



Jeb Bush
Governor

Department of Environmental Protection

Twin Towers Office Building
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

Colleen M. Castille
Secretary

NOTICE OF PERMIT

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

In the Matter of an
Application for Permit by:
Progress Energy Florida
Crystal River Plant Units 4&5
15760 West Powerline Street
Crystal River, FL34428

DEP File # FL0036366-006-IW1S/NR

Attention: Mr. Michael Olive

Enclosed is Permit FL0036366, issued under Section 403.0885, Florida Statutes, and DEP Chapter 62-620, Florida Administrative Code, authorizing wastewater discharge from the PEF Crystal River Units 4& 5, Citrus County to the Gulf of Mexico, a Class III marine water.

Any party to this order (permit) has the right to seek judicial review of the permit under Section 120.68, Florida Statutes, by the filing of a Notice of Appeal under Rules 9.110 and 9.190, Florida Rules of Appellate Procedure, with the Clerk of the Department of Environmental Protection, Office of General Counsel, Mail Station 35, 3900 Commonwealth Boulevard, Tallahassee, Florida 32399-3000 and by filing a copy of the notice of appeal accompanied by the applicable filing fees with the appropriate district court of appeal. The notice of appeal must be filed within thirty days after this notice is filed with the clerk of the Department.

Executed in Tallahassee, Florida.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION

Mimi Drew
Director
Division of Water Resource Management
2600 Blair Stone Road
Tallahassee, FL 32399-2400
(850) 245-8336

CERTIFICATE OF SERVICE

The undersigned duly designated deputy agency clerk hereby certifies that this NOTICE OF PERMIT and all copies were mailed before the close of business on 08-15-05 to the listed persons.

[Clerk Stamp]

FILING AND ACKNOWLEDGMENT

FILED, on this date, under Section 120.52 (9), Florida Statutes, with the designated Department Clerk, receipt of which is hereby acknowledged.

G. Shields 08-15-05
(Clerk) (Date)

Copies furnished to:

Chairman, Board of Citrus County Commissioners
Michael Shrader, PEF
Hamilton Oven, P.E. DEP Tallahassee
Yanisa Angulo, P.E. DEP SWD Tampa
Betsy Hewitt, DEP Tallahassee

**STATE OF FLORIDA
INDUSTRIAL WASTEWATER FACILITY PERMIT**

PERMITTEE:

Progress Energy Florida
15760 Powerline Street
Crystal River, FL 34428

PERMIT NUMBER:

FL0036366 (Major)

PA FILE NUMBER:

FL0036366-006-IW1S

ISSUANCE DATE:

August 15, 2005

EXPIRATION DATE:

August 14, 2010

RESPONSIBLE AUTHORITY:

Mr. Michael Olive
Plant Manager

FACILITY:

PEF Crystal River Units 4&5
15760 Powerline Street
Crystal River, FL 34428
Citrus County

Latitude: 25° 58' 0" N Longitude: 82° 41' 40" W

This permit is issued under the provisions of Chapter 403, Florida Statutes (F.S.) and applicable rules of the Florida Administrative Code (F.A.C.), and constitutes authorization to discharge to waters of the state under the National Pollutant Discharge Elimination System (NPDES). The above named permittee is hereby authorized to operate the facilities shown on the application and other documents attached hereto or on file with the Department and made a part hereof and specifically described as follows:

The facility consists of two fossil fuel coal-fired units (Units 4&5) with a total nameplate rating of 1390 MW.

WASTEWATER TREATMENT:

Wastewater from the facility consists of non-contact recirculating cooling tower blowdown (CTBD) from the Units 4&5 cooling towers and runoff from coal and ash storage and handling areas. Cooling water is chlorinated during circulation in the cooling towers. CTBD discharges via the Units 4&5 discharge canal to the site discharge canal. Runoff from the coal storage area, ash landfill runoff, ash sluice and dewatering system, and fly/bottom ash transport truck rinsate is treated by sedimentation in the collection areas. Overflow from the coal and ash runoff areas discharges infrequently into the runoff collection system, which in turn discharges infrequently via the Units 4&5 discharge canal to the site discharge canal. The site discharge canal serves Units 4&5 and Units 1,2,&3, which discharge under a separate permit (FL0000159). The site discharge canal discharges to Crystal Bay, which is part of the Gulf of Mexico, and is a Class III marine surface water. Makeup water for the Units 4&5 cooling towers is also obtained from the site discharge canal.

EFFLUENT DISPOSAL:

Surface Water Discharge:

Two existing discharges through Outfalls D-074 and D-075, Cooling Tower Blowdown, each 44 MGD maximum flow, via the Units 4&5 discharge canal to the site discharge canal and thence to the Gulf of Mexico (Crystal Bay), a Class III marine surface water. The point of discharge is located approximately at latitude 28° 58' 00" N, longitude 82° 41' 40" W.

PERMITTEE:

PERMIT NUMBER: FL0036366

Progress Energy Florida
15760 Powerline Street
US Highway 19, Powerline Road
Crystal River, FL 34428

Issuance date: August 15, 2005
Expiration date: August 14, 2010

Stormwater Discharge:

An existing stormwater discharge through Outfall D-0CO, Runoff Collection System Overflow (which collects runoff from Internal Outfalls I-CHO and I-C40) to the site discharge canal and thence to the Gulf of Mexico (Crystal Bay), a Class III marine water. The point of discharge is located approximately at latitude 25° 58' 00" N , longitude 82° 41' 40" W.

Internal Discharge:

Two existing stormwater discharges through Internal Outfall I-CHO (Coal Storage Area Runoff) and Internal Outfall I-C40 (Ash Landfill Area Runoff) into the Runoff Collection System.

IN ACCORDANCE WITH: The limitations, monitoring requirements and other conditions as set forth in Part I through Part VIII on pages 3 through 22 of this permit.

PERMITTEE:

PERMIT NUMBER: FL0036366

Progress Energy Florida
15760 Powerline Street
US Highway 19, Powerline Road
Crystal River, FL 34428

Issuance date: August 15, 2005
Expiration date: August 14, 2010

I. Effluent Limitations and Monitoring Requirements

A. Surface Water Discharges

- During the period beginning on the issuance date and lasting through the expiration date of this permit, the permittee is authorized to discharge process wastewater from Outfalls D-074 and D-075, Cooling Tower Blowdown via the Units 4&5 discharge canal to the site discharge canal thence to the Gulf of Mexico. Such discharge shall be limited and monitored by the permittee as specified below:

