STATE OF FLORIDA

DEPARTMENT

OF

ENVIRONMENTAL PROTECTION

Conditions of Certification

Solid Waste Authority

of

Palm Beach County

Palm Beach Renewable Energy Park

PA84-20P

Modified July 10, 2019

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SECTION A: GENERAL CONDITIONS

I. SCOPE

A. Pursuant to the Florida Electrical Power Plant Siting Act (PPSA), Sections 403.501-403.518, Florida Statutes (F.S.), and Chapter 62-17, Florida Administrative Code (F.A.C.),this Certification (PA84-20P) is issued to the Solid Waste Authority of Palm Beach County (SWA) as the owner/operator and Licensee of the Palm Beach Renewable Energy Park (Park). Subject to the requirements contained in these Conditions of Certification (Conditions), SWA will operate two existing electrical power plant (Renewable Energy Facility #1is nominally designed to burn approximately 1,800 tons per day (tpd) of refuse-derived fuel and generate approximately 62 megawatts (MW) of electricity; and construct and operate a new 100 MW (nominal) resource recovery facility consisting of three 1,000 tpd mass-burn municipal waste combustors and an electrical steam turbine generator (Renewable Energy Facility #2). REF #1 and REF #2 are located in SWA's 1,320-acre Park, which is located at 7501 North Jog Road in the City of West Palm Beach, Palm Beach County, Florida. The UTM coordinates for the Park are: Zone 17; 585.300 km East; 2.962 km North. The Park is also referred to as the Site (as defined below).

B. The Certified Facility (as defined below) includes but is not limited to the following major Associated Facilities:

- Class I Landfill
- Class III Landfill
- Ferrous Metal Transfer Facility
- Customer Convenience Drop-Off Center
- Vegetative Waste Processing Area
- Recovered Materials Processing Facility
- Home Chemical and Recycling Center
- Biosolids Processing Facility
- Vehicle and Equipment Maintenance Building
- Landfill Operation and Maintenance Building
- Utilities and Support Infrastructure

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

D. The construction of REF #1 and certain Associated Facilities was authorized in a PPSA certification (PA 84-20) issued in 1986. The certification was modified in 2011 to authorize the construction of REF #2. Other modifications to the Conditions also have been approved over the years. Although the construction of REF #1 and REF #2 has been completed, this Certification (PA 84-20P) still contains many Conditions concerning the construction of REF #1, REF #2, and Associated Facilities. (See, e.g., Conditions A.I.E. through I, below). The Conditions concerning construction have been included in this Certification to provide historical

context and to ensure that future construction activities on the Site are appropriately regulated. The presence of those Conditions in this Certification does not require the Licensee to duplicate prior work – i.e., if the Licensee previously satisfied the then applicable requirements concerning the construction of the Certified Facility, the Licensee is not required to again undertake the same tasks. The Licensee also is not required to satisfy any construction-related Condition that was added to the Certification after prior construction was completed.

E. Within 60 days after completion of construction of REF #2, but excluding off-site linear and non-linear Associated Facilities, the Licensee shall provide to the Department in .pdf format: a survey map signed by a professional land surveyor or acceptable equivalent documentation such as an official legal description, delineating the boundaries of the Site, as defined by Section 403.503(28), F.S., and an aerial photograph delineating the boundaries of the Site. The survey and aerial photograph shall be identified as the Site Delineation and attached hereto as part of Attachment A (Maps).

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

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

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

I. Within 180 days after completion of construction of off-site linear Associated Facilities, as defined by Section 403.503(7), F.S., the Licensee shall provide: an aerial photograph(s)/map(s) at a scale of at least 1:400, or acceptable equivalent documentation such as an official legal description or survey map(s) signed by a professional land surveyor, delineating the boundaries of the certified Site for the linear facilities, following acquisition of all necessary property interests and the corridor narrowing as described in Section 403.503(11), F.S., which

shall be known as the Delineation of Certified Off-Site Linear Facilities and attached as part of Attachment A (Maps).

J. Following any post-certification approvals that require a change to the boundaries of the Certified Facility(ies) depicted in the Delineation of Certified Off-Site Linear Facilities in Attachment A (Maps), the Licensee shall submit an updated aerial photograph/map, survey map or legal description.

[Sections 403.511 and 403.5113, F.S.; Rules 62-4.160(1), (2), and 62-17.205(2), F.A.C.]

II. APPLICABLE DEPARTMENT RULES

The construction, operation, and maintenance of the Certified Facility shall be in accordance with all applicable non-procedural provisions of Florida Statutes and Florida Administrative Code, including, but not limited to, the applicable non-procedural portions of the following regulations, except to the extent a variance, exception, exemption, or other relief is granted in a final order of certification, a subsequent modification to the Conditions, a federal permit, or as otherwise provided under Chapter 403, F.S.:

Florida Administrative Code:
18-2 (Management of Uplands Vested in the Board of Trustees)
18-14 (Administrative Fines for Damaging State Lands Or Products Thereof)
18-20 (Florida Aquatic Preserves)
18-21 (Sovereign Submerged Lands Management)
62-4 (Permits)
62-17 (Electrical Power Plant Siting)
62-40 (Water Resource Implementation Rule)
62-150 (Hazardous Substance Release Notification)
62-160 (Quality Assurance)
62-204 (Air Pollution Control-General Provisions)
62-210 (Stationary Sources-General Requirements)
62-212 (Stationary Sources-Preconstruction Review)
62-213 (Operation Permits for Major Sources of Air Pollution)
62-256 (Open Burning)
62-296 (Stationary Sources-Emission Standards)
62-297 (Stationary Sources-Emission Monitoring)
62-302 (Surface Water Quality Standards)
62-303 (Identification of Impaired Surface Waters)
62-304 (Total Maximum Daily Loads)
62-330 (Environmental Resource Permitting)
62-340 (Delineation of the Landward Extent of Wetlands and Surface Waters)
62-342 (Mitigation Banks)
62-345 (Uniform Mitigation Assessment Method)
62-520 (Groundwater Classes, Standards, and Exemptions)
62-528 (Underground Injection Control)
62-531 (Water Well Contractor Licensing Requirements)
62-532 (Water Well Permitting and Construction Requirements)
62-550 (Drinking Water Standards, Monitoring, and Reporting)
62-555 (Permitting, Construction, Operation, and Maintenance of Public Water Systems)

62-560 (Requirements for Public Water Systems That Are Out of Compliance)
62-600 (Domestic Wastewater Facilities)
62-601 (Domestic Wastewater Treatment Plant Monitoring)
62-604 (Collection Systems and Transmission Facilities)
62-610 (Reuse of Reclaimed Water and Land Application)
62-620 (Wastewater Facilities and Activities Permitting)
62-621 (Generic Permits)
62-640 (Biosolids)
62-650 (Water Quality Based Effluent Limitations)
62-660 (Industrial Wastewater Facilities)
62-699 (Treatment Plant Classification and Staffing)
62-701 (Solid Waste Management Facilities)
62-709 (Criteria for Organics Processing and Recycling Facilities)
62-710 (Used Oil Management)
62-730 (Hazardous Waste)
62-737 (Management of Spent Mercury-Containing Lamps and Devices Destined for Recycling)
62-740 (Petroleum Contact Water)
62-761 (Underground Storage Tank Systems)
62-762 (Aboveground Storage Tank Systems)
62-769 (Florida Petroleum Liability and Restoration Insurance Program)
62-777 (Contaminant Clean-Up Target Levels)
62-780 (Contaminated Site Cleanup Criteria)
62-814 (Electric and Magnetic Fields)

III. REVISIONS TO DEPARTMENT STATUTES AND RULES

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

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

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

IV. DEFINITIONS

The meaning of terms used herein shall be governed by the applicable definitions contained in Chapters 253, 373, 379 and 403, F.S., and any regulation adopted pursuant thereto. In the event of any dispute over the meaning of a term used in these Conditions which is not defined in such statutes or regulations, such dispute shall be resolved by reference to the most relevant definitions contained in any other state or federal statute or regulation or, in the alternative, by the use of the commonly accepted meaning. As used herein, the following shall apply:

A. "Application" is defined in Section 403.503(6), F.S. Application and "SCA" (Site Certification Application) are used interchangeably herein. For purposes of this license, "Application" shall also include materials submitted in support of petitions for modification of the Conditions of Certification, as well as supplemental applications.

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

C. "Certified Facility" or "Certified Facilities" means the certified electrical power generation facilities and all on- or off-site Associated Facilities and structures identified or described in an Application, a final order of certification, or a post-certification amendment or modification.

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

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

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

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

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

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

K. "Health Department" or "PBCHD" means the Palm Beach County Health Department.

L. "Licensee" is defined in Section 403.503(18), F.S. In the instant case, the Licensee is the Solid Waste Authority of Palm Beach County.

