompliance with permit requirements. The permittee shall be responsible for any and all damages which may result from the changes and may be subject to enforcement action by the Department for penalties or revocation of this permit. The notice shall include the following information:

    a. A description of the anticipated noncompliance;

    b. The period of the anticipated noncompliance, including dates and times; and

    c. Steps being taken to prevent future occurrence of the noncompliance.

    [62-620.610(17)]

18. Sampling and monitoring data shall be collected and analyzed in accordance with Rule 62-4.246 and Chapters 62-160, 62-601, and 62-610, F.A.C., and 40 CFR 136, as appropriate.

    a. Monitoring results shall be reported at the intervals specified elsewhere in this permit and shall be reported on a Discharge Monitoring Report (DMR), DEP Form 62-620.910(10), or as specified elsewhere in the permit.

b. If the permittee monitors any contaminant more frequently than required by the permit, using Department approved test procedures, the results of this monitoring shall be included in the calculation and reporting of the data submitted in the DMR.

c. Calculations for all limitations which require averaging of measurements shall use an arithmetic mean unless otherwise specified in this permit.

d. Except as specifically provided in Rule 62-160.300, F.A.C., any laboratory test required by this permit shall be performed by a laboratory that has been certified by the Department of Health Environmental Laboratory Certification Program (DOH ELCP). Such certification shall be for the matrix, test method and analyte(s) being measured to comply with this permit. For domestic wastewater facilities, testing for parameters listed in Rule 62-160.300(4), F.A.C., shall be conducted under the direction of a certified operator.

e. Field activities including on-site tests and sample collection shall follow the applicable standard operating procedures described in DEP-SOP-001/01 adopted by reference in Chapter 62-160, F.A.C.

f. Alternate field procedures and laboratory methods may be used where they have been approved in accordance with Rules 62-160.220, and 62-160.330, F.A.C.

[62-620.610(18)]

19. Reports of compliance or noncompliance with, or any progress reports on, interim and final requirements contained in any compliance schedule detailed elsewhere in this permit shall be submitted no later than 14 days following each schedule date. *[62-620.610(19)]*

20. The permittee shall report to the Department's Northwest District Office any noncompliance which may endanger health or the environment. Any information shall be provided orally within 24 hours from the time the permittee becomes aware of the circumstances. A written submission shall also be provided within five days of the time the permittee becomes aware of the circumstances. The written submission shall contain: a description of the noncompliance and its cause; the period of noncompliance including exact dates and time, and if the noncompliance has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent recurrence of the noncompliance.

    a. The following shall be included as information which must be reported within 24 hours under this condition:
        (1) Any unanticipated bypass which causes any reclaimed water or effluent to exceed any permit limitation or results in an unpermitted discharge,
        (2) Any upset which causes any reclaimed water or the effluent to exceed any limitation in the permit,
        (3) Violation of a maximum daily discharge limitation for any of the pollutants specifically listed in the permit for such notice, and
        (4) Any unauthorized discharge to surface or ground waters.

    b. Oral reports as required by this subsection shall be provided as follows:
        (1) For unauthorized releases or spills of treated or untreated wastewater reported pursuant to subparagraph (a)4. that are in excess of 1,000 gallons per incident, or where information indicates that public health or the environment will be endangered, oral reports shall be provided to the STATE WARNING POINT TOLL FREE NUMBER (800) 320-0519, as soon as practical, but no later than 24 hours from the time the permittee becomes aware of the discharge. The permittee, to the extent known, shall provide the following information to the State Warning Point:
            (a) Name, address, and telephone number of person reporting;
            (b) Name, address, and telephone number of permittee or responsible person for the discharge;
            (c) Date and time of the discharge and status of discharge (ongoing or ceased);
            (d) Characteristics of the wastewater spilled or released (untreated or treated, industrial or domestic wastewater);
            (e) Estimated amount of the discharge;
            (f) Location or address of the discharge;
            (g) Source and cause of the discharge;
            (h) Whether the discharge was contained on-site, and cleanup actions taken to date;

(i) Description of area affected by the discharge, including name of water body affected, if any; and
(j) Other persons or agencies contacted.

(2) Oral reports, not otherwise required to be provided pursuant to subparagraph b.1 above, shall be provided to the Department's Northwest District Office within 24 hours from the time the permittee becomes aware of the circumstances.

c. If the oral report has been received within 24 hours, the noncompliance has been corrected, and the noncompliance did not endanger health or the environment, the Department's Northwest District Office shall waive the written report.