Parameters (units)	Discharge Limitations			Monitoring Requirements		
	Instantaneous Maximum	Daily Maximum	Daily Minimum	Monitoring Frequency	Sample Type	Sample Point
Flow (MGD)	Report, See Cond. I.A.5.	--	--	Continuous	Recorder	EFF-1, EFF-2
Flow (Intake) , MGD	Report	--	--	Continuous	Pump Logs	INT-1
Temperature (F), Water (DEG.F)	Report	Report	--	Continuous	Recorder	EFF-3A
Oxidants, Total Residual (MG/L)	0.05	--	--	Continuous	Recorder	EFF-3B
Oxidants, Total Residual (MG/L)	--	0.01	--	Annually	Grab	EFF-3
Solids, Total Dissolved (TDS) (MG/L)	--	Report	--	Weekly	Grab	INT-1 EFF-1 EFF-2
Cycles of Concentration	Report	--	--	Weekly	Calculation	EFF-1, EFF-2
Free Available Oxidants, MG/L	See Cond I.A.6.			See cond. I.A.6.	Grab	EFF-3B
pH (SU)	--	8.5	6.5	Daily	Grab	EFF-1
Chlorine, Total Residual (Discharge Time) (MIN/DAY)	120	--	--	Daily	Logs	EFF-3B
Biocides (UG/L)	Report	--	--	1/Per Application	Grab	EFF-1, EFF-2
Whole Effluent Toxicity (ACUTE)	See Permit Condition I.A.8			--	--	EFF-1, EFF-2

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

Sample Point	Description of Monitoring Location
INT-1	Intake to the cooling towers.
EFF-1	CTBD discharge from Unit 4 before entering the site discharge canal
EFF-2	CTBD discharge from Unit 5 before entering the site discharge canal
EFF-3	Point of discharge from site discharge canal to the Gulf of Mexico

PERMITTEE:

PERMIT NUMBER: FL0036366

Progress Energy Florida
15760 Powerline Street
US Highway 19, Powerline Road
Crystal River, FL 34428

Issuance date: August 15, 2005
Expiration date: August 14, 2010

Sample Point	Description of Monitoring Location
EFF-3A	Combined monitoring point for temperature of CTBD discharge from Units 4&5 within the Units 4&5 discharge canal
EFF 3B	Combined monitoring point for TRO and FAO in the Units 4&5 discharge canal prior to entering the site discharge canal

3. If continuous monitoring equipment for flow, temperature, total residual oxidants, or total dissolved solids is not operable during any discharge period, the Permittee shall monitor the parameter by other means approved in the Department's Quality Assurance Standard Operating Procedures pursuant to Chapter 62-160, F.A.C. and specify the method in the Discharge Monitoring Report.
4. Calibration of continuous monitoring equipment for total residual oxidants (TRO) shall be conducted not less than once per week during periods of maximum expected TRO concentrations. The continuous monitor shall have a limit of detection of not more than 0.05 mg/l. Manual monitoring for TRO shall be conducted during times of calibration of the continuous monitor only during periods of cooling tower chlorination.
5. In addition to the maximum flow, the daily average (mean) flow shall be reported monthly on the Discharge Monitoring Report.
6. The instantaneous maximum value of Free Available Oxidants (FAO) shall be determined from a grab sample obtained at the midpoint of each chlorination period, and shall be no greater than 0.5 mg/l. The average concentration of FAO during any individual chlorination period shall be no greater than 0.2 mg/l, and shall be determined from a minimum of two samples obtained during the chlorination period. In no case shall FAO or total residual oxidants be discharged from any unit for more than two hours per day per unit. Not more than one unit shall discharge FAO or TRO at any one time.
7. There shall be no detectable discharge of the 126 priority pollutants (listed in 40 CFR Part 423, Appendix A) in chemicals added for cooling tower maintenance, except as otherwise limited in this permit. Notice of any proposed use of products containing priority pollutants shall be made to the Department no later than 120 days prior to proposed use. Monitoring to demonstrate that priority pollutants are not discharged shall be conducted at least annually unless the Permittee provides a letter of certification from the manufacturer of each product used, stating that priority pollutants are not present in the product, or unless alternate methods of demonstrating compliance are approved by the Department. If priority pollutants are present in such products, the Permittee may provide calculations signed and sealed by a Professional Engineer licensed in Florida, demonstrating that the priority pollutants in the products will not be present in detectable concentrations in the discharge. The lowest anticipated discharge flow shall be used in these calculations, and the detection limits shall be in accordance with Section I.E.1. of this permit.
8. The permittee shall initiate the series of tests described below after the first treatment period of any combination of approved biocides listed in permit condition I.E.13 to evaluate whole effluent toxicity of the discharge from Outfall D-074 or D-075 at the point of discharge to the site discharge canal. Previously approved biocides used individually do not require toxicity testing. All test species, procedures and quality assurance criteria used shall be in accordance with Methods for Measuring the Acute Toxicity of Effluents and Receiving Waters to Freshwater and Marine Organisms, 5th ed., EPA-821-R-02-012, or the most current edition. The control water and the effluent used will be adjusted to the appropriate test salinity using artificial sea salts as described below:

The control water and the effluent used will be adjusted to an appropriate salinity using artificial sea salts as described in EPA-821-R-02-012, Section 7.2.4, or the most current edition. The appropriate test salinity shall be determined as follows:

When the salinity of the effluent is between 1 and 6 parts per thousand (ppt), the following salinity adjustment shall be used in the test of 100% effluent. For the *Mysidopsis bahia* bioassays, the effluent and the control (0% effluent) shall be adjusted to a salinity of 6 ppt for the 100% effluent test using artificial sea salts. No salinity adjustment shall be done for the *Menidia beryllina* bioassay test of the 100% effluent.

PERMITTEE:

Progress Energy Florida
15760 Powerline Street
US Highway 19, Powerline Road
Crystal River, FL 34428

PERMIT NUMBER:

FL0036366

Issuance date:

August 15, 2005

Expiration date:

August 14, 2010

When the salinity of the effluent is greater than 6 parts per thousand, no salinity adjustment shall be made and the test shall be run at the effluent's salinity for both species.

A standard reference toxicant quality assurance (QA) acute toxicity test shall be conducted concurrently or no greater than 30 days before the date of the "routine" test, with each species used in the toxicity tests. The results of all QA toxicity tests shall be submitted with the discharge monitoring report (DMR). Any deviation from the bioassay procedures outlined herein shall be submitted in writing to the Department for review and approval prior to use.

