



FLORIDA DEPARTMENT OF
ENVIRONMENTAL PROTECTION
Southwest District Office
13051 North Telecom Parkway
Temple Terrace, Florida 33637-0926

Charlie Crist
Governor

Jeff Kottkamp
Lt. Governor

Michael W. Sole
Secretary

STATE OF FLORIDA INDUSTRIAL WASTEWATER FACILITY PERMIT

PERMITTEE:

Progress Energy Florida, Inc.
P. O. Box 14042 MAC PEF-903
St. Petersburg, FL 33701-5501

PERMIT NUMBER:

FLA016960

PA FILE NUMBER:

FLA016960-002-IW1N/NR

ISSUANCE DATE:

January 9, 2007

PA FILE NUMBER:

FLA016960-006-IWB/MR

REVISION DATE:

November 17, 2009

EXPIRATION DATE:

January 8, 2012

RESPONSIBLE AUTHORITY:

Mr. Larry E. Hatcher
Plant Manager
Larry.Hatcher@pgnmail.com

FACILITY:

Crystal River Energy Complex
15760 West Powerline Street
Crystal River, FL 34428
Citrus County

Latitude: 28° 57' 27" N Longitude: 82° 42' 36" 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.). This permit is accompanied by an Administrative Order pursuant to Paragraphs 403.088(2) (e) and (f), Florida Statutes. Compliance with Administrative Order AO-114-SW is a specific requirement of this permit. 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 Crystal River Energy Complex is a steam electric power generation facility consisting of five units. Units 1, 2 4, and 5 are coal-fired while Unit #3 is a nuclear-powered unit. Units 3, 4 and 5 are certified pursuant to Power Plant Siting Act.

PERMITTEE: Progress Energy Florida, Inc.
FACILITY: Crystal River Energy Complex

PA FILE NUMBER: FLA016960-006-IWB/MR

WASTEWATER TREATMENT:

The neutralized wastes are discharged into a percolation pond system consisting of three ponds. Ponds #1 and #2 are operated in parallel. The ponds act as settling basins and the settled effluent from either pond is routed to Pond #3 which overflows into an area called "South Pond Expansion" (7.16 acres) for percolation. The South Pond Expansion area has the capability to hold the wastewater as well as direct rainfall resulting from a 25-year 24-hour storm in the 13.6-acre pond catchment area. The sources of wastewater include power plant equipment drains, laboratory drains, floor drains, neutralized regeneration wastes from the demineralizer resin beds, wastewater from the water treatment process (carbon and media filter backwash, and lime sludge) boiler blowdown, boiler drains (chemical cleanings), air pre-heater wash drains, sewage treatment plant effluents, stormwater drainage from the transformer area, blowdown from the Flue Gas Desulfurization, precipitator washes, boiler washes, cooling water blowdown, and reverse osmosis/micro filtration concentrate.

EFFLUENT DISPOSAL:

Land Application:

An existing 0.76 MGD monthly average daily flow (MADF) land application system (G-001) consisting of percolation pond. Land application system G-001 is located approximately at latitude 28° 57' 27" N, longitude 82° 42' 36" W.

IN ACCORDANCE WITH: The limitations, monitoring requirements and other conditions as set forth in Part I through Part VIII on pages 3 through 19 of this permit.

I. Effluent Limitations and Monitoring Requirements

A. Surface Water Discharges

1. This section is not applicable to this facility.

B. Underground Injection Control Systems

1. This section is not applicable to this facility.

C. Land Application Systems

1. 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, non process wastewater, power plant equipment drains, laboratory drains, floor drains, neutralized regeneration wastes from the demineralizer resin beds, wastewater from the water treatment process (carbon and media filter backwash, and lime sludge) boiler blowdown, boiler drains (chemical cleanings), air pre-heater wash drains, sewage treatment plant effluents, stormwater drainage from the transformer area, blowdown from the Flue Gas Desulfurization, precipitator washes, boiler washes, cooling water blowdown, and reverse osmosis/micro filtration concentrate to Land Application System G-001, a percolation pond. Such discharge shall be limited and monitored by the permittee as specified below and reported in accordance with condition I.E.1.:

Parameters (units)	Discharge Limitations			Monitoring Requirements		
	Monthly Average	Daily Maximum	Daily Minimum	Monitoring Frequency	Sample Type	Sample Point
Flow (MGD)	0.76	Report	--	Daily	Calculated	FLW-3
Flow (MGD)	--	Report	--	Daily	Meter	FLW-1
Flow (MGD)	--	Report	--	Daily	Meter	FLW-2
Water Level Relative to NGVD	--	Report See Cond. I.C.5	--	Weekly	In-situ	OTH-1
Water Level Relative to NGVD	--	Report See Cond. I.C.5	--	Weekly	In-situ	OTH-2
Water Level Relative to NGVD	--	Report See Cond. I.C.5	--	Weekly	In-situ	OTH-3
pH (SU)	--	Report	Report	Quarterly	In-situ	EFF-1 EFF-2
Solids, Total Dissolved (TDS) (MG/L)	--	Report	--	Quarterly	Grab	EFF-1 EFF-2

Parameters (units)	Discharge Limitations			Monitoring Requirements		
	Monthly Average	Daily Maximum	Daily Minimum	Monitoring Frequency	Sample Type	Sample Point
Specific Conductance (UMHO/CM)	--	Report	--	Quarterly	In-situ	EFF-1 EFF-2
Oil and Grease (MG/L)	--	Report	--	Quarterly	Grab	EFF-1 EFF-2
Nitrogen, Nitrate, Total (as N) (MG/L)	--	Report	--	Quarterly	Grab	EFF-1 EFF-2
Chloride (as Cl) (MG/L)	--	Report	--	Quarterly	Grab	EFF-1 EFF-2
Cyanide, Total (MG/L)	--	Report	--	Quarterly	Grab	EFF-1 EFF-2
Alpha, Gross Particle Activity (PCI/L)	--	Report	--	Quarterly	Grab	EFF-1 EFF-2
Radium 226 + Radium 228, Total (PCI/L)	--	Report	--	Quarterly	Grab	EFF-1 EFF-2
Antimony, Total Recoverable (UG/L)	--	Report	--	Quarterly	Grab	EFF-1 EFF-2
Arsenic, Total Recoverable (UG/L)	--	Report	--	Quarterly	Grab	EFF-1 EFF-2
Beryllium, Total Recoverable (UG/L)	--	Report	--	Quarterly	Grab	EFF-1 EFF-2
Boron, Total Recoverable (MG/L)	--	Report	--	Quarterly	Grab	EFF-1 EFF-2
Cadmium, Total Recoverable (UG/L)	--	Report	--	Quarterly	Grab	EFF-1 EFF-2
Copper, Total Recoverable (MG/L)	--	Report	--	Quarterly	Grab	EFF-1 EFF-2
Chromium, Total Recoverable (MG/L)	--	Report	--	Quarterly	Grab	EFF-1 EFF-2

Parameters (units)	Discharge Limitations			Monitoring Requirements		
	Monthly Average	Daily Maximum	Daily Minimum	Monitoring Frequency	Sample Type	Sample Point
Iron, Total Recoverable (MG/L)	--	Report	--	Quarterly	Grab	EFF-1 EFF-2
Lead, Total Recoverable (UG/L)	--	Report	--	Quarterly	Grab	EFF-1 EFF-2
Mercury, Total Recoverable (UG/L)	--	Report	--	Quarterly	Grab	EFF-1 EFF-2
Nickel, Total Recoverable (UG/L)	--	Report	--	Quarterly	Grab	EFF-1 EFF-2
Selenium, Total Recoverable (UG/L)	--	Report	--	Quarterly	Grab	EFF-1 EFF-2
Sodium, Total Recoverable (MG/L)	--	Report	--	Quarterly	Grab	EFF-1 EFF-2
Thallium, Total Recoverable (UG/L)	--	Report	--	Quarterly	Grab	EFF-1 EFF-2
Zinc, Total Recoverable (MG/L)	--	Report	--	Quarterly	Grab	EFF-1 EFF-2

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

Sample Point	Description of Monitoring Location
FLW-3	The sum of FLW-1 and FLW-2
FLW-1	The sum of all flows to percolation pond system not including the FGD blow down.
FLW-2	Flow from the FGD blow down into evaporation/percolation pond #3
EFF-2	Effluent from the FGD treatment system. At discharge pipe into evaporation/percolation pond #3
EFF-1	At discharge pipe into the active pond, either the East Pond or West Pond. Ponds will be rotated on a yearly basis, or as necessary.