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

N. "PBCERM" means Palm Beach County Environmental Resource Management.

O. "Post-certification submittal" means a submittal made by the Licensee pursuant to a Condition of Certification.

P. "Right-of-way" or "ROW" is defined in Section 403.503(27), F.S.

Q. "SCA" means the Site Certification Application (i.e., the Application).

R. "SCO" means the Department's Siting Coordination Office.

S. "SED" means the Department's Southeast District.

T. "SFWMD" means the South Florida Water Management District.

U. "Site" is defined in Section 403.503(28), F.S.

V. "State Water Quality Standards" shall mean the numerical and narrative standards and criteria applied to specific water uses or classifications in Florida, as described in Chapters 62-302 and 62-520, F.A.C.

W. "Surface Water Management System" or "System" means a stormwater management system, dam, impoundment, reservoir, appurtenant work, or works, or any

combination thereof. The terms "surface water management system" and "system" include areas of dredging or filling, as those terms are defined in Sections 373.403(13) and (14), F.S.

X. "Wetlands" means areas meeting the definition set forth in Section 373.019(27), F.S., as delineated pursuant to Chapter 62-340, F.A.C.

V. FEDERALLY DELEGATED OR APPROVED PERMIT PROGRAMS

Subject to the Conditions set forth herein, this Certification shall constitute the sole license of the state and any agency as to the approval of the location of the Site and any Associated Facility and the construction and operation of the existing electrical power plants, except for the issuance of Department licenses required under any federally delegated or approved permit program. This Certification is not a waiver of any other Department approval that may be required under federally delegated or approved programs. In the event of a conflict between the certification process and federally required procedures, the applicable federal requirements shall control.

[Sections 403.5055, 403.508(8), and 403.511(1), F.S.]

VI. DESIGN AND PERFORMANCE CRITERIA

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

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

VII. NOTIFICATION

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

1. A description of and cause of noncompliance; and

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

Notifications provided in writing to the SED Office pursuant to this Condition A.VII.A., shall also be provided concurrently to the SCO via email addressed to SCO@dep.state.fl.us. This does not include routine reports/notifications submitted as a specific requirement of a federal air construction or air operation permit.

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

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

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

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

The notice shall consist of maps or aerial photographs in the scale of 1:24,000 which clearly show the location of the certified route and shall state that the certification of the corridor will result in the acquisition of rights-of-way within the corridor.

[Section 403.5112, F.S.]

VIII. EMERGENCY NOTIFICATION AND RESTORATION

If the Licensee is temporarily unable to comply with any of the Conditions of this Certification due to a breakdown of equipment or destruction by hazard of fire, wind or other cause, including but not limited to an emergency as defined in Sections 252.34(4), (7), (8) or (10), F.S., the Licensee shall immediately notify the SED Office and the SCO. Notification shall include pertinent information as to the cause of the problem, and what steps are being taken to correct the problem and to prevent its recurrence, and where applicable, the Licensee's intent toward reconstruction of destroyed facilities. Such notification does not release the Licensee from any liability for failure to comply with Department rules. Any exceedances and/or violations recorded during emergency conditions shall be reported as such, but the Department acknowledges that it intends to use its enforcement discretion when dealing with such circumstances. This acknowledgement by the Department does not constitute a waiver or variance from any requirements of any federal permit. Relief from any federal agency must be separately sought.

[Section 62-4.130, F.A.C.]

IX. CONSTRUCTION PRACTICES

A. Local Building Codes

Subject to the Conditions set forth herein, this Certification constitutes the sole license of the state and any agency as to the approval of the location of the Site and any Associated Facility and the construction and operation of any Certified Facility. The Licensee is not required to obtain building permits for Certified Facilities. However, this Certification shall not affect in any way the right of any local government to charge appropriate fees or require that construction of installations used by the electric utility that are not an integral part of a generating plant, substation, or control center (e.g., office buildings, warehouses, garages, machine shops, and recreational buildings) be in compliance with applicable building construction codes.

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

B. Open Burning

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

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

C. Flood Control Protection

The Certified Facility shall be constructed in a manner that complies with any applicable non-procedural City flood protection requirements.

D. Vegetation

For areas located in any Florida Department of Transportation (DOT) ROW, Chapter 3.18 of the 2017 Florida DOT *Utility Accommodation Manual* (https://www.fdot.gov/programmanagement/utilities/default.shtm) shall provide guidelines for best management practices.

E. Existing Underground Utilities

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

[Chapter 556, F.S.]

F. Electric and Magnetic Fields

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

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

G. Existing Wells

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

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

H. Abandonment of Existing Septic Tanks

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

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

X. RIGHT OF ENTRY

A. Upon presentation of credentials or other documents as may be required by law, the Licensee shall allow authorized representatives of the Department or other agencies with jurisdiction over a portion of the Certified Facility:

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

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

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

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

XI. DISPUTE RESOLUTION

A. General

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

B. Modifications

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

C. Post-Certification Submittals

If it is determined, after assessment of a post-certification submittal, that compliance with the Conditions will not be achieved for a particular portion of a submittal, the Department may make a separate assessment of other portions of the submittal, unless those

portions of the submittal are substantially related to or necessary to implement that portion for which it has been determined that compliance with the Conditions will not be achieved.

[Section 120.57, F.S.; Rule 62-17.211, F.A.C.]

XII. SEVERABILITY

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

XIII. ENFORCEMENT

A. The terms, conditions, requirements, limitations, and restrictions set forth in these Conditions are binding and enforceable pursuant to Sections 403.141, 403.161, 403.514, 403.727, and 403.859 through 403.861, F.S., as applicable. Any noncompliance by the Licensee with these Conditions constitutes a violation of Chapter 403, F.S., and is grounds for enforcement action, license termination, license revocation, or license revision. The Licensee is placed on notice that the Department may review this Certification periodically and may initiate enforcement action for any violation of these Conditions.

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

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

XIV. REVOCATION OR SUSPENSION

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

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

XV. REGULATORY COMPLIANCE

The issuance of this License does not convey any vested rights or any exclusive privileges, except as specifically provided in a final order of certification or a subsequent modification or amendment of these Conditions. Neither does it authorize any injury to public or

private property or any invasion of personal rights, nor any infringement of federal, state, or local laws or regulations. This License is not a waiver of or approval of any other Department license/permit that may be required for other aspects of the Certified Facility which are not addressed in this License. This License does not relieve the Licensee from liability for harm or injury to human health or welfare, animal, or plant life, or public or private property caused by the construction or operation of the Certified Facility, or from penalties therefore.

[Rules 62-4.160(3) and (5), F.A.C.]

XVI. CIVIL AND CRIMINAL LIABILITY

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

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

XVII. USE OF STATE LANDS

A. Except as otherwise provided in a final order of certification, these Conditions, or a subsequent modification of these Conditions, the issuance of this License conveys no title to land or water, does not constitute State recognition or acknowledgment of title, and does not constitute authority for the use of submerged lands unless the necessary title or leasehold interests have been obtained from the State. Only the Trustees of the Internal Improvement Trust Fund may express State opinion as to title.

B. If any portion of the Certified Facility is located on sovereign submerged lands, state-owned uplands, or within an aquatic preserve, then the Licensee must comply with the applicable portions of Chapters 18-2, 18-20, and 18-21, F.A.C., and Chapters 253 and 258, F.S., except as otherwise provided in a final order of certification, these Conditions, or a subsequent modification of these Conditions. If any portion of the Certified Facility is located on sovereign submerged lands, the Licensee must submit Section F of Form 62-330.060(1), F.A.C., (*Application for Individual and Conceptual Approval Environmental Resource Permit and Authorization to Use State-Owned Submerged Lands)* to the Department prior to construction. If any portion of the Certified Facility is located on state-owned uplands, the Licensee must submit an Upland Easement Application to the Department prior to construction.

C. If a portion of the Certified Facility is located on sovereign submerged lands or state-owned uplands owned by the Board of Trustees of the Internal Improvement Trust Fund, pursuant to Article X, Section 11 of the Florida Constitution, then the proposed activity on such lands requires a proprietary authorization. Under such circumstances, the proposed activity is not exempt from the need to obtain a proprietary authorization. The Department has the responsibility to review and take action on requests for proprietary authorization in accordance with Rules 18-2.018 or 18-21.0051, F.A.C. , except as otherwise provided in a final order of certification, these Conditions, or a subsequent modification to these Conditions.

D. The Licensee is hereby advised that Florida law states: "A person may not commence any excavation, construction, or other activity involving the use of sovereign or other lands of the state, the title to which is vested in the board of trustees of the Internal Improvement Trust Fund under this Chapter (253, F.S.), until such person has received the required lease,

license, easement, or other form of consent authorizing the proposed use." Pursuant to Chapter 18-14, F.A.C., if such work is done without consent, or if a person otherwise damages state land or products of state land, the Board of Trustees may levy administrative fines of up to $10,000 per offense.