- a. (1) The permittee shall conduct 96-hour acute definitive, static renewal toxicity tests using the mysid shrimp, Americamysis (Mysidopsis) bahia, and the inland silverside, Menidia beryllina. All tests will be conducted on four separate grab samples collected at evenly spaced (6-hr) intervals over a 24-hour period and used in four separate tests in order to catch any peaks of toxicity and to account for daily variations in effluent quality. The test series shall include five test dilutions and a control as described in c(1).
- (2) If control mortality exceeds 10% for either species in any test, the test for that species (including the control) shall be repeated. A test will be considered valid only if control mortality does not exceed 10% for either species. If, in any separate grab sample test, 100% mortality occurs prior to the end of the test, and control mortality is less than 10% at that time, that test (including the control) shall be terminated with the conclusion that the sample demonstrates unacceptable acute toxicity.
- b. (1) The toxicity tests specified above shall be conducted once every three months until 6 valid quarterly tests are completed. These tests are referred to as "routine" tests. Upon the completion of six valid tests which demonstrate that no acute toxicity violation (as defined in c(2)) has been identified, the permittee may petition the Department for a reduction in monitoring frequency.
- (2) Results from "routine" tests shall be reported according to EPA-821-R-02-012, Section 11, Report Preparation (or the most current edition), and shall be submitted to:

Florida Department of Environmental Protection
Southwest District Office
3804 Coconut Palm Drive
Tampa, Florida 33619-8378
- (3) Results from "routine" tests shall be reported on the Discharge Monitoring Report (DMR) as follows:
 - (a) If greater than 50% mortality occurs in any of the four separate grab sample tests for the test species, "<30" (less than 30% effluent) should be entered on the DMR for that test species.
 - (b) If 50% or less mortality occurs in all four separate grab sample tests for the test species, ">30" (greater than 30% effluent) should be entered on the DMR for that test species.
 - (c) For each of the additional tests required, the calculated LC50 value should be entered on the DMR for that test species.
- c. (1) All "routine" test shall be conducted using a control (0% effluent) and the following test concentrations: **100%, 50%, 30%, 12.5%, and 6.25%** concentration of final effluent.
- (2) An LC50 of less than 30% effluent in any "routine" or any additional definitive test will constitute a violation of these permit conditions and Rule 62-4.244(3)(b), F.A.C.
- d. (1) If an LC50 of less than 30% effluent in a "routine" test or if mortalities of greater than 50% in the 30% effluent concentration, the permittee shall conduct two additional tests on each species indicating acute toxicity. The first additional test will include four grab samples taken as described in a(1) and run as four separate definitive analyses. The second additional definitive tests will be run on a single grab

PERMITTEE:

PERMIT NUMBER: FL0036366

Progress Energy Florida
15760 Powerline Street
US Highway 19, Powerline Road
Crystal River, FL 34428

Issuance date: August 15, 2005
Expiration date: August 14, 2010

sample collected on the day of the week and time of that day when the greatest toxicity was identified in the “routine” test.

- (2) Each additional test shall be conducted using a control (0% effluent) and a minimum of five dilutions: 100%, 50%, 30%, 12.5% and 6.25% effluent and a control (0% effluent). The dilution series may be modified in the second test to more accurately identify the toxicity, such that at least two dilutions above and two dilutions below the target toxicity and a control (0% effluent) are run.
- (3) For each additional test, the sample collection requirements and the test acceptability criteria specified in section a. above must be met for the test to be considered valid. The first test shall begin within two weeks of the end of the “routine” tests, and shall be conducted weekly thereafter until two additional, valid tests are completed.

Results from additional tests, required due to acute toxicity violation in the “routine” tests, shall be submitted in a single report prepared according to EPA-821-R-02-012, Section 12, or the most current edition and submitted within 45 days of completion of the second additional, valid test. Upon completion of the additional tests, the permittee will meet with the Department within 30 days of the report submittal to identify corrective actions necessary to remedy the acute toxicity violation.

9. Discharge of debris filter backwash water is permitted without limitations or monitoring requirements.
10. During the period beginning on the issuance date and lasting through the expiration date of this permit, the permittee is authorized to discharge through Internal Outfall I-CHO Coal Storage Area Runoff into the Runoff Collection System. Such discharge shall be limited and monitored by the permittee as specified below:

	Discharge Limitations			Monitoring Requirements		
Parameters (units)	Monthly Average	Daily Maximum	Daily Minimum	Monitoring Frequency	Sample Type	Sample Point
Flow (MGD)	--	Report	--	Per Discharge	Weir Reading	OUI-1
Solids, Total Suspended (MG/L)	--	See Cond. I.A.16.	--	Per Discharge	Grab	OUI-1
Length of discharge period	--	Report	--	Per Discharge	Grab	OUI-1
Arsenic, Total Recoverable (UG/L)	--	Report	--	Per Discharge	Grab	OUI-1
Cadmium, Total Recoverable (UG/L)	--	Report	--	Per Discharge	Grab	OUI-1
Chromium, Total Recoverable (UG/L)	--	Report	--	Per Discharge	Grab	OUI-1
Copper, Total Recoverable (UG/L)	--	Report	--	Per Discharge	Grab	OUI-1
Iron, Total Recoverable (MG/L)	--	Report	--	Per Discharge	Grab	OUI-1
Lead, Total Recoverable (UG/L)	--	Report	--	Per Discharge	Grab	OUI-1
Mercury, Total Recoverable (UG/L)	--	Report	--	Per Discharge	Grab	OUI-1
Nickel, Total Recoverable (UG/L)	--	Report	--	Per Discharge	Grab	OUI-1

PERMITTEE:

PERMIT NUMBER: FL0036366

Progress Energy Florida
15760 Powerline Street
US Highway 19, Powerline Road
Crystal River, FL 34428

Issuance date: August 15, 2005
Expiration date: August 14, 2010

Parameters (units)	Discharge Limitations			Monitoring Requirements		
	Monthly Average	Daily Maximum	Daily Minimum	Monitoring Frequency	Sample Type	Sample Point
Vanadium, Total Recoverable (UG/L)	--	Report	--	Per Discharge	Grab	OUI-1
Zinc, Total Recoverable (UG/L)	--	Report	--	Per Discharge	Grab	OUI-1
Selenium, Total Recoverable (UG/L)	--	Report	--	Per Discharge	Grab	OUI-1

11. Effluent samples shall be taken at the monitoring site locations listed in permit condition I.A.10 and as described below:

Sample Point	Description of Monitoring Location
OUI-1	Coal Storage Area overflow weir prior to discharge into the Runoff Collection System

12. During the period beginning on the issuance date and lasting through the expiration date of this permit, the permittee is authorized to discharge through Internal Outfall I-C40 Ash Landfill Area Runoff into the Runoff Collection System. Such discharge shall be limited and monitored by the permittee as specified below:

Parameters (units)	Discharge Limitations			Monitoring Requirements		
	Monthly Average	Daily Maximum	Daily Minimum	Monitoring Frequency	Sample Type	Sample Point
Flow (MGD)	--	Report	--	Per Discharge	Weir Reading	OUI-2
Total Suspended Solids, MG/L	--	See Cond. I.A.16.	--	Per Discharge	Grab	OUI-2
Length of Discharge Period, hrs	--	Report	--	Per Discharge	Logs	OUI-2
Zinc, Total Recoverable (UG/L)	--	Report	--	Per Discharge	Grab	OUI-2
Vanadium, Total Recoverable ug/l	--	Report	--	Per Discharge	Grab	OUI-2
Selenium, Total Recoverable (UG/L)	--	Report	--	Per Discharge	Grab	OUI-2
Nickel, Total Recoverable (UG/L)	--	Report	--	Per Discharge	Grab	OUI-2
Mercury, Total Recoverable (UG/L)	--	Report	--	Per Discharge	Grab	OUI-2
Lead, Total Recoverable (UG/L)	--	Report	--	Per Discharge	Grab	OUI-2
Iron, Total Recoverable (MG/L)	--	Report	--	Per Discharge	Grab	OUI-2
Copper, Total Recoverable (UG/L)	--	Report	--	Per Discharge	Grab	OUI-2