Sample Point	Description of Monitoring Location
OTH-1	Staff gauge located in Pond#1.
OTH-2	Staff gauge located in Pond#2.
OTH-3	Staff gauge located in Pond#3.

- The permittee shall contact and request authorizations from the Department's Southwest District Office, prior to placing into service any backup/ emergency treatment system for the FGD blow down. (i.e. Filter press). The request shall provide details and specification for the proposed system and operational details along with the expected duration.
- All flow measurement devices shall be calibrated at least once every 12 months or based on the manufacturer requirements.
- Water levels in ponds 1, 2 & 3 shall be recoded weekly on the part B DMRs. The part B DMRs shall be submitted quarterly in accordance to the schedule in section I.E.1

D. Other Methods of Disposal or Recycling

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

E. Other Limitations and Monitoring and Reporting Requirements

- 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 Southwest 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

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 original completed DMR form(s) to the address specified below: (Please submit a copy of the DMR to the Southwest District Office)

PERMITTEE: Progress Energy Florida, Inc.
FACILITY: Crystal River Energy Complex

PA FILE NUMBER: FLA016960-006-IWB/MR

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

Copies to:
FDEP-Southwest District
Industrial Wastewater Program
Southwest District Office
13051 North Telecom Parkway
Temple Terrace, FL 33637-0926
Facsimile (813) 632-7662

2. 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 Southwest District Office at the address specified below:

Southwest District Office
13051 North Telecom Parkway
Temple Terrace, FL 33637-0926

Phone Number - (813) 632-7600

FAX Number - (813) 632-7662 (All FAX copies shall be followed by original copies.)

3. All reports and other information shall be signed in accordance with requirements of Rule 62-620.305, F.A.C.
4. The permittee shall provide safe access points for obtaining representative samples which are required by this permit.
5. 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.
6. 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.

II. Industrial Sludge/Solids Management Requirements

1. The method of sludge/solids use or disposal by this facility is a Class I or II solid waste landfill.
2. The permittee shall be responsible for proper treatment, management, use or land application of its sludges/solids. [62-620.320(6)]
3. Disposal of sludge/solids in a solid waste management facility permitted by the Department shall be in accordance with the requirements of Chapter 62-701, F.A.C.
4. Storage, transportation, and disposal of sludge/solids characterized as hazardous waste shall be in accordance with the requirements of Chapter 62-730, F.A.C.
5. The permittee shall maintain records available for inspection by the Department at the permitted facility, as follows:
 - a. Quantity of sludge/solids generated;
 - b. Quantity of sludge/solids transported for treatment and/or disposal;
 - c. Name and location of the site(s) to which sludge/solids is transported;

- d. If a person other than the permittee is responsible for sludge/solids transportation, treatment, and/or disposal, the permittee shall also keep records of the name and address of each transporter, and copies of all shipping manifests.

[62-620.320(6)]

III. Ground Water Monitoring Requirements

A. Construction Requirements

1. The permittee shall give at least 72-hours notice to the Department's Southwest District Office, prior to the installation of any monitoring wells detailed in this permit.
2. The QUARTERLY sampling and analysis of all new ground water monitoring wells shall begin upon proper completion of the GWMP well system in accordance with condition III.B.1. The wells shall be sampled for the parameters identified in Permit Condition III.B.3 and in accordance to the Department's "Standard Operating Procedures For Laboratory Operations and Sample Collection Activities," DEP-SOP-001/01, FS 2200 Ground water Sampling, January 1, 2002.
3. Prior to construction of new ground water monitoring wells, a soil boring shall be made at each new monitoring well location in order to establish the well depth and screen interval.
4. Within thirty days after completion of construction of the ground water monitoring wells, a properly scaled figure depicting monitor well locations (active and abandoned) with identification numbers shall be submitted. The figure shall also include (or attached) the monitoring well, top of casing and ground surface elevations referenced to National Geodetic Vertical Datum (NGVD) to the nearest 0.1 foot, along with monitor well location latitude and longitude to the nearest 0.1 second.
5. Within thirty days after completion of construction of the ground water monitoring wells, well completion reports shall be sent to the Industrial Wastewater Section, FDEP Southwest District Office. The information is to be submitted on the attached form for each well, DEP Form 62-522.900(3), Monitor Well Completion Report.
6. In Districts where applicable, within 30 days of completion of construction of new ground water monitor wells, the Department requests that the permittee submit the following information for each monitor well :
 - a. A copy of the Florida Water Management District (WMD) , State of Florida Permit Application to Construct, Repair, Modify or Abandon a Well, Form 41.10-410(1), and
 - b. A copy of the WMD Well Completion Report, Form 41.10-410(2), 62-610.412(2)(b)