[62-620.610(20)]

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

22. Bypass Provisions.

a. "Bypass" means the intentional diversion of waste streams from any portion of a treatment works.

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

c. If the permittee knows in advance of the need for a bypass, it shall submit prior notice to the Department, if possible at least 10 days before the date of the bypass. The permittee shall submit notice of an unanticipated bypass within 24 hours of learning about the bypass as required in Permit Condition IX. 20. of this permit. A notice shall include a description of the bypass and its cause; the period of the bypass, including exact dates and times; if the bypass has not been corrected, the anticipated time it is expected to continue; and the steps taken or planned to reduce, eliminate, and prevent recurrence of the bypass.

d. The Department shall approve an anticipated bypass, after considering its adverse effect, if the permittee demonstrates that it will meet the three conditions listed in Permit Condition IX. 22. b.(1) through (3) of this permit.

e. A permittee may allow any bypass to occur which does not cause reclaimed water or effluent limitations to be exceeded if it is for essential maintenance to assure efficient operation. These bypasses are not subject to the provisions of Permit Condition IX. 22. b. through d. of this permit.

[62-620.610(22)]

23. Upset Provisions.

a. "Upset" means an exceptional incident in which there is unintentional and temporary noncompliance with technology-based effluent limitations because of factors beyond the reasonable control of the permittee.
(1) An upset does not include noncompliance caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, careless or improper operation.
(2) An upset constitutes an affirmative defense to an action brought for noncompliance with technology based permit effluent limitations if the requirements of upset provisions of Rule 62-620.610, F.A.C., are met.

b. A permittee who wishes to establish the affirmative defense of upset shall demonstrate, through properly signed contemporaneous operating logs, or other relevant evidence that:

(1) An upset occurred and that the permittee can identify the cause(s) of the upset;
(2) The permitted facility was at the time being properly operated;
(3) The permittee submitted notice of the upset as required in Permit Condition IX.5. of this permit; and
(4) The permittee complied with any remedial measures required under Permit Condition IX. 5. of this permit.

c. In any enforcement proceeding, the burden of proof for establishing the occurrence of an upset rests with the permittee.

d. Before an enforcement proceeding is instituted, no representation made during the Department review of a claim that noncompliance was caused by an upset is final agency action subject to judicial review.

[62-620.610(23)]

Executed in Tallahassee, Florida.

STATE OF FLORIDA DEPARTMENTOF
ENVIRONMENTAL PROTECTION

Elsa Potts

Elsa Potts, P.E.
Program Administrator
Industrial Wastewater Program
Division of Water Resource Management

DEPARTMENT OF ENVIRONMENTAL PROTECTION DISCHARGE MONITORING REPORT - PART A

When Completed mail this report to: Department of Environmental Protection, Wastewater Compliance Evaluation Section, MS 3551, 2600 Blair Stone Road, Tallahassee, FL 32399-2400

PERMITTEE NAME:	City of Tallahassee	PERMIT NUMBER:	FL0025526-003-IW1S		
MAILING ADDRESS:	300 S Adams St Tallahassee, Florida 32301-1737	LIMIT:	Final	REPORT FREQUENCY:	Monthly
		CLASS SIZE:	MA	PROGRAM:	Industrial
FACILITY:	Sam O. Purdom Generating Station	MONITORING GROUP NUMBER:	D-001		
LOCATION:	667 Port Leon Dr St Marks, FL 32355	MONITORING GROUP DESCRIPTION:	Once-Through Non-Contact Cooling Water		
		RE-SUBMITTED DMR: ☐			
		NO DISCHARGE FROM SITE: ☐			
COUNTY:	Wakulla	MONITORING PERIOD From:	_____ To: _____		
OFFICE:	Northwest District Branch (Tallahassee)				