PERMITTEE:

PERMIT NUMBER: FL0036366

Progress Energy Florida
15760 Powerline Street
US Highway 19, Powerline Road
Crystal River, FL 34428

Issuance date: August 15, 2005
Expiration date: August 14, 2010

Parameters (units)	Discharge Limitations			Monitoring Requirements		
	Monthly Average	Daily Maximum	Daily Minimum	Monitoring Frequency	Sample Type	Sample Point
Chromium, Trivalent Total Recoverable (UG/L)	--	Report	--	Per Discharge	Grab	OUI-2
Arsenic, Total Recoverable, ug/l	--	Report	--	Per Discharge	Grab	OUI-2
Cadmium, Total Recoverable (UG/L)	--	Report	--	Per Discharge	Grab	OUI-2

13. Effluent samples shall be taken at the monitoring site locations listed in permit condition I.A.12 and as described below:

Sample Point	Description of Monitoring Location
OUI-2	Ash Landfill Area overflow weir prior to discharge into the Runoff Collection System

14. During the period beginning on the issuance date and lasting through the expiration date of this permit, the permittee is authorized to discharge from Outfall D-0CO- Run off Collection System overflow from Units 4 and 5 and from Internal Outfalls I-CHO and I-C40 to the site discharge canal thence the Gulf of Mexico. Such discharge shall be limited and monitored by the permittee as specified below:

Parameters (units)	Discharge Limitations			Monitoring Requirements		
	Monthly Average	Instantaneous Maximum	Daily Minimum	Monitoring Frequency	Sample Type	Sample Point
Flow (MGD)	--	Report	--	Per Discharge	Weir Reading	EFF-4
Total Suspended Solids, MG/L	--	See Cond. I.A.17.	--	Per Discharge	Grab	EFF-4
Length of Discharge Period, , hrs		Report	----	Per Discharge	Logs	EFF-4
Zinc, Total Recoverable (UG/L)	--	86	--	Per Discharge	Grab	EFF-4
Vanadium, Total Recoverable ug/l	--	Report	--	Per Discharge	Grab	EFF-4
Selenium, Total Recoverable (UG/L)	--	71	--	Per Discharge	Grab	EFF-4
Nickel, Total Recoverable (UG/L)	--	8.3	--	Per Discharge	Grab	EFF-4
Mercury, Total Recoverable (UG/L)	--	0.025	--	Per Discharge	Grab	EFF-4
Lead, Total Recoverable (UG/L)	--	8.5	--	Per Discharge	Grab	EFF-4
Iron, Total Recoverable (MG/L)	--	0.3	--	Per Discharge	Grab	EFF-4

PERMITTEE:

PERMIT NUMBER: FL0036366

Progress Energy Florida
15760 Powerline Street
US Highway 19, Powerline Road
Crystal River, FL 34428

Issuance date: August 15, 2005
Expiration date: August 14, 2010

Parameters (units)	Discharge Limitations			Monitoring Requirements		
	Monthly Average	Instantaneous Maximum	Daily Minimum	Monitoring Frequency	Sample Type	Sample Point
Copper, Total Recoverable (UG/L)	--	3.7	--	Per Discharge	Grab	EFF-4
Chromium, Hexavalent Total Recoverable (UG/L)	--	50	--	Per Discharge	Grab	EFF-4
Chromium, Total Recoverable (MG/L)	--	673.05	--	Per Discharge	Grab	EFF-4
Cadmium, Total Recoverable (UG/L)	--	9.3	--	Per Discharge	Grab	EFF-4
Arsenic, Total Recoverable (UG/L)	--	50	--	Per Discharge	Grab	EFF-4
pH (SU)	--	8.5	6.5	Per Discharge	Grab	EFF-4
Oil and Grease (MG/L)	--	5.0	--	Per Discharge	Grab	EFF-4

15. Effluent samples shall be taken at the monitoring site locations listed in permit condition I.A.14 and as described below:

Sample Point	Description of Monitoring Location
EFF-4	Point of discharge from the Runoff Collection System into the Units 4&5 discharge canal

16. The Ash Landfill Area Runoff treatment system and Coal Storage Area Runoff treatment systems shall each be capable of containing a 10Y 24H rain fall event. However, in the event of a discharge from either Internal Outfall I-CHO or I-C40 as the result of an event less than the 10Y, 24H rainfall, the concentration of total suspended solids in the discharge shall not exceed 50.0 mg/l. Should such a discharge from either Internal Outfall I-CHO or I-C40 exceed this limitation, the discharge from D-OCO shall not exceed 50.0 mg/l.
17. The Runoff Collection System shall be capable of containing a 10Y 24H rain fall event. However, in the event of a discharge from Internal Outfall I-C40 as the result of an event less than the 10Y, 24H rainfall, the concentration of total suspended solids in the discharge shall not exceed 50.0 mg/l.
18. There shall be no discharge of floating solids or visible foam in other than trace amounts.
19. The discharge shall not cause a visible sheen on the receiving water.

B. Underground Injection Control Systems

1. This section is not applicable to this facility.

C. Land Application Systems

1. This section is not applicable to this facility.

D. Other Methods of Disposal or Recycling

1. There shall be no discharge of industrial wastewater from this facility to ground or surface waters, except as authorized by this permit.

PERMITTEE:

PERMIT NUMBER: FL0036366

Progress Energy Florida
15760 Powerline Street
US Highway 19, Powerline Road
Crystal River, FL 34428

Issuance date: August 15, 2005
Expiration date: August 14, 2010

E. 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 in accordance with Rule 62-4.246, Chapters 62-160 and 62-601, F.A.C., and 40 CFR 136, as appropriate. The list of Department established analytical methods, and corresponding MDLs (method detection limits) and PQLs (practical quantification limits), which is titled “Florida Department of Environmental Protection Table as Required By Rule 62-4.246(4) Testing Methods for Discharges to Surface Water” dated June 21, 1996, is available from the Department on request. 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 PQL for the specific parameter is less than or equal to the permit limit or the applicable water quality criteria, if any, stated in Chapter 62-302, F.A.C. Parameters that are listed as “report only” in the permit shall use methods that provide a PQL, which is equal to or less than the applicable water quality criteria stated in 62-302 FAC; and
 - c. If the PQLs for all methods available in the approved list are above the stated permit limit or applicable water quality criteria for that parameter, then the method with the lowest stated PQL shall be used.