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

[Chapters 253 and 258, F.S.; Chapters 18-2, 18-14, 18-21, 62-340, and Rules62-330.060(1) and 62-4.160(4), F.A.C]

XVIII. PROCEDURAL RIGHTS

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

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

XIX. AGENCY ADDRESSES FOR POST-CERTIFICATION SUBMITTALS AND NOTICES

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

Florida Department of Environmental Protection
Siting Coordination Office, MS 5500
2600 Blair Stone Road
Tallahassee, Florida 32399-3900
SCO@dep.state.fl.us

Florida Department of Environmental Protection
Southeast District Office
3301 Gun Club Road
West Palm Beach, Florida 33406

Florida Department of Economic Opportunity
Bureau of Community Planning and Growth
107 East Madison Street
Tallahassee, Florida 32399-2100

Florida Fish & Wildlife Conservation Commission
Conservation Planning Services
620 South Meridian Street, MS 5B5
Tallahassee, Florida 32399-1600

FWCConserationPlanningServices@myfwc.com

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

Florida Department of Agriculture and Consumer Services
Office of General Counsel
407 South Calhoun Street
Tallahassee, Florida 32399-0800

South Florida Water Management District
Office of General Counsel
3301 Gun Club Road
West Palm Beach, Florida 33406

Florida Department of State
Division of Historical Resources
500 South Bronough Street
Tallahassee, Florida 32399-0250

City of West Palm Beach
Office of the City Attorney
401 Clementis Street, Fifth Floor
West Palm Beach, Florida 33401

[Section 403.511, F.S.]

XX. PROFESSIONAL CERTIFICATION

To ensure protection of public health, safety, and welfare, any construction, modification, or operation of an installation which may be a source of pollution, or of a public drinking water supply, shall be in accordance with sound professional engineering practices pursuant to Chapter 471, F.S.; and all final geological papers or documents involving the practice of the profession of geology shall be in accordance with sound professional geological practices pursuant to Chapter 492, F.S. Where required by Chapter 471 or 492, F.S., applicable portions of amendment requests, petitions for modifications, post-certification submittals, and supporting documents which are submitted to the Department for public record shall be signed and sealed by the professional(s) who prepared or approved them.

[Rule 62-4.050, F.A.C.]

XXI. PROCEDURES FOR POST-CERTIFICATION SUBMITTALS

A. Purpose of Submittals

Conditions which provide for the post-certification submittal of information to DEP or other agencies by the Licensee are for the purpose of facilitating the agencies' monitoring of the effects arising from the location of the Certified Facility and the construction, operation, and maintenance of the Certified Facility. This monitoring is for DEP to assure, in

consultation with other agencies with applicable regulatory jurisdiction, continued compliance with these Conditions, without further agency action. A submittal of information or determination of compliance pursuant to a post-certification submittal under this Condition does not provide a point of entry for a third party.

B. Filings

All post-certification submittals of information by Licensee are to be filed with the DEP SED Office and any other agency that is entitled to receive a submittal pursuant to these Conditions. The SCO shall be copied on all post-certification submittals in electronic .pdf format only, unless otherwise requested, via email to SCO@dep.state.fl.us. Each submittal shall clearly identify the Certified Facility name, PA# (i.e., PA84-20), and the Condition number(s) (e.g., Section X, Condition XX.y.(z)) requiring the submittal. As required by Section 403.5113(2), F.S., each post-certification submittal will be reviewed by each agency with regulatory authority over the matters addressed in the submittal on an expedited and priority basis.

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

C. Completeness

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

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

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

D. Interagency Meetings

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

E. Determination of Compliance

DEP shall give written notification within 90 days, to the Licensee and the other agency(ies) to which the post-certification information was submitted, of DEP's determination whether there is demonstration of compliance with these Conditions. If it is determined that compliance with these Conditions has not been provided, the Licensee shall be notified with particularity of the deficiencies and possible corrective measures suggested. Failure to notify

Licensee in writing within 90 days of receipt of a complete post-certification submittal shall constitute a determination of compliance. A post-certification compliance review may be the basis for initiating modifications to the relevant Condition or to other related Conditions.

F. Commencement of Construction

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

G. Revisions to Design Previously Reviewed for Compliance

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

H. Variation to Submittal Requirements

DEP, in consultation with the appropriate agencies that have regulatory authority over a matter to be addressed in a post-certification submittal, and Licensee may jointly agree to vary any of the post-certification submittal requirements, provided the information submitted is sufficient to provide reasonable assurances of compliance with these Conditions.

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

XXII. POST-CERTIFICATION SUBMITTAL REQUIREMENTS SUMMARY

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

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

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

XXIII. POST-CERTIFICATION AMENDMENTS

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

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

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

[Section 403.5113, F.S.]

XXIV. MODIFICATION OF CERTIFICATION

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

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

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

D. Any anticipated facility expansions, production increases, or process modifications which may result in a new, different or increased discharge or emission of pollutants, change in fuel, or expansion in generating capacity must be reported by submission of an appropriate request for an amendment, modification, or certification.

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

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

XXV. COASTAL ZONE CONSISTENCY

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

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

XXVI. WATER QUALITY CERTIFICATION

Pursuant to the Operating Agreement between the Department, Water Management Districts and U.S. Army Corps of Engineers, a written final order granting certification pursuant to the PPSA constitutes certification by the Department that the project activities comply with applicable state water quality standards.

[2012 Operating Agreement, Jacksonville District USACOE, DEP and Water Management Districts, Section II.A.1.(f)]

XXVII. TRANSFER OF CERTIFICATION

A. This Certification is transferable in whole or in part, upon Department approval, to an entity determined to be able to comply with these Conditions. A transfer of certification of all or part of the Certified Facility may be initiated by the Licensee's filing of a "Notice of Intent to Transfer Certification" (Notice of Intent) with the Department's SCO. The Notice of Intent shall: identify the intended new certification holder or Licensee; identify the current Licensee and the new entity responsible for compliance with the certification; and include a written agreement from the intended Licensee/Transferee to abide by all Conditions of Certification, as well as applicable laws and regulations. Upon receiving a complete Notice of Intent, the transfer shall be approved by the Department unless the Department objects to the transfer on the grounds that the new Licensee will be unable to comply with the Conditions of Certification, specifies in writing its reasons for its objections, and gives notice and an opportunity to petition for an administrative hearing pursuant to Section 120.57, F.S. Upon approval, the Department will initiate a modification to the Conditions to reflect the change in ownership in accordance with Rule 62-17.211, F.A.C.

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

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

XXVIII. FINANCIAL RESPONSIBILITY

The Department may require the Licensee to submit proof of financial responsibility and may require the Licensee to post an appropriate bond in those instances where the Department is authorized to require proof of financial responsibility or a bond pursuant to a law or Department rule that is applicable to the Certified Facility.

[Rule 62-701.630, F.A.C.]

XXIX. LABORATORIES AND QUALITY ASSURANCE

Chemical, physical, biological, microbiological, and toxicological data collected as a requirement of these Conditions must be reliable and collected and analyzed by scientifically sound procedures. Unless otherwise specified in these Conditions, the Licensee shall adhere to the minimum field and laboratory quality assurance, methodological and reporting requirements of the Department as set forth in Chapter 62-160, F.A.C.

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

XXX. ENVIRONMENTAL RESOURCES

Licensee previously certified and constructed REF #1 and REF #2. The requirements of this Section A., Condition XXX. Environmental Resources, have been satisfied for the construction activities that occurred prior to the issuance of this Certification Modification (PA84-20P).

A. General

1. Submittals for Construction Activities

a. Prior to the commencement of construction of new facilities and/or new Associated Facilities, the Licensee shall provide to the SED Office for review, all information necessary for a complete *Application for Individual and Conceptual Approval Environmental Resource Permit and Authorization to Use State-Owned Submerged Lands,* DEP Form 62-330.060(1), F.A.C. A copy of the submittal shall also be provided to the SCO.

This form may: a) be submitted concurrently with a SCA; b) be submitted as an amendment request or a petition for modification; or c) be submitted as a post-certification submittal following approval of a project through certification, modification, or amendment. Post-certification submittal information may be submitted for discrete portions of the Certified Facilities for a determination of compliance with these Conditions of Certification. Such Environmental Resource Permit (ERP) submittals, once received, shall be reviewed in accordance with the non-procedural standards and criteria for issuance of an ERP, including all the provisions related to reduction and elimination of impacts, conditions for issuance, additional conditions for issuance, and mitigation contained in Chapter 62-330, F.A.C., as applicable, unless otherwise stated in these Conditions. While the information is provided for review via submittal of the ERP form, pursuant to Section 403.511, F.S., issuance of a separate ERP is not required for Certified Facilities.