B. Operational Requirements

1. During the period of operation authorized by this permit, the permittee shall continue to sample ground water at the existing monitoring wells identified in item III.B.2 below, in accordance with this permit and the approved ground water monitoring plan prepared in accordance with Rule 62-522.600 F.A.C. Within 90 days of placing the new or modified wastewater facility into operation, or installation of new monitoring wells, whichever occurs sooner, the permittee shall begin sampling ground water at the new monitoring wells identified in item III.B.2 below, in accordance with this permit and the approved ground water monitoring plan.

2. The following monitoring wells shall be sampled for Land Application System G-001:

Monitoring Well ID	Alternate Well Name and/or Description of Monitoring Location	Depth (Feet)	Aquifer Monitored	New or Existing
MWB-30	Background Well	20	Upper Floridan	Existing
MWC-1	Compliance Monitoring Well	20	Upper Floridan	Existing
MWI-2R2	Intermediate Monitor Well		Upper Floridan	Existing
MWI-7R	Intermediate Monitor Well (Relocated)	20	Upper Floridan	Existing
MWC-12R	Compliance Monitor Well	20	Upper Floridan	Existing
MWC-16	Compliance Monitor Well	21.1	Upper Floridan	Existing
MWC-21R	Compliance Monitor Well	20	Upper Floridan	Existing
MWC-27	Compliance Monitor Well	33	Upper Floridan	Existing
MWC-28	Compliance Monitor Well	20	Upper Floridan	Existing
MWC-29	Compliance Monitor Well	20	Upper Floridan	Existing
MWC-IF2	Compliance Monitor Well	14	Upper Floridan	Existing
MWC-31	Compliance Monitor Well	20	Upper Floridan	New

MWB = Background; MWI = Intermediate; MWC = Compliance; MWP = Piezometer

3. The monitor wells specified in Condition III.B.2 shall be sampled for the parameters listed below:

Parameter Name	Compliance Well Limit	Units	Sample Type	Monitoring Frequency
Radium 226 and 228	5.0	PCI/L	Grab	Quarterly
Copper, Total Recoverable	Report	MG/L	Grab	Quarterly
Chloride (as Cl)	Report	MG/L	Grab	Quarterly
Iron, Total Recoverable	Report	MG/L	Grab	Quarterly
Nitrogen, Nitrate, Total (as N)	10.0	MG/L	Grab	Quarterly
pH*	Report	SU	Grab	Quarterly
Sodium, Total Recoverable	160	MG/L	Grab	Quarterly
Solids, Total Dissolved (TDS)	Report	MG/L	Grab	Quarterly
Specific Conductance*	Report	MMHOS/CM	In-situ	Quarterly
Turbidity*	Report	NTU	In-situ	Quarterly
Water Level Relative to NGVD	Report	FEET	In-situ	Quarterly
Alpha, Gross Particle Activity	15.0	PCI/L	Grab	Quarterly
Antimony, Total Recoverable	6.0	UG/L	Grab	Quarterly
Arsenic, Total Recoverable	10.0	UG/L	Grab	Quarterly
Boron, Total Recoverable	Report	MG/L	Grab	Quarterly