Where the analytical results are below method detection or practical quantification limits, the permittee shall report the actual laboratory MDL and/or PQL values for the analyses that were performed following the instructions on the applicable discharge monitoring report. Approval of alternate laboratory MDLs or PQLs are not necessary if the laboratory reported MDLs and PQLs are less than or equal to the permit limit or the applicable water quality criteria, if any, stated in Chapter 62-302, F.A.C. However, where necessary, the permittee may request approval for alternative methods or for alternative MDLs and PQLs for any approved analytical method, in accordance with the criteria of Rules 62-160.520 and 62-160.530, F.A.C.

2. Parameters which must be monitored as a result of a surface water discharge shall be analyzed using a sufficiently sensitive method in accordance with 40 CFR Part 136.
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 Southeast District Office Discharge Monitoring Reports (DMRs) in accordance with the frequencies specified by the REPORT type (i.e., monthly, toxicity, quarterly, semiannual, annual, etc.) indicated on the DMR forms attached to this permit. Monitoring results for each monitoring period shall be submitted in accordance with the associated DMR due dates below.

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

PERMITTEE:

PERMIT NUMBER: FL0036366

Progress Energy Florida
15760 Powerline Street
US Highway 19, Powerline Road
Crystal River, FL 34428

Issuance date: August 15, 2005
Expiration date: August 14, 2010

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 at the address specified below:

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

4. Unless specified otherwise in this permit, all reports and notifications required by this permit, including twenty-four hour notifications, shall be submitted to or reported to the Southeast District Office at the address specified below:

Southwest District Office
3804, Coconut Palm Drive
Tampa, FL 33619-8378

Phone Number - (813)744-6100

FAX Number - (813)744 -8198 (All FAX copies shall be followed by original copies.)

5. All reports and other information shall be signed in accordance with requirements of Rule 62-620.305, F.A.C.
6. The permittee shall provide safe access points for obtaining representative samples which are required by this permit.
7. If there is no discharge from the facility on a day scheduled for sampling, the sample shall be collected on the day of the next discharge.
8. A permit revision from the Department shall be required prior to the use of any biocide or chemical additive, which may be toxic to aquatic life, (except as authorized elsewhere in this permit) in the cooling water system or any other portion of the industrial wastewater system. The permit revision request shall include:
- Name and general composition of biocide or chemical
 - Frequencies of use
 - Quantities to be used
 - Proposed effluent concentrations
 - Acute and/or chronic toxicity data (laboratory reports shall be prepared according to Section 12 of EPA document no. EPA/600/4-90/027 entitled, Methods for Measuring the Acute Toxicity of Effluents and Receiving Waters for Freshwater and Marine Organisms, or most current addition.)
 - Product data sheet
 - 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 prior authorization by the Department. Permit revisions shall be processed in accordance with the requirements of Chapter 62-620, F.A.C.

9. 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.
10. There shall be no discharge of polychlorinated biphenyl compounds.

PERMITTEE:

PERMIT NUMBER: FL0036366

Progress Energy Florida
15760 Powerline Street
US Highway 19, Powerline Road
Crystal River, FL 34428

Issuance date: August 15, 2005
Expiration date: August 14, 2010

11. The permittee shall not store coal, soil, or other similar erodable materials in a manner in which runoff is uncontrolled, nor shall construction activities be conducted in a manner which produces uncontrolled runoff unless such uncontrolled runoff has been specifically approved by the Department. "Uncontrolled" shall mean without sedimentation basin or other controls approved by the Department.
12. Any bypass of the treatment facility which is not included in the monitoring specified in sections I.A, I.B, I.C, or I.D, is to be monitored for flow and all other required parameters. For parameters other than flow, at least one grab sample per day shall be monitored. Daily flow shall be monitored or estimated, as appropriate, to obtain reportable data. All monitoring results shall be reported on the appropriate DMR
13. The permittee is authorized to utilize Chemtreat CT-907, Calgon PCL-401, Nalco 1338, Calgon, PCL-361, Betz Spectrus OX-1201, sodium bisulfite solution, Nalco1316, sodium hypochlorite, Chemtreat CL-4400, Chemtreat CL-1355, and Spectrus BD1500.

II. Industrial Sludge Management Requirements

Sludge or other solids generated from the facility shall be reused, reclaimed, or otherwise disposed in accordance with the requirements of Chapter 62-701, F.A.C.

III. Ground Water Monitoring Requirements

This section is not applicable to this facility. Ground water monitoring at this facility is regulated by Permit FLA016960.

IV. Other Land Application Requirements

This section is not applicable to this facility.

V. Operation and Maintenance Requirements

A. Operation of Treatment and Disposal Facilities

1. The permittee shall ensure that the operation of this facility is as described in the application and supporting documents.
2. The operation of the pollution control facilities described in this permit shall be under the supervision of a person who is qualified by formal training and/or practical experience in the field of water pollution control.

B. Record keeping Requirements:

1. The permittee shall maintain the following records on the site of the permitted facility and make them available for inspection:
 - 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, other than those required in items a. and f. of this section, required by the permit for at least three years from the date the report was prepared, unless otherwise specified by Department rule;
 - 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, unless otherwise specified by Department rule;
 - d. A copy of the current permit;
 - e. A copy of any required record drawings;

PERMITTEE:

PERMIT NUMBER: FL0036366

Progress Energy Florida
15760 Powerline Street
US Highway 19, Powerline Road
Crystal River, FL 34428

Issuance date: August 15, 2005
Expiration date: August 14, 2010

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

VI. Schedules

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

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

2. The permittee shall achieve compliance with the other conditions of this permit as follows:

Operational level attained Issuance Date of permit

3. The Permittee shall comply with the requirements of either 40 CFR Part 125.94(a)(1)(i) or 40 CFR Part 125.95(a)(1) and (2) no later than January 7, 2008.

VII. Other Specific Conditions

A. Specific Conditions Applicable to All Permits

1. Drawings, plans, documents or specifications submitted by the permittee, not attached hereto, but retained on file at the Southeast District Office, are made a part hereof.
2. Where required by Chapter 471 (P.E.) or Chapter 492 (P.G.) Florida Statutes, applicable portions of reports to be submitted under this permit, shall be signed and sealed by the professional(s) who prepared them.
3. 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 Construction

1. This section is not applicable to this facility.

C. Duty to Reapply

1. The permittee shall submit an application to renew this permit at least 180 days before the expiration date of this permit.
2. The permittee shall apply for renewal of this permit on the appropriate form listed in Rule 62-620.910, F.A.C., and in the manner established in Chapter 62-620, F.A.C., and the Department of Environmental Protection Guide to Wastewater Permitting including submittal of the appropriate processing fee set forth in Rule 62-4.050, F.A.C.
3. An application filed in accordance with subsections 1. and 2. of this part shall be considered timely and sufficient. When an application for renewal of a permit is timely and sufficient, the existing permit shall not expire until the Department has taken final action on the application for renewal or until the last day for seeking judicial review of the agency order or a later date fixed by order of the reviewing court.
4. The late submittal of a renewal application shall be considered timely and sufficient for the purpose of extending the effectiveness of the expiring permit only if it is submitted and made complete before the expiration date.