Those forms submitted as part of a SCA, an amendment, or modification, shall be processed concurrently with, and under the respective certification, amendment, or modification procedures. Those forms submitted as a post-certification submittal (after certification, modification, or amendment and prior to construction) shall be processed in accordance with Section A. General Conditions, Condition XXI. Procedures for Post-Certification Submittals.

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

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

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

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

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

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

[Sections 373.421 and 403.504, F.S.]

B. Surface Water Management Systems

1. Information regarding surface water management systems (SWMS) will be evaluated for consistency with the applicable non-procedural requirements under Part IV of Chapter 373, F.S., following submittal of Form 62-330.060(1) F.A.C., to the DEP SED Office.

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

3. To allow for stabilization of all disturbed areas, immediately prior to construction, during construction of the SWMS, and for a period of time after construction of the SWMS, the Licensee shall implement and maintain erosion and sediment control best management practices, such as silt fences, erosion control blankets, mulch, sediment traps, polyacrylamide (PAM), temporary grass seed, permanent sod, and floating turbidity screens to retain sediment on-site and to prevent violations of state water quality standards. These devices shall be installed, used, and maintained at all locations where the possibility exists of transferring suspended solids into the receiving waterbody due to the licensed work, and shall remain in place at all locations until construction at that location is completed and soils are permanently stabilized. All best management practices shall be in accordance with the guidelines and specifications described in the *State of Florida Erosion and Sediment Control Designer and Reviewer Manual* (Florida Department of Transportation and Florida Department of Environmental Protection, by HydroDynamics Incorporated in cooperation with Stormwater

Management Academy, June 2007) unless a project-specific erosion and sediment control plan is approved as part of this License. If project-specific conditions require additional measures during any phase of construction or operation to prevent erosion or control sediments beyond those specified in the approved erosion and sediment control plan, the Licensee shall implement additional best management practices as necessary, in accordance with the guidelines and specifications in the *State of Florida Erosion and Sediment Control Designer and Reviewer Manual*. The Licensee shall correct any erosion or shoaling that causes adverse impacts to the water resources as soon as practicable. Once project construction is complete in an area, including the re-stabilization of all side slopes, embankments, and other disturbed areas, and before conversion from the operation and maintenance phase, all silt screens and fences, temporary baffles, and other materials that are no longer required for erosion and sediment control shall be removed.

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

5. At least 48 hours prior to the commencement of construction of any new SWMS for any part of a Certified Facility authorized by this Certification, the Licensee shall submit to the Department a written notification of commencement using an "Environmental Resource Permit Construction Commencement Notice" (DEP Form 62-33.350(1), F.A.C.), indicating the actual start date and the expected completion date.

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

7. Within 30 days after completion of construction of any new portions of the SWMS or such other date agreed to by DEP and the Licensee, the Licensee shall submit to the DEP SED Office a written statement of completion and certification by a registered professional engineer (P.E.), or other appropriate registered professional, as authorized by law, utilizing the required "As-Built Certification and Request for Conversion to Operation Phase" (DEP Form 62-330.310(1), F.A.C.). Additionally, if deviations from the approved drawings are discovered, the As-Built Certification must be accompanied by a copy of the approved drawings with deviations noted. A copy of the same documents must be provided to the SCO.

8. Any substantial deviation from the approved drawings, exhibits, specifications, or Conditions may constitute grounds for revocation or enforcement action by the Department.

9. The operation phase of any new SWMS approved by the Department shall not become effective until the Licensee complies with the requirements of the Conditions herein, the Department determines the system to be in compliance with the approved plans, and the entity approved by the Department accepts responsibility for operation and maintenance of the system.

10. The DEP SED Office must be notified in advance of any proposed construction dewatering. If the dewatering activity is likely to result in off-site discharge or sediment transport into wetlands or surface waters, a written dewatering plan shall be submitted to and

approved by the Department prior to the dewatering event. In addition, advance notice must be provided to the SFWMD pursuant to Section B, Condition III.B.2.h, below.

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

C. Wetland and Other Surface Water Impacts

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

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

[Sections 373.413, 373.414, 373.4145, 403.511, and 403.814(6), F.S.; Chapters 62-312, 62-330, 62-340, 62-342, 62-343, and 62-345, F.A.C.]

XXXI. THIRD PARTY IMPACTS

The Licensee is responsible for maintaining compliance with these Conditions even when third party activities authorized by the Licensee occur in or on the certified Site.

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

XXXII. FACILITY OPERATION

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

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

XXXIII. RECORDS MAINTAINED AT THE FACILITY

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

B. The Licensee shall hold at the Site (e.g., the Licensee's administrative offices in the Renewable Energy Park), or other location designated by these Conditions, records of all monitoring information, including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation required by these Conditions, copies of all reports required by these Conditions, and records of all data used to complete the SCA for

this approval. These materials shall be retained at least3 years from the date of the sample, measurement, report, or application unless otherwise specified by Department rule.

C. Records of monitoring information shall include:

1. the date, exact place, and time of sampling or measurements;

2. the person responsible for performing the sampling or measurements;

3. the dates analyses were performed;

4. the person responsible for performing the analyses;

5. the analytical techniques or methods used; and,

6. the results of such analyses.

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

XXXIV. WATER DISCHARGES

A. Discharges

1. The Licensee shall not discharge to surface or ground waters of the State, wastes in concentrations which, alone or in combination with other substances, or components of discharges (whether thermal or non-thermal) are carcinogenic, mutagenic, teratogenic, or toxic to human beings (unless specific criteria are established for such components in Rule 62-520.400, F.A.C.) or are acutely toxic to indigenous species of significance to the aquatic community within surface waters affected by the ground water at the point of contact with surface waters, except as otherwise authorized by a permit issued by the Department under a federally approved or delegated program or to the extent a variance, exception, exemption, or other relief is granted or authorized by these Conditions.

2. All discharges and activities must be conducted so as to not cause a violation of the water quality standards set forth in Chapters 62-4, 62-302, 62-520, 62-550, and 62-620, F.A.C., including the provisions of Rules 62-4.243, 62-4.244, and 62-4.246, F.A.C., the antidegradation provisions of Rules 62-4.242(1)(a) and (b), F.A.C., and Rule 62-302.300, F.A.C., and any special standards for Outstanding Florida Waters and Outstanding National Resource Waters set forth in Rules 62-4.242(2) and (3), F.A.C., except as otherwise authorized by a permit issued by the Department under a federally approved or delegated program or to the extent a variance, exception, exemption or other relief is granted or authorized by these Conditions.

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

3. All dewatering discharges must be in compliance with Rule 62-621.300, F.A.C., except as otherwise authorized by a permit issued by the Department under a federally approved or delegated program or to the extent a variance, exception, exemption, or other relief is granted or authorized by these Conditions.

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

B. Wastewater Incident Reporting

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

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

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

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

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

d. Any unauthorized discharge to surface or ground waters.

A written submission shall also be provided within five days of the time the Licensee becomes aware of the circumstances. The written submission shall contain a description of the noncompliance and its cause; the period of noncompliance including exact dates and time, and if the noncompliance has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent recurrence of the noncompliance.

2. For unauthorized releases or spills of treated or untreated wastewater reported that are in excess of 1,000 gallons per incident, or where information indicates that public health or the environment will be endangered, oral reports shall be provided to the Department by calling the STATE WARNING POINT TOLL FREE NUMBER (800) 320-0519, as soon as practical, but no later than 24 hours from the time the Licensee becomes aware of the discharge. The Licensee, to the extent known, shall provide the following information to the State Warning Point:

a. Name, address, and telephone number of person reporting;

b. Name, address, and telephone number of Licensee or responsible person for the discharge;

c. Date and time of the discharge and status of discharge (ongoing or ceased);

d. Characteristics of the wastewater spilled or released (untreated or treated, industrial or domestic wastewater);

e. Estimated amount of the discharge;

f. Location or address of the discharge;

g. Source and cause of the discharge;

h. Whether the discharge was contained on-site, and cleanup actions taken to date;

i. Description of area affected by the discharge, including name of water body affected, if any; and

j. Other persons or agencies contacted.

3. If the oral report has been received within 24 hours, the noncompliance has been corrected, and the noncompliance did not endanger health or the environment, the Department shall waive the written report.

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

XXXV. SOLID AND HAZARDOUS WASTE

A. Solid Waste

The Licensee shall comply with all applicable non-procedural provisions of Chapters 62-701, F.A.C., for any solid waste generated within the Certified Facility during the construction, operation, maintenance, and closure of the Certified Facility.