Parameter		Quantity or Loading		Units	Quality or Concentration			Units	No. Ex.	Frequency of Analysis	Sample Type
Flow	Sample Measurement										
PARM Code 50050 7 Mon. Site No. INT-1	Permit Requirement	Report (Mo.Avg.)	Report (Day.Max.)	MGD						Daily; 24 hours	Pump Logs
Temperature (F), Water	Sample Measurement										
PARM Code 00011 1 Mon. Site No. EFF-1	Permit Requirement					90 (Day.Avg.)	95 (Inst.Max.)	Deg F		Continuous	Meter
Chlorine, Total Residual	Sample Measurement										
PARM Code 50060 1 Mon. Site No. EFF-1	Permit Requirement					0.01 (Mo.Avg.)	0.01 (Day.Max.)	mg/L		Weekly, when discharging[1]	Grab
Chromium, Trivalent Total Recoverable (effluent)	Sample Measurement										
PARM Code 04262 1 Mon. Site No. EFF-1	Permit Requirement						Report (Max.)	ug/L		Weekly, when discharging[1]	Grab
Chromium, Trivalent Total Recoverable (calculated limit)	Sample Measurement										
PARM Code 04262 Q Mon. Site No. EFF-1	Permit Requirement						Report (Max.)	ug/L		Weekly, when discharging[1]	Calculated
Chromium, Trivalent Total Recoverable (effluent minus calculated limit)	Sample Measurement										
PARM Code 04262 R Mon. Site No. EFF-1	Permit Requirement						0.0 (Max.)	ug/L		Weekly, when discharging[1]	Calculated

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

NAME/TITLE OF PRINCIPAL EXECUTIVE OFFICER OR AUTHORIZED AGENT	SIGNATURE OF PRINCIPAL EXECUTIVE OFFICER OR AUTHORIZED AGENT	TELEPHONE NO	DATE (mm/dd/yyyy)

COMMENT AND EXPLANATION OF ANY VIOLATIONS (Reference all attachments here):

[1] Monitoring for Total Residual Chlorine, Total Recoverable Iron, Total Recoverable Chromium (III), Total Recoverable Copper, Total Recoverable Zinc, and Total Hardness shall only be required during times when Unit 8 maintenance blowdown is discharging. If sampling and analysis of this parameter is not required during a given monitoring period, please write the no data indicator code "MNR" (monitoring not required) *in place of the data on* the Discharge Monitoring Report for monitoring location EFF-1 instead of leaving a blank space.

DISCHARGE MONITORING REPORT - PART A (Continued)

FACILITY: Sam O. Purdom Generating Station

MONITORING GROUP NUMBER: D-001

PERMIT NUMBER: FL0025526-003-IW1S

MONITORING PERIOD From: _____ To: _____

Parameter		Quantity or Loading		Units	Quality or Concentration			Units	No. Ex.	Frequency of Analysis	Sample Type
Copper, Total Recoverable (effluent)	Sample Measurement										
PARM Code 01119 1 Mon. Site No. EFF-1	Permit Requirement						Report (Max.)	ug/L		Weekly, when discharging[1]	Grab
Copper, Total Recoverable (calculated limit)	Sample Measurement										
PARM Code 01119 Q Mon. Site No. EFF-1	Permit Requirement						Report (Max.)	ug/L		Weekly, when discharging[1]	Calculated
Copper, Total Recoverable (effluent minus calculated limit)	Sample Measurement										
PARM Code 01119 R Mon. Site No. EFF-1	Permit Requirement						0.0 (Max.)	ug/L		Weekly, when discharging[1]	Calculated
Iron, Total Recoverable	Sample Measurement										
PARM Code 00980 1 Mon. Site No. EFF-1	Permit Requirement					1.0 (Mo.Avg.)	1.0 (Day.Max.)	mg/L		Weekly, when discharging[1]	Grab
Zinc, Total Recoverable (effluent)	Sample Measurement										
PARM Code 01094 1 Mon. Site No. EFF-1	Permit Requirement						Report (Max.)	ug/L		Weekly, when discharging[1]	Grab
Zinc, Total Recoverable (calculated limit)	Sample Measurement										
PARM Code 01094 Q Mon. Site No. EFF-1	Permit Requirement						Report (Max.)	ug/L		Weekly, when discharging[1]	Calculated
Zinc, Total Recoverable (effluent minus calculated limit)	Sample Measurement										
PARM Code 01094 R Mon. Site No. EFF-1	Permit Requirement						0.0 (Max.)	ug/L		Weekly, when discharging[1]	Calculated
Hardness, Total (as CaCO3)	Sample Measurement										
PARM Code 00900 1 Mon. Site No. EFF-1	Permit Requirement						Report (Max.)	mg/L		Weekly, when discharging[1]	Grab