D. Specific Conditions Related to Best Management Practices/Pollution Prevention Conditions

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

PERMITTEE:

PERMIT NUMBER: FL0036366

Progress Energy Florida
15760 Powerline Street
US Highway 19, Powerline Road
Crystal River, FL 34428

Issuance date: August 15, 2005
Expiration date: August 14, 2010

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 Waste Minimization Opportunity Assessment Manual, EPA/625/7-88/003.

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) "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.
- (6) "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.
- (7) "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.
- (8) "BMP3" means a Best Management Plan incorporating the requirements of 40 CFR § 122.44, Subpart K, plus pollution prevention techniques associated with a Waste Minimization Assessment.
- (9) "Waste Minimization Assessment" means a systematic planned procedure with the objective of identifying ways to reduce or eliminate waste.

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. The BMP3 plan shall contain the following components:

a. Signatory Authority & Management Responsibilities

The BMP3 plan shall be signed by the permittee or their duly authorized representative in accordance with rule 62-620.305(2)(a) and (b). The BMP3 plan shall be reviewed by the plant environmental/engineering staff and

PERMITTEE:

PERMIT NUMBER: FL0036366

Progress Energy Florida
15760 Powerline Street
US Highway 19, Powerline Road
Crystal River, FL 34428

Issuance date: August 15, 2005
Expiration date: August 14, 2010

plant manager. Where required by Chapter 471 (P.E.) or Chapter 492 (P.G.) Florida Statutes, applicable portions of the BMP3 plan shall be signed and sealed by the professional(s) who prepared them.

A copy of the plan shall be retained at the facility and shall be made available to the Department 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

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 loadings and chemical losses to all wastewater and/or storm water streams as described in Part VII.D.3 of this permit.

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

Florida Department of Environmental Protection
Industrial Wastewater Section, Mail Station 3545
Twin Towers Office Building
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

PERMITTEE:

PERMIT NUMBER: FL0036366

Progress Energy Florida
15760 Powerline Street
US Highway 19, Powerline Road
Crystal River, FL 34428

Issuance date: August 15, 2005
Expiration date: August 14, 2010

prevention & response, as well as specific waste reduction practices to be employed. Training shall 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 implemented upon the effective date of this permit, unless any later dates are specified in this permit. If a WMA is ongoing at the time of development or implementation it may be described in the plan. Any waste reduction practice which is recommended for implementation over a period of time may also 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 Department upon request. The summary shall 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 WMA studies, as well as scheduled WMA activities may 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 Department 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 may be included.
- (3) A recommended timetable for the various plan requirements follows:

Timetable for BMP3 Plan:

<u>ELEMENT</u>	<u>TIME FROM EFFECTIVE DATE OF THIS PERMIT</u>
Complete WMA (if appropriate)	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.

PERMITTEE:

PERMIT NUMBER: FL0036366

Progress Energy Florida
15760 Powerline Street
US Highway 19, Powerline Road
Crystal River, FL 34428

Issuance date: August 15, 2005
Expiration date: August 14, 2010

E. 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.
 - 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.

F. Reopener Clause

1. The permit shall be revised, or alternatively, revoked and reissued in accordance with the provisions contained in Rules 62-620.325 and 62-620.345 F.A.C., if applicable, or to comply with any applicable effluent standard or limitation issued or approved under Sections 301(b)(2)(C) and (D), 304(b)(2) and 307(a)(2) of the Clean Water Act (the Act), as amended, if the effluent standards, limitations, or water quality standards so issued or approved:
 - 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, or other information show a need for a different limitation or monitoring requirement.
3. The Department may develop a Total Maximum Daily Load (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.

VIII. General Conditions

1. The terms, conditions, requirements, limitations and restrictions set forth in this permit are binding and enforceable pursuant to Chapter 403, F.S. Any permit noncompliance constitutes a violation of Chapter 403, F.S., and is grounds for enforcement action, permit termination, permit revocation and reissuance, or permit revision. [62-620.610(1), F.A.C.]
2. This permit is valid only for the specific processes and operations applied for and indicated in the approved drawings or exhibits. Any unauthorized deviation from the approved drawings, exhibits, specifications or conditions of this permit constitutes grounds for revocation and enforcement action by the Department. [62-620.610(2), F.A.C.]

PERMITTEE:

PERMIT NUMBER: FL0036366

Progress Energy Florida
15760 Powerline Street
US Highway 19, Powerline Road
Crystal River, FL 34428

Issuance date: August 15, 2005
Expiration date: August 14, 2010

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 infringements 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), F.A.C.]*
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), F.A.C.]*
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), F.A.C.]*
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), F.A.C.]*
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), F.A.C.]*
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), F.A.C.]*
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), F.A.C.]*
10. In accepting this permit, the permittee understands and agrees that all records, notes, monitoring data, and other information relating to the construction or operation of this permitted source which are submitted to the Department may be used by the Department as evidence in any enforcement case involving the permitted source arising under the Florida Statutes or Department rules, except as such use is proscribed by Section 403.111, Florida Statutes, or Rule 62-620.302, 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), F.A.C.]*
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

PERMITTEE:

PERMIT NUMBER: FL0036366

Progress Energy Florida
15760 Powerline Street
US Highway 19, Powerline Road
Crystal River, FL 34428

Issuance date: August 15, 2005
Expiration date: August 14, 2010

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), F.A.C.]

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), F.A.C.]
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), F.A.C.]
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 Department approves the transfer. [62-620.610(14), F.A.C.]
15. The permittee shall give the Department written notice at least 60 days before inactivation or abandonment of a wastewater facility and shall specify what steps will be taken to safeguard public health and safety during and following inactivation or abandonment. [62-620.610(15), F.A.C.]
16. The permittee shall apply for a revision to the Department permit in accordance with Rule 62-620.300, F.A.C., and the Department of Environmental Protection Guide to Wastewater Permitting at least 90 days before construction of any planned substantial modifications to the permitted facility is to commence or with Rule 62-620.325(2), 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), F.A.C.]
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), F.A.C.]
18. Sampling and monitoring data shall be collected and analyzed in accordance with Rule 62-4.246, Chapters 62-160 and 62-601, F.A.C., and 40 CFR 136, as appropriate.
 - a. Monitoring results shall be reported at the intervals specified elsewhere in this permit and shall be reported on a Discharge Monitoring Report (DMR), DEP Form 62-620.910(10).
 - b. If the permittee monitors any contaminate more frequently than required by the permit, using Department approved test procedures, the results of this monitoring shall be included in the calculation and reporting of the data submitted in the DMR.
 - c. Calculations for all limitations which require averaging of measurements shall use an arithmetic mean unless otherwise specified in this permit.
 - d. Any laboratory test required by this permit shall be performed by a laboratory that has been certified by the Department of Health (DOH) under Chapter 64E-1, F.A.C., where such certification is required by Rule 62-160.300(4), F.A.C. The laboratory must be certified for any specific method and analyte combination that is used to comply with this permit. For domestic wastewater facilities, the on-site test procedures specified in Rule 62-160.300(4), F.A.C., shall be performed by a laboratory certified test for those parameters or under the direction of an operator certified under Chapter 62-602, F.A.C.