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

B. Hazardous Waste, Used Oil, Petroleum Contact Water, and Spent Mercury

The Licensee shall comply with all applicable non-procedural provisions of DEP Chapter 62-730, F.A.C., for any hazardous waste generated within the Certified Facility. An EPA identification number must be obtained before beginning hazardous waste activities unless the facility is a Very Small Quantity Generator (VSQG). AVSQG is defined in 40 CFR 260.10 as a generator that generates less than or equal to the following amounts in a calendar month: (1) 100 kg (220 lbs.) of non-acute hazardous waste; (2) 1 kg (2.2 lbs.) acute hazardous waste listed in 40 CFR 261.31 or 40 CFR 261.33(e); and (3) 100 kg (220 lbs.) of any residue or contaminated soil, water, or other debris resulting from the cleanup of a spill, into or on any land or water, of any acute hazardous waste listed in 40 CFR 261.31 or 40 CFR 261.33(e).

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

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

The Licensee shall comply with all applicable provisions of DEP Chapter 62-740, F.A.C. for any petroleum contact water generated within the Certified Facility.

[Chapters 62-710, 62-730, 62-737, and 62-740, F.A.C.]

C. Hazardous Substance Release Notification

1. Any owner or operator of the Certified Facility who has knowledge of any release of a hazardous substance from the Certified Facility in a quantity equal to or exceeding the reportable quantity in any 24-hour period shall notify the Department by calling the STATE WARNING POINT NUMBER, (850) 488-1320, as soon as possible, but not later than one working day of discovery of the release.

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

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

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

D. Contaminated Site Cleanup

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

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

XXXVI. STORAGE TANK SYSTEMS

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

A. Incident Notification Requirements.

Notification of the discovery of the loss from a storage tank system of a regulated substance exceeding 100 gallons on impervious surfaces, other than secondary containment, such as driveways, airport runways, or other similar asphalt or concrete surfaces, provided that the loss does not come in contact with pervious surfaces; or of the discovery of any other incident listed in subsections 62-761.430 or 62-762.431, F.A.C., shall be made to the PBCERM on Incident Notification Form 62-761.900(6) within 24 hours or before the close of the PBCERM's next business day.

B. Discharge Reporting Requirements

Upon discovery of an unreported discharge of a regulated substance, the Licensee shall report to the PBCERM on Discharge Report Form 62-761.900(1) within 24 hours or before the close of the PBCERM's next business day those items listed in Rule 62-761.405(4), F.A.C., including a spill or overfill event of a regulated substance to soil or another pervious surface, equal to or exceeding 25 gallons, unless the regulated substance has a more stringent reporting requirement specified in C.F.R. Title 40, Part 302.

C. Discharge Cleanup

If a discharge of a regulated substance occurs at the Certified Facility, actions shall be taken immediately to contain, remove, and abate the discharge under all applicable

Department rules. The Licensee is advised that other federal, state, or local requirements may apply to these activities. If the contamination present is subject to the provisions of Chapter 62-780, F.A.C., corrective action, including free product recovery, shall be performed in accordance with that chapter.

D. Out of Service and Closure Requirements

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

[Chapters 62-761,62-762, and 62-780, F.A.C.]

SECTION B: SPECIFIC CONDITIONS

I. DEPARTMENT OF ENVIRONMENTAL PROTECTION

A. Wastewater Disposal

Plans, drawings, and specifications for leachate collection systems, pumps, lift stations, sewage collection systems, sewage treatment systems, wastewater treatment systems, deep injection wells, and wastewater collection systems shall be furnished to the SED Office, PBCHD, and the SFWMD for approval at least 90 days prior to start of construction for the particular of such component. All items submitted pertaining to the injection wells shall be directly distributed to the Technical Advisory Committee (TAC) for approval.

B. Water Quality Monitoring Requirements

1. Surface Water Monitoring

a. Water quality in the surface water management system shall be sampled semi-annually at the station labeled S7S-2, as shown on Attachment I (Well Locations and Zone of Discharge dated December 2010), overflow control structure at EPB-10 west of the Class I Landfill.

b. Surface water will be sampled semiannually (May and November) for the parameters listed in Rule 62-701.510(7)(b), F.A.C., and submitted concurrently with the ground water monitoring reports to the same agencies as listed in Section B, Condition I.C.3.b.

c. Pursuant to Rule 62-701.510(4)(c), F.A.C., any new surface water monitoring location shall be marked, and its position determined by a Florida Licensed Professional Surveyor and Mapper in degrees, minutes and seconds of latitude and longitude, within 60 days of permit issuance and this information shall be submitted to the Department within 45 days of the survey.

d. If any surface water analytical results exceed the Department's water quality standards or criteria in Rule 62-302, F.A.C., a confirmatory sample shall be taken within 30 days of the Licensee's receipt of the data. The FDEP SED Office's Waste Cleanup Section must be notified 7 days prior to any surface water resampling event. Should the Licensee choose to not resample, the Department will consider the water quality analysis as representative of current surface water conditions at the facility. If the data is confirmed, or if the Licensee chooses not to resample, the Licensee will notify the Department in writing within 30 days of this finding.

2. Ground Water

All discharges to ground waters, such as landfill leachate, shall be collected and treated as necessary, or otherwise be of high enough quality, to be able to meet the applicable Water Quality Standard of Section 62-520.400, F.A.C., within 100 feet of the landfill perimeter.

3. Zone of Discharge

The zone of discharge for the Certified Facility shall be a three-dimensional volume as shown or described in Section 10.14.2 of the application dated July 12, 2010, which is a document entitled "Proposed Monitoring Plan for the North County Resource Recovery Facility", dated August 1994 (received November 9, 1994 and approved December 2,

1994), and shall extend vertically to the first continuous confining layer (Figure 5-1). The Licensee shall ensure that Class G-II water quality standards will not be exceeded at the boundary of the zone of discharge, per Rule 62-520.420, F.A.C., and that ground water minimum criteria will not be exceeded outside the boundary of the zone of discharge, per Rule 62-701.320(17), F.A.C.

4. Ground Water Monitoring Program

a. Sampling shall be in accordance with Section 10.14.2 of the application dated July 12, 2010, which is a document entitled "Proposed Monitoring Plan for the North County Resource Recovery Facility", dated August 1994 (received November 9, 1994 and approved December 2, 1994) and Table 5-1 "Proposed Groundwater Monitoring Network", as amended by Chapter 62-701, F.A.C. (January 6, 2010).

b. Pursuant to Rule 62-701.510(3)(d), F.A.C., the location of each well, in degrees, minutes and seconds (to two decimal places) of latitude and longitude, and the elevation of the top of the well casing to the nearest 0.01 foot, using a consistent, nationally recognized datum, shall be determined by a Florida Licensed Professional Surveyor and Mapper. All new or replacement monitoring wells shall be installed by a Florida certified water well contractor. The location information required in Rule 62-701.320(7)(f)7., F.A.C., shall be included. Upon completion of each well, Form 62-701.900(30), F.A.C., Monitoring Well Completion Report, effective date January 6, 2010 shall be submitted to the Department to report details of the well construction and location. A drawing illustrating the surveyed information, signed and sealed by a Florida Licensed Professional Surveyor and Mapper, shall be submitted to the Department within 45 days of each survey.

c. Well screens shall not act as conduits through confining layers between water bearing strata. The annular space (the space between the borehole and well casing) above the sampling depth shall be sealed to prevent contamination of samples and ground water. Wells monitoring the unconfined water table shall be screened so that the water table can be sampled at all times in accordance with Rule 62-701.510(3)(d), F.A.C.

d. Monitoring wells shall be constructed so as to provide ground water samples that exhibit the physical and chemical properties of that portion of the aquifer screened by the well. All new, replacement or existing monitoring wells shall be clearly identified and maintained in good condition to prevent or minimize sampling interferences, loss of well integrity or vandalism. All monitoring wells shall have well maintained concrete pads and be kept properly sealed and locked. Monitoring wells finished above grade shall be protected by bumper guards and steel risers. Monitoring wells finished at or below grade shall have traffic bearing, steel plate cover assemblies.

e. The Licensee shall maintain reasonable access to all of the monitoring well stations required by this certification. The Licensee is responsible for maintaining the integrity of the monitoring well stations and protecting them from destruction and vandalism. Should any of these monitoring well stations be damaged or vandalized in any manner, or destroyed, the Licensee shall notify the Department immediately upon discovery. The notification shall include pertinent information as to the cause, and what steps are being taken to replace the monitoring well station and prevent the recurrence of such problems in the future.

f. Any monitoring wells which are abandoned, or which will be covered due to lateral expansions of a landfill or the construction of new solid waste disposal units shall be plugged as necessary so that they do not act as a conduit for any leachate release to the ground water. The Department shall be notified in writing before any monitoring wells are abandoned or plugged. All new or replacement monitoring wells shall be constructed and/or abandoned in accordance with Chapter 62-532, F.A.C., and the approved water quality monitoring plan.

g. Compliance wells required by Chapter(s) 62-761 and/or 62-762, F.A.C., for release detection, and/or wells that are part of an approved ground water monitoring plan shall remain active.