Parameter Name	Compliance Well Limit	Units	Sample Type	Monitoring Frequency
Barium, Total Recoverable	2.0	MG/L	Grab	Quarterly
Beryllium, Total Recoverable	4.0	UG/L	Grab	Quarterly
Cadmium, Total Recoverable	5.0	UG/L	Grab	Quarterly
Mercury, Total Recoverable	2.0	UG/L	Grab	Quarterly
Selenium, Total Recoverable	50.0	UG/L	Grab	Quarterly
Chromium, Total Recoverable	100.0	UG/L	Grab	Quarterly
Lead, Total Recoverable	15.0	UG/L	Grab	Quarterly
Nickel, Total Recoverable	100.0	UG/L	Grab	Quarterly
Thallium, Total Recoverable	2.0	UG/L	Grab	Quarterly
Oxygen, Dissolved (DO)*	Report	MG/L	In-situ	Quarterly
Zinc, Total Recoverable	Report	MG/L	Grab	Quarterly
Fluoride, Total (as F)	Report	MG/L	Grab	Quarterly
Cyanide, Total	0.2	MG/L	Grab	Quarterly
Temperature, Water*	Report	°F	In-situ	Quarterly

* The field parameters shall be sampled per DEP-SOP-001/01, FS 2200 Groundwater Sampling, Figure FS 2200-2 Groundwater Purging Procedure and recorded on Form FD 9000-24, Groundwater Sampling Log (both documents attached to this permit). The sampling logs shall be submitted with each groundwater Part D DMR. The field parameters to be reported on Part D of GW DMR shall be the last sample recorded on FD 9000-24.

- For the land application system for G-001, all ground water quality criteria specified in Chapter 62-520, F.A.C., shall be met at the edge of the zone of discharge. The zone of discharge for this project is the lateral extent of the upland environment on the property, where ground water is discharging to the marine environment.
- The permittee's discharge to ground water shall not cause a violation of water quality standards for ground waters at the boundary of the zone of discharge in accordance with Rules 62-520.400 and 62-520.420, F.A.C.
- The permittee's discharge to ground water shall not cause a violation of the minimum criteria for ground water specified in Rule 62-520.400, F.A.C., within the zone of discharge.
- If the concentration for any constituent listed in Permit Condition III.B.3 in the natural background quality of the ground water is greater than the stated maximum, or in the case of pH is also less than the minimum, the representative background quality shall be the prevailing standard.
- Water levels shall be recorded prior to evacuating the well for sample collection. Elevation references shall include the top of the well casing and land surface at each well site (NGVD allowable) at a precision of plus or minus 0.01 feet.
- Ground water monitoring wells shall be purged prior to sampling to obtain a representative sample.

10. Analyses shall be conducted on un-filtered samples, unless filtered samples have been approved by the Department as being more representative of ground water conditions.
11. If a monitoring well becomes damaged or cannot be sampled for some reason, the permittee shall notify the Department immediately and a written report shall follow within seven days detailing the circumstances and remedial measures taken or proposed. Repair or replacement of monitoring wells shall be approved in advance by the Department.
12. All piezometers and monitoring wells not part of the approved ground water monitoring plan are to be plugged and abandoned in accordance with Rule 62-532.500(4), F.A.C., unless there is intent for their future use.
13. Ground water monitoring test results shall be submitted on Part D of DEP Form 62-620.910(10) (attached) and shall be submitted to the address specified in I.E.3. Results shall be submitted with the DMR for each month listed in the following schedule.

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

IV. Other Land Application Requirements

1. This section is not applicable to this facility.

V. Operation and Maintenance Requirements

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

Operational level attained	Issuance Date of permit
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2. No later than 14 calendar days following a date identified in the schedule(s) of compliance, the permittee shall submit either a report of progress or, in the case of specific actions being required by an identified date, a written notice of compliance or noncompliance. In the latter case, the notice shall include the cause of noncompliance, any remedial actions taken, and the probability of meeting the next scheduled requirement.
3. A Best Management Practices (BMP) 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 the existing BMP Plan and updated accordingly for the FGD Treatment as needed.	Within ninety (90) days of the start up of the FGD system.

4. The following implementation steps shall be completed in accordance with the following schedule:

Implementation Steps		Scheduled Completion Date
1	Installation of a staff gauge in pond #1, pond #2 and evaporation/percolation pond #3	Within ninety (90) days of revision date.
2	Notify the Department when installation of the staff gauges is completed.	Within thirty (30) days after installation.
3	The permittee shall notify the Department when the Flue Gas Desulfurization system (FGD) will be placed into operation.	Provide 72-hours notice prior to start up.
4	Installation of the proposed groundwater monitoring well MWC-31	Within ninety (90) days of revision date.