PERMITTEE:

PERMIT NUMBER: FL0036366

Progress Energy Florida
15760 Powerline Street
US Highway 19, Powerline Road
Crystal River, FL 34428

Issuance date: August 15, 2005
Expiration date: August 14, 2010

- e. Fields activities including on-site tests and sample collection, whether performed by a laboratory or a certified operator, must follow the applicable procedures described in DEP-SOP-001/01 (January 2002). Alternate field procedures and laboratory methods may be used where they have been approved according to the requirements of Rules 62-160.220, 62-160.330, and 62-160.600, F.A.C. [62-620.610(18), F.A.C.]
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), F.A.C.]
20. The permittee shall report to the Department's Southwest 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 untreated or treated wastewater reported pursuant to subparagraph a.4 that are in excess of 1,000 gallons per incident, or where information indicates that public health or the environment will be endangered, oral reports shall be provided to the Department by calling the STATE WARNING POINT TOLL FREE NUMBER (800) 320-0519, as soon as practical, but no later than 24 hours from the time the permittee becomes aware of the discharge. The permittee, to the extent known, shall provide the following information to the State Warning Point:
 - (a) Name, address, and telephone number of person reporting;
 - (b) Name, address, and telephone number of permittee or responsible person for the discharge;
 - (c) Date and time of the discharge and status of discharge (ongoing or ceased);
 - (d) Characteristics of the wastewater spilled or released (untreated or treated, industrial or domestic wastewater);
 - (e) Estimated amount of the discharge;
 - (f) Location or address of the discharge;
 - (g) Source and cause of the discharge;
 - (h) Whether the discharge was contained on-site, and cleanup actions taken to date;
 - (i) Description of area affected by the discharge, including name of water body affected, if any; and
 - (j) Other persons or agencies contacted.
 - (2) Oral reports, not otherwise required to be provided pursuant to subparagraph b(1) above, shall be provided to Department's Southwest 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 Southeast District Office shall waive the written report. [62-620.610(20), F.A.C.]

PERMITTEE:

Progress Energy Florida
15760 Powerline Street
US Highway 19, Powerline Road
Crystal River, FL 34428

PERMIT NUMBER: FL0036366

Issuance date: August 15, 2005
Expiration date: August 14, 2010

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

22. Bypass Provisions.

- a. Bypass is prohibited, and the Department may take enforcement action against a permittee for bypass, unless the permittee affirmatively demonstrates that:
 - (1) Bypass was unavoidable to prevent loss of life, personal injury, or severe property damage; and
 - (2) There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate back-up equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass which occurred during normal periods of equipment downtime or preventative maintenance; and
 - (3) The permittee submitted notices as required under Condition VIII.22.b. of this permit.
- b. If the permittee knows in advance of the need for a bypass, it shall submit prior notice to the Department, if possible at least 10 days before the date of the bypass. The permittee shall submit notice of an unanticipated bypass within 24 hours of learning about the bypass as required in Condition VIII.20. of this permit. A notice shall include a description of the bypass and its cause; the period of the bypass, including exact dates and times; if the bypass has not been corrected, the anticipated time it is expected to continue; and the steps taken or planned to reduce, eliminate, and prevent recurrence of the bypass.
- c. The Department shall approve an anticipated bypass, after considering its adverse effect, if the permittee demonstrates that it will meet the three conditions listed in Condition VIII.22 a. (1) through (3) of this permit.
- d. A permittee may allow any bypass to occur which does not cause reclaimed water or effluent limitations to be exceeded if it is for essential maintenance to assure efficient operation. These bypasses are not subject to the provision of Condition VIII.22.a. through c. of this permit. *[62-620.610(22), F.A.C.]*

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23. Upset Provisions

- a. A permittee who wishes to establish the affirmative defense of upset shall demonstrate, through properly signed contemporaneous operating logs, or other relevant evidence that:
 - (1) An upset occurred and that the permittee can identify the cause(s) of the upset;
 - (2) The permitted facility was at the time being properly operated;
 - (3) The permittee submitted notice of the upset as required in Condition VIII.20. of this permit; and
 - (4) The permittee complied with any remedial measures required under Condition VIII.5. of this permit.
- b. In any enforcement proceeding, the permittee seeking to establish the occurrence of an upset has the burden of proof.
- c. Before an enforcement proceeding is instituted, no representation made during the Department review of a claim that noncompliance was caused by an upset is final agency action subject to judicial review.
[62-620.610(23), F.A.C.]

Executed in Tallahassee, Florida.

STATE OF FLORIDA DEPARTMENT OF
ENVIRONMENTAL PROTECTION

Mimi A. Drew
Director, Division of Water Resource Management
2600 Blair Stone Road
Tallahassee, FL 32399-2400
(850) 245-8336



Florida Department of Environmental Protection

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

Charlie Crist
Governor

Jeff Kottkamp
Lt. Governor

DEPARTMENT OF ENVIRONMENTAL PROTECTION
Michael W. Sole
Secretary

MAR 12 2009

SITING COORDINATION

March 10, 2009

Mr. Bernie Cumbie
Plant Manager
Crystal River Plant Units 4&5
Progress Energy Florida
15760 W. Powerline Street
Crystal River, Florida 34428

By Certified Mail
Return Receipt Requested

RE: Progress Energy Florida
Crystal River Plant, Citrus County
DEP File No. FL0036366-008-IWB/MR
Minor Permit Revision

Dear Mr. Cumbie:

On July 10, the Department received a minor permit revision application for the Progress Energy Florida (PEF) Crystal River Power Plant. The proposed permit revision is to authorize the operation and discharge from a new truck wash installation at the Crystal River Power Plant Units 4 and 5. The Department has determined that this activity qualifies as a minor modification of the operations at the Crystal River Power Plant pursuant to Rule 62-620.200(24), Florida Administrative Code (F.A.C.), and can be authorized by a minor permit revision pursuant to Rule 62-620.325(2), F.A.C. This letter and attachment constitute a minor revision to the referenced wastewater permit.

This letter and attachment shall be attached to Permit FL0036366. All other conditions of this permit shall remain in effect. If PEF objects to this permit revision it may petition for an administrative hearing in accordance with the enclosed Notice of Rights. Although not required, PEF may elect to provide publication of appropriate Public Notice of Rights language in a local newspaper. If so, please contact the Department for appropriate public notice language.

If a petition is filed, then this permit revision does not become effective. If you have any questions about this permit revision, please contact Marc Harris of the Industrial Wastewater Section at (850) 245-8589.