[Rules 62-532.500(4), 62-761, and 62-762, F.A.C.]

h. Well development prior to sampling events and purge/sampling water discharges shall be followed pursuant to the Department's Standard Operating Procedures for Field Activities, DEP SOP-001/01 or any Department approved standard operating procedure which may be in force at the time. Any laboratory test required by this permit shall be performed by a laboratory that has been certified by the Department of Health (DOH) under Chapter 64E-1, F.A.C., where such certification is required by Rule 62-160.300, F.A.C. The laboratory must be certified for all specific method/analyte combinations that are used to comply with this permit.

i. Background water quality shall be determined by analysis of at least one water sample taken from each new well that is installed within 45 days of certified well completion or at the next semi-annual sampling event, whichever comes first, for the parameters listed in Rule 62-701.510(7)(a), F.A.C.

C. Water Quality Monitoring Reporting

1. In the event of an emergency and/or discharge to ground water, the Licensee shall notify the Department in person or by telephone within one business day of the discovery of the incident and shall submit a written report describing the incident to the Department within three business days of the discovery of the incident. In addition, a final written report shall be sent to the Department within 2 weeks of the incident. The final report shall contain a complete description and discussion of the cause of the emergency and/or discharge, the anticipated time that the discharge, if any, will continue, the steps that will be taken to evaluate, reduce, eliminate, and prevent recurrence of the event, and all other information deemed necessary by the Department.

2. The monitoring wells listed below and as shown in Attachment I Well Locations and Zone of Discharge) shall be sampled and analyzed semi-annually (May and November) for the parameters listed in Rule 62-701.510(7)(a), F.A.C. The semi-annual analytical results for ground water shall be submitted to the Department pursuant to Rule 62-701.510(8)(a), F.A.C., unless written approval of time extension is granted by the Department.

Background Monitoring Wells are labeled:

S7W-1,	S7W-As,	S7W-Ai,
S7W-2,	S7W-102,	S7W-Bs,
S7W-Bi,	and	S7W-3

And Detection Monitoring Wells are labeled:

S7W-Cs,	S7W-Ci,	S7W-15,
S7W-15A,	S7W-107,	S7W-7,
S7W-Ds,	S7W-Di,	S7W-Es,
S7W-Ei,	S7W-Fs,	S7W-Fi,
S7W-Gs,	S7W-Gi,	S7W-Hs,
S7WH-i,	S7W-Ls,	S7W-Li,
S7W-Ms,	S7W-Mi,	S7W-16,
S7W-16A,	S7w-10R, and	S7W-10s.

And Detection Monitoring Wells when installed as a part of phased landfill cell development are labeled:

S7W-Is,	S7W-Ii,	S7W-106,
S7W-6,	S7W-12,	S7W-12A,
S7W-Js,	S7W-Ji,	S7W-Ks, and
S7W-Ki,		

3. Electronic Reporting

a. Pursuant to Rule 62-701.510(8), F.A.C., and Rules 62-160.240(3), 62-160.340(4), F.A.C., the landfill owner or operator shall report water quality monitoring reports and all ground water and surface water analytical results electronically. Water quality monitoring reports shall be submitted in pdf format. The water quality data Electronic Data Deliverable (EDD) shall be provided to the Department in an electronic format consistent with requirements for importing into Department databases. The Licensee shall include Form 62-701.900(31), Water Quality Monitoring Certification, effective date January 6, 2010, hereby incorporated by reference, with each report certifying that the laboratory results have been reviewed and approved by the Licensee. The report shall include at least the following:

i. Cover letter;

ii. The facility name and identification number, sample collection dates, and analysis dates;

iii. All analytical results, including all peaks, even if below maximum contaminant levels;

iv. Identification number and designation of all surface water and ground water monitoring points;

v. Applicable water quality standards;

vi. Quality assurance, quality control notations;

vii. Method detection limits;

viii. STORET code numbers for all parameters;

ix. Water levels recorded prior to evaluating wells or sample collection. Elevation reference shall include the top of the well casing and land surface at each well site at a precision of plus or minus 0.01 foot (using a consistent, nationally recognized datum);

x. An updated ground water table contour map signed and sealed by a professional geologist or professional engineer with experience in hydrogeologic investigations, with contours at no greater than one-foot intervals unless site-specific conditions dictate otherwise, which indicates ground water elevations and flow direction; and

xi. A summary of any water quality standards or criteria that are exceeded.

b. All submittals in response to this specific condition shall be sent to:

Florida Department of Environmental Protection
Southeast District Solid Waste Section
SED_cap@floridadep.gov

And to:

Florida Department of Environmental Protection
Solid Waste Section
swpp@dep.state.fl.us

And to:

Florida Department of Environmental Protection
Siting Coordination Office
SCO@dep.state.fl.us

[Rules 62-160.110, 62-160.240, 62-160.340, and 62-730.225, F.A.C.]

4. In accordance with Rule 62-701.510(8)(b), F.A.C., a technical report, signed and sealed by a professional geologist or professional engineer with experience in hydrogeologic investigations, shall be submitted to the Department every two and one-half years during the active life of the landfill, and every 5 years during the long-term care period. The report shall summarize and interpret the water quality and water level measurements collected during the past two and one-half years, or 5 years for facilities in long-term care. The report shall contain, at a minimum, the following:

a. Tabular displays of any data which shows that a monitoring parameter has been detected, and graphical displays of any key indicator parameters detected (such as pH, specific conductance, TDS, TOC, sulfate, chloride, sodium and iron), including hydrographs for all monitor wells;

b. Trend analyses of any monitoring parameters consistently detected;

c. Comparisons among shallow, middle, and deep zone wells, if multiple zones are monitored;

d. Comparisons between background water quality and the water quality in detection and compliance wells;

e. Correlations between related parameters such as total dissolved solids and specific conductance;

f. Discussion of erratic and/or poorly correlated data;

g. An interpretation of the ground water contour maps, including an evaluation of ground water flow rates; and

h. An evaluation of the adequacy of the water quality monitoring frequency and sampling locations based upon site conditions.

5. All field and laboratory records specified in Rule 62-160.600, F.A.C., shall be made available to the Department and retained for the design period of the landfill.

6. Instead of submitting the technical report pursuant to Rule 62-701.510(8)(b), F.A.C., every two and one-half years, the Licensee may elect to submit this information annually in the second semi-annual report of each year, provided the annual technical report includes at least the last two and one-half years of water quality data.

The Department's SED Office, Waste Cleanup Section, shall be notified in writing at least 14 days prior to any well installation or regular sampling event so that the Department may, if desired, observe the drilling, sampling, or collect split samples.

D. Water Quality Evaluation Monitoring and Prevention Measures

1. Pursuant to Rule 62-701.510(6), F.A.C., if monitoring parameters are detected in detection wells at concentrations significantly above background water quality, or that are at levels above the Department's water quality standards or criteria specified in Chapter 62-520, F.A.C., the Licensee may resample the wells within 30 days after the Licensee's receipt of the data, to confirm the data. The Department's SED Office, Waste Cleanup Section, must be notified 7 days prior to any confirmatory resampling event at this Site. Should the Licensee choose not to resample, the Department will consider the water quality analysis as representative of current ground water conditions at the facility. If the data is confirmed, or if the Licensee chooses not to resample, the Licensee shall notify the Department in writing within 14 days of this finding. The Licensee, upon notification to the Department in writing within 14 days of the finding of the above sampling or resampling event, may also choose to demonstrate that a source other than the solid waste disposal unit is expected to be the cause of the observed detections in the water quality analysis. A report documenting this demonstration must be signed and sealed by a Florida registered professional geologist or professional engineer and submitted to the Department within 60 days of the demonstration notification. If a successful demonstration is made and approved by the Department, the Licensee may continue detection monitoring as specified in this section. If the Department determines that a successful demonstration has not been made within 60 days after the Licensee submits the demonstration report, or the Licensee chooses not to pursue such demonstration, then upon notification by the Department, the Licensee shall initiate evaluation monitoring as follows:

a. Routine monitoring of all monitoring wells, surface water monitoring locations shall continue according to the requirements of Rule 62-701.510(5), F.A.C.

b. Except as provided in Rule 62-701.510(6)(b), F.A.C., within 90 days of notification from the Department to initiate evaluation monitoring and annually thereafter, the Licensee shall sample and analyze a representative sample of the background wells and all affected detection wells for the parameters listed in Rule 62-701.510(8)(d), F.A.C. Any new parameters detected and confirmed in the affected downgradient wells shall be added to

the routine ground water monitoring parameter lists required in Rule 62-701.510(6), F.A.C., for the affected wells.

c. Within 90 days of notification from the Department to initiate evaluation monitoring, the Licensee shall install and sample compliance monitoring wells at the compliance line of the zone of discharge and downgradient from the affected detection monitoring wells. These wells shall be installed according to the requirements of Rule 62-701.510(3)(d), F.A.C., and, except as provided in Rule 62-701.510(6)(b), F.A.C., samples from these wells and the affected detection wells shall be analyzed quarterly for the parameters listed in Rule 62-701.510(7)(a), F.A.C., and any other parameters detected in the affected detection and downgradient wells sampled in Rule 62-701.510(6)(a)2, F.A.C., and annually for the parameters listed in Rule 62-701.510(7)(c), F.A.C. If any contaminants are detected and confirmed in compliance wells in concentrations that exceed both background levels and Department water quality standards or criteria, then the provisions of Rule 62-701.510(6)(c), F.A.C., apply; otherwise, the following paragraphs apply.