5. In accordance with sections 403.088(2) (e) and (f), F.S., a compliance schedule for this facility is contained in Administrative Order AO-114-SW that is hereby incorporated by reference.

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 Southwest District Office, are made a part hereof.
2. Where required by Chapter 471 (P.E.) or Chapter 492 (P.G.) F.S., 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.
4. The permittee shall provide verbal notice to the Department as soon as practical after discovery of a sinkhole within an area for the management or application of wastewater or sludge. The permittee shall immediately implement measures appropriate to control the entry of contaminants, and shall detail these measures to the Department in a written report within 7 days of the sinkhole discovery.

B. Specific Conditions Related to Construction

This section is not applicable to this facility

C. Duty to Reapply

- 1 The permittee shall apply for renewal of this permit 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.

D. 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.

E. Specific Conditions Related to Best Management Practices

1. BMP Plan:

For purposes of this part, the terms "pollutant" or "pollutants" refer to any substance listed as toxic under Section 307(a)(1) of the Clean Water Act (the "Act"), oil, as defined in Section 311(a)(1) of the Act, and any substance listed as hazardous under Section 311 of the Act. The permittee shall develop and implement a Best Management Practices (BMP) plan which prevents, or minimizes, the potential for the release of pollutants from ancillary activities, including material storage areas; plant site runoff; in-plant transfer, process and material handling areas; loading and unloading operations; and sludge and waste disposal areas, to the waters of the State through plant site runoff; spillage or leaks; sludge or waste disposal; or drainage from raw material storage.

2. Implementation:

The BMP plan shall be developed and implemented in accordance with the schedule contained in Part VI of this permit.

3. General Requirements:

The BMP plan shall:

- a. Be documented in narrative form, and shall include any necessary plot plans, drawings or maps.
- b. Establish specific objectives for the control of pollutants.
 - (1) Each facility component or system shall be examined for its potential for causing a release of significant amounts of pollutants to waters of the State due to equipment failure, improper operation, natural phenomena such as rain or snowfall, etc.
 - (2) Where experience indicates a reasonable potential for equipment failure (e.g., a tank overflow or leakage), natural conditions (e.g., precipitation), or other circumstances to result in significant amounts of pollutants reaching surface waters, the plan should include a prediction of the direction, rate of flow, and total quantity of pollutants which could be discharged from the facility as a result of each condition or circumstance.
- c. Establish specific best management practices to meet the objectives identified under paragraph (b) of this subsection, addressing each component or system capable of causing a release of significant amounts of pollutants to the waters of the State, and identifying specific preventative or remedial measures to be implemented.
- d. Be reviewed by plant engineering staff and plant manager.

4. Documentation:

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

5. **BMP Plan Modification:**

The permittee shall amend the BMP plan whenever there is a change in the facility or change in the operation of the facility which materially increases the potential for the ancillary activities to result in a discharge of significant amounts of pollutants.

6. **Modification for Ineffectiveness:**

If the BMP plan proves to be ineffective in achieving the general objective of preventing the release of significant amounts of pollutants to surface waters and the specific objectives and requirements under paragraphs (b) and (c) of item 3, the permit shall be subject to modification pursuant to rule 62-620.325, F.A.C., to incorporate revised BMP requirements.

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 also contain any other requirements of the Act 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.]
3. As provided in subsection 403.087(7), 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 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), or as specified elsewhere in the permit.
 - 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. 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), 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 Southwest District Office shall waive the written report. [62-620.610(20), F.A.C.]
21. The permittee shall report all instances of noncompliance not reported under Conditions VIII.17., 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.]

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 burden of proof for establishing the occurrence of an upset rests with the permittee.
- c. Before an enforcement proceeding is instituted, no representation made during the Department review of a claim that noncompliance was caused by an upset is final agency action subject to judicial review. [62-620.610(23), F.A.C.]

Executed in Hillsborough County, Florida.

STATE OF FLORIDA DEPARTMENT OF
ENVIRONMENTAL PROTECTION



Jeffrey S. Greenwell, P.E.
Water Facilities Administrator
Southwest District