Sincerely,

Janet G. Llewellyn
Director
Division of Water Resource Management

Attachment

cc: Yanisa Angulo, P.E., DEP Tampa
Mike Halpin, P.E., DEP Tallahassee
Michael Shrader, Progress Energy Florida

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www.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 120.57, 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 120.57, 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 120.57, 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 FOR
NEW TRUCK WASH DISCHARGE AT CRYSTAL RIVER UNITS 4 AND 5 POWER PLANT

Permit Number: FL0036366
DEP File No.: FL0036366-008-IWB/MR
Permit Writer: Bala Nori

Application Date: July 1, 2008 & December 2, 2008

A. Name and Address of Applicant

Progress Energy Florida
Post Office Box 14042
St. Petersburg, FL 33733

For:

Progress Energy Florida
Crystal River Units 4 & 5
15760 W. Powerline Street
Crystal River, FL 34428
Citrus County

B. Description of Modification

The Department received a minor permit revision application requesting the approval to allow operation and discharge from a new truck wash installation at the Crystal River Units 4 and 5.

A new truck wash is to be installed for supporting the truck traffic using the new North Access Road. This truck wash will rinse ash and soil particles from the trucks prior to leaving the site. Ash haul trucks, limestone delivery trucks, construction vehicles, and other truck traffic, which may enter and leave the site, will use the truck wash.

The truck spray mechanism consists of a pipe with spray nozzles directed at the top two sides of the truck. Spray is started by a manual push button and is shut off by a timer after 30 seconds to allow adequate time to rinse the entire length of the truck.

Runoff from the truck wash spray is collected on a concrete slab that is 22 feet wide by 80 feet long. The slab is sloped to grated trenches that collect and drain the runoff to an existing retention pond.

Progress Energy expects each wash cycle to use approximately 100 gallons of water. The retention pond for the truck wash runoff has a capacity of 100,000 gallons, equivalent to 1,000 truck washes. The truck wash runoff enters the retention pond at the west end and discharges from the east end to allow time for the ash and soil particles into the pond. The discharge structure for the retention pond consists of an overflow weir equipped with an oil skimmer. The discharge empties into the existing drainage ditch, which surrounds the ash storage area, and then discharges through an overflow weir (NPDES Outfall I-CHO) to the site storm water collection ditch. The retention pond is currently authorized in the NPDES permit number FL0036366 for Crystal River Units 4 and 5. Progress Energy will remove the sedimentation that collects in the retention pond as required by current operations to ensure the retention pond functions as intended.

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.

PERMITTEE:

PERMIT NUMBER: FL0036366 (Rev.A)

Progress Energy Florida
15760 Powerline Street
US Highway 19, Powerline Road
Crystal River, FL 34428

Issuance date: August 15, 2005
Revision date: March 10, 2009
Expiration date: August 14, 2010

Additions to the permit are identified by italics and underline. Deletions are identified by strikethrough.

Stormwater Discharge:

An existing ~~stormwater~~ discharge through Outfall D-0CO, Runoff Collection System Overflow (which collects stormwater runoff and truck wash runoff from Internal Outfall I-CHO and stormwater runoff from Internal Outfall I-C40) to the site discharge canal and thence to the Gulf of Mexico (Crystal Bay), a Class III marine water. The point of discharge is located approximately at latitude 25° 58' 00" N, longitude 82° 41' 40" W.

Internal Discharge:

~~Two~~ An existing stormwater discharges through Internal Outfall I-CHO (Coal Storage Area Runoff) and Internal Outfall I-C40 (Ash Landfill Area Runoff) into the Runoff Collection System then discharged to Outfall D-0CO.

An existing discharge, consisting of stormwater runoff and truck wash water runoff, through Internal Outfall I-CHO (Coal Storage Area Runoff) into the Runoff Collection System then discharged to Outfall D-0CO.

IN ACCORDANCE WITH: The limitations, monitoring requirements and other conditions as set forth in Part I through Part VIII on pages 3 through 22 of this permit.

PERMITTEE:

PERMIT NUMBER: FL0036366 (Rev.A)

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Additions to the permit are identified by italics and underline. Deletions are identified by strikethrough.

- d. (1) If an LC50 of less than 30% effluent in a "routine" test or if mortalities of greater than 50% in the 30% effluent concentration, the permittee shall conduct two additional tests on each species indicating acute toxicity. The first additional test will include four grab samples taken as described in a(1) and run as four separate definitive analyses. The second additional definitive tests will be run on a single grab sample collected on the day of the week and time of that day when the greatest toxicity was identified in the "routine" test.
- (2) Each additional test shall be conducted using a control (0% effluent) and a minimum of five dilutions: 100%, 50%, 30%, 12.5% and 6.25% effluent and a control (0% effluent). The dilution series may be modified in the second test to more accurately identify the toxicity, such that at least two dilutions above and two dilutions below the target toxicity and a control (0% effluent) are run.
- (3) For each additional test, the sample collection requirements and the test acceptability criteria specified in section a. above must be met for the test to be considered valid. The first test shall begin within two weeks of the end of the "routine" tests, and shall be conducted weekly thereafter until *two* additional, valid tests are completed.

Results from additional tests, required due to acute toxicity violation in the "routine" tests, shall be submitted in a single report prepared according to EPA-821-R-02-012, Section 12, or the most current edition and submitted within 45 days of completion of the second additional, valid test. Upon completion of the additional tests, the permittee will meet with the Department within 30 days of the report submittal to identify corrective actions necessary to remedy the acute toxicity violation.

9. Discharge of debris filter backwash water is permitted without limitations or monitoring requirements.
10. During the period beginning on the issuance date and lasting through the expiration date of this permit, the permittee is authorized to discharge stormwater runoff and truck wash runoff through Internal Outfall I-CHO Coal Storage Area Runoff into the Runoff Collection System. Such discharge shall be limited and monitored by the permittee as specified below:

Parameters (units)	Discharge Limitations			Monitoring Requirements		
	Monthly Average	Daily Maximum	Daily Minimum	Monitoring Frequency	Sample Type	Sample Point
Flow (MGD)	--	Report	--	Per Discharge	Weir Reading	OUI-1
Solids, Total Suspended (MG/L)	--	See Cond. I.A.16.	--	Per Discharge	Grab	OUI-1
Length of discharge period	--	Report	--	Per Discharge	Grab	OUI-1
Arsenic, Total Recoverable (UG/L)	--	Report	--	Per Discharge	Grab	OUI-1
Cadmium, Total Recoverable (UG/L)	--	Report	--	Per Discharge	Grab	OUI-1
Chromium, Total Recoverable (UG/L)	--	Report	--	Per Discharge	Grab	OUI-1
Copper, Total Recoverable (UG/L)	--	Report	--	Per Discharge	Grab	OUI-1
Iron, Total Recoverable (MG/L)	--	Report	--	Per Discharge	Grab	OUI-1