2. Within 180 days of notification from the Department to initiate evaluation monitoring, the Licensee shall submit a contamination evaluation plan to the Department. This plan shall be designed to delineate the extent and cause of the contamination, in order to predict the likelihood that Department water quality standards will be violated outside the zone of discharge, and to evaluate methods to prevent any such violations. After the Department and the Licensee agree that the plan is so designed, the Licensee shall implement this plan and submit a contamination evaluation report in accordance with the plan. All reasonable efforts shall be made by the Licensee to prevent further degradation of water quality from the landfill activities.

3. If the contamination evaluation report indicates that water quality standards or criteria are likely to be violated outside the zone of discharge, the Licensee shall, within 90 days, submit a prevention measures plan to the Department. Upon approval, the Licensee shall initiate prevention measures to prevent such violations.

4. The Licensee shall not discontinue evaluation monitoring, and return to routine monitoring only, until authorized to do so by the Department. The Department shall make this determination based upon the results of the contamination evaluation report and other relevant water quality data.

5. If the parameters detected in the detection wells identified in Rule 62-701.510(6) (a), F.A.C., consist only of iron, aluminum, manganese, sulfates, or total dissolved solids (TDS), either individually or in any combination, then only the detected parameters are required to be monitored in the representative background wells, affected detection wells and downgradient compliance wells required in this section rather than the parameters listed in Rules 62-701.510(7)(a) and (7)(c), F.A.C.

E. Water Quality Corrective Actions

1. In accordance with Rule 62-701.510(6)(c), F.A.C., if any contaminants are detected and confirmed in compliance wells in concentrations that exceed both background levels and Department water quality standards or criteria, the Licensee shall notify the Department within 14 days of this finding and shall initiate corrective actions pursuant to the applicable portions of Chapter 62-780, F.A.C. Evaluation monitoring shall continue according to the requirements of Rule 62-701.510(6)(a), F.A.C.

2. For purposes of this License, Chapter 62-780, F.A.C., is intended to apply only to violations of ground and surface water quality standards and criteria outside of the facility's permitted zone of discharge. Nothing herein is intended to limit a person's liability for site rehabilitation resulting from unauthorized spills, leaks, or discharges of pollutants or hazardous substances.

a. The provisions in Chapter 62-780, F.A.C., regarding assessment and remediation of contamination in soils do not apply.

b. The provisions in Chapter 62-780, F.A.C., regarding source removal, de minimis discharges, emergency response actions, interim source removal, do not apply.

c. To the extent that any requirements in Chapter 62-780, F.A.C., regarding notice, quality assurance, professional certification, frequency of sampling events, emergency response, or long-term care may conflict with similar requirements in Chapter 62-701, F.A.C., or these Conditions, the requirements in Chapter 62-701, F.A.C., or this license, shall govern.

3. For purposes of this license, the following definitions in Chapter 62-780, F.A.C., shall have the following meanings:

a. "Cleanup target level" means primary and secondary ground water standards, ground water minimum criteria, surface water standards, and surface water toxicity and human health criteria, which are specified in Chapter 62-777, F.A.C.

b. "Contaminated site" means any surface water or ground water outside of the facility's zone of discharge that contains contaminants that may be harmful to human health or the environment.

F. Water Quality Monitoring Program Review

The water quality monitoring program may be reviewed annually by the Department, and a determination made as to the necessity and extent of continuation of the program. Aspects of the program related to sampling, monitoring, reporting, and related time schedules may be modified in accordance with the provisions of Section A, Condition XXIV. Modification of Certification.

G. Solid/Hazardous Waste

1. Operation of the associated landfill shall be done in accordance with all applicable portions of Chapter 62-701, F.A.C., including prohibitions, procedures for closing of the landfill, and final cover requirements, or, as provided in this Section B, Condition I.G. Solid/Hazardous Waste in its entirety. The plans of the final landfill design shall be provided to the Department for review and approval at least 90 days prior to start of construction. The final plans for this facility shall include provisions for the isolated temporary handling of suspected hazardous, toxic or pathological wastes. No solid wastes shall be placed in new lateral expansion cells after November 1, 1994, until water quality monitoring plans are approved pursuant to Rule 62-701.510, F.A.C., and such plans are implemented. The maximum height of the Class I and III landfills shall be 160 feet NGVD with side slopes not steeper than 3H:1V (three feet horizontal to one foot vertical rise) in accordance with the application amendment dated April 29, 1994.

2. No suspected or known hazardous, toxic, or infectious wastes as defined by federal, state or local statutes, rules, regulations or ordinances shall be burned or landfilled at the Site. The Licensee shall prepare and submit for approval to the SED Office a written training program on the detection and handling of hazardous, toxic, or infectious wastes.

3. Rodent and insect control shall be provided as necessary to protect the health and safety of site employees and the public. Pesticides used to control rodents, flies, and other vectors shall be as specified by the Florida Department of Agriculture and Consumer Services.

4. Storage of putrescible waste for processing shall not exceed storage capacity of the refuse bunker or tipping floor as designed on the approved plan, or be stored on the tipping floor for more than 48 hours.

5. Ash prior to transport to the landfill shall be stored in an enclosed building on an impervious surface or other method approved by the SED Office. Final disposal of the ash shall be into the lined landfill or other method approved by the SED Office. Any leachate generated within the building shall be collected and disposed of by a method approved by the SED Office. The SED Office shall notify the SFWMD of the plans and specifications regarding the above referenced method.

6. The landfill operator is responsible for leachate level monitoring.

7. The Home Chemical and Recycling Center (HCRC) shall be constructed and operated in conformance with the Department's Standard Operating Procedures, as published by the Department and as may be updated on their web page. Design drawings of the facility, as well as standard operating procedures, personnel training records, contingency plans, and closure plans shall be available for inspection on the site by the Department, PBCHD, and SFWMD.

8. The landfill operator is responsible for the operation of the leachate collection and removal system and for maintaining the system as designed for the design period. Leachate shall be collected and treated as necessary so that water quality standards and criteria are not violated. If the leachate is classified as a hazardous waste, it shall be managed in accordance with Chapter 62-730, F.A.C. Leachate treatment or disposal facilities that may be used shall be identified in the operating plan, and the Department shall be notified as to which facility is actually being used.

9. Leachate may be discharged to an off-site treatment plant. The landfill operator is responsible for having a written contract or agreement with the off-site treatment plant to discharge leachate to the plant.

10. On-site leachate treatment or pretreatment systems are part of the leachate collection and removal system and shall be designed according to the expected characteristics of the leachate. The design may include adjustments to the system as necessary to accommodate changing leachate characteristics.

11. The landfill operator shall have a prepared contingency plan to handle leachate collection, removal, and treatment problems such as interruptions of discharges to a treatment plant.

12. If the nature of materials received at the facility becomes altered, either due to modification of Conditions, i.e., the facility is allowed to incinerate already known hazardous wastes such as pesticides, or if ground water monitoring reveals abnormal ground water conditions which may be attributable to the landfilling of this residue, then a subsequent analysis may be required at that time.

13. Quantities of leachate collected by the leachate collection and removal system shall be recorded in gallons per day before on-site treatment or transport off-site, and shall be included with the operating record.

14. The Licensee shall provide the SED Office with a set of full-sized (24"x 36") engineering drawings and supporting information, signed and sealed by an engineer registered in the State of Florida for the operational and closure phases of the landfill for review and approval at least 90 days prior to implementation of those phases. Within 90 days after completion on the closure phase of the project, the Licensee shall submit certified as-built plans signed and sealed by a Florida Registered Professional Engineer.

15. A recording rain gauge shall be installed, operated, and maintained to record precipitation at the landfill. Precipitation records shall be included with the operating record and shall be maintained and used by the Licensee to compare with leachate generation rates.

16. New leachate collection systems in the landfill shall be water pressure cleaned or inspected by video recording after construction but prior to initial placement of wastes. Existing leachate collection systems shall be water pressure cleaned or inspected by video recording at least once every 5 years. Results of the collection system cleanings or inspections shall be available to the Department upon request.

17. No later than April 1st of each year, the Licensee shall submit an Application for Recovered Materials Certification to DEP's Bureau of Solid and Hazardous Waste, Recovered Materials Certification and Reporting Program, as applicable, in accordance with Section 62-722.400(1), F.A.C., unless otherwise exempt from this requirement.

[Rule 62-722.400(1), F.A.C.]

18. Gas monitoring: All landfills that have received degradable wastes shall implement a gas management system to meet the applicable requirements of Rule 62-701.530, F.A.C.

19. Disposal of ash residue shall be in a landfill with a leachate collection and removal system and liner system which comply with the applicable requirements of Rule 62-701, F.A.C. Rule 62-701, F.A.C., specifically applies to all existing ash disposal facilities.

H. Beneficial Use of Ash

1. As an alternative to ash disposal in a landfill, the Licensee is authorized to send bottom ash residue from REF #1 and REF #2 off-site for beneficial reuse in accordance with Section 403.7045(5), F.S. The ash residue will be blended with aggregate for use in concrete or asphalt pavement. The Department may authorize the Licensee to use bottom ash residue from REF #1 and REF #2 for other specified purposes/beneficial uses, as approved in advance by the Department, based on the information contained in the Licensee's post-certification submittals, and subject to the conditions established by the Department.

2. The Licensee's use of bottom ash residue shall be conducted in compliance with the ABU Plan, Attachment J. Updates or changes to the ABU Plan will be reviewed by the Department's Solid Waste Division as post-certification submittals pursuant to Section 403.5113, F.S., unless the Department determines that a modification or amendment pursuant to Section 403.516, F.S., is necessary.

3. The Licensee shall comply with all of the requirements in these Conditions of Certification, including the requirements in the ABU Plan. Any violation of the requirements in the ABU Plan is a violation of this License.

I. Operational Contingency Plans

1. Operating Procedures

Within 90 days after the commencement of commercial operations of REF #2, the Licensee shall furnish the SED Office a copy of written operating instructions for all aspects of the operation which are critical to keeping the facility working properly. The instructions shall also include procedures for the handling of suspected hazardous, toxic, and infectious wastes.

2. Contingency Plans

Within 90 days after the commencement of commercial operations of REF #2, the Licensee shall furnish the SED Office written contingency plans for the continued operation of the system in event of breakdown. Stoppages which compromise the integrity of the operations must have appropriate contingency plans. Such contingency plans should identify critical spare parts to be maintained on site.

3. Current Engineering Plans

The Licensee shall maintain a complete current set of modified engineering plans, equipment data books, catalogs and documents in order to facilitate the smooth acquisition or fabrication of spare parts or mechanical modifications.

4. Application Modifications

The Licensee shall furnish appropriate modifications to drawings and plot plans submitted as part of the application, including operational procedures for isolation and containment of hazardous wastes.

J. RMPF and Landfill Operations and Maintenance Buildings

1. The Licensee is hereby granted permission to construct and operate a Solid Waste Resource Recovery and Materials Recycling Facility (SWRRMRF) in accordance with the letter, documents and plans submitted on August 9, 1990. The operations of the Associated Facility shall be pursuant to all applicable portions of Chapter 62-701, F.A.C. This SWRRMRF shall be relocated when the future landfill foot-print expansion is necessitated pursuant to the future landfill phasing plans, phases IV and final, Job No. 22-046.10, SHW #875-0987D, Sheets 4 of 5 and 5 of 5, dated September 29, 1987, prepared by Post, Buckley, Schuh and Jernigan, Inc.

2. The new (relocated) recovered materials processing facility (new RMPF) will be constructed as described in the Licensee's petition for modification dated November 16, 2007 and subsequent additional information submitted in support of the petition. The landfill

operations and maintenance building will be constructed as described in the Licensee's petition for modification dated March 20, 2008 and subsequent additional information submitted in support of the petition.

3. RMPF SWMS

The surface water management system for the new RMPF shall be constructed in accordance with the signed and sealed drawings included in Appendix D of the Petition for Modification dated November 2007 and updated drawings dated 12/31/07 on file with the DEP Siting Coordination Office and SED Office. Retention Pond 1 and Pond 2 bottom shall be @ 16.70 feet NGVD and top of bank elevation shall be at 19.0 feet NGVD. Outfall structures shall be equipped with pollutant retardant baffles. The discharge control structures shall consist of control structure CS-A and CS-B as described below:

Structure	**Description (inches)**	**Crest Elevation (ft. NGVD)**	**Discharge Culvert**
CS-A	Weir: 1-24"(span) by 19.44"(rise) 3-inch circular bleeder	17.28 15.7 (invert)	2 - 24-inch RCP
CS-B	Weir: 1-36"(span) by 19.44"(rise 3-inch circular bleeder	16.98 15.7 (invert)	2 - 24-inch RCP

Prior to site preparation for, or construction of, the new RMPF, the wetland jurisdiction line of the western marsh wetland and the landward boundary of the "30' Wetland Buffer" surrounding it, as shown on the drawing "Wetlands Exhibit" (Attachment E) shall be clearly marked on site. Marking intervals shall be close enough for visual reference between one flag and the next. It should be noted that the boundary of the wetlands east of the project area has not yet been verified by the Department. Regarding that area, the Department has determined only that the eastern project limits are not in wetlands. The Licensee is advised to clearly mark on-site the "Limit of Disturbance" as shown on the referenced drawing and to avoid impacts to areas east of this line.

[Chapters 40E-4 and 40E-40, F.A.C.; SFWMD Basis of Review]

Once the buffer has been marked as indicated above, a clearly visible effective construction barrier (silt fence, etc.) shall be placed along the landward boundary of the buffer as shown on the "Wetlands Exhibit" drawing (Attachment E). Construction impacts shall not occur within the 30-foot buffer area or within the wetlands. The Licensee shall request an inspection and approval of the marked wetland and buffer line, and of the barrier placement location, prior to commencing any other site preparation or construction activities.

[Chapters 40E-4 and 40E-40, F.A.C.; SFWMD Basis of Review]

4. Operations and Maintenance Building Project SWMS

The SWMS for the new Operations and Maintenance Building Project shall be constructed in accordance with the signed and sealed drawings (Sheets G-1 to G-4, Sheets 1 to 4, C-1 to C-12, CD-1 to CD-6) dated September 2008 and on file with the SED Office. The System shall consists of Retention Pond-1 and Pond-2 with bottom elevation at 18.0

feet NGVD and top of bank elevation at 21.5 feet NGVD, providing a storage volume of 0.27 ac-ft. Outfall structures shall be equipped with pollutant retardant baffles. All building floors shall be set at or above 22.5 NGVD.

The discharge control structures shall consist of control structure CS-2 as described below:

Structure	Description (inches)	Crest Elevation (ft. NGVD)	Discharge Culvert
CS-2	Weir: 1-11.5" wide 20 deg. V-Notch	19.10 17.0 (invert)	1 - 24-inch RCP. (To Jog Road Swale System)

[Chapters 40E-4 and 40E-40, F.A.C.; SFWMD Basis of Review]

5. Perpetual operation and maintenance of the SWMS for the new RMPF and the new operations and maintenance buildings are the responsibility of SWA. A maintenance schedule shall be implemented to ensure that the SWMSs are functioning as designed.

[Chapters 40E-4 and 40E-40, F.A.C.; SFWMD Basis of Review]

6. Wastewater Management for New RMPF

a. Washwater: Wash water from the new RMPF, including the washbay area, shall be pumped to a double-walled, high density polyethylene, above ground storage tank. The storage tank will be fitted with high level alarms and leak detection. The wash water shall be temporarily held in the storage tank prior to shipment to an off-site licensed treatment facility.

[Applicant Request]

b. Domestic Wastewater: Domestic wastewater generated at the new RMPF shall be discharged to a domestic sewage pump station and conveyed via pipeline to the City of West Palm Beach domestic wastewater treatment plant.

[Applicant Request]

7. Wetland Buffers – New RMPF

The Licensee shall maintain the wetland buffer zone required by Condition 3 above. Buffer areas shall be maintained free of invasive exotic plants (Florida Exotic Pest Plant Council's 2003 Category I Invasive Exotic Species, trash, and construction and fill material.

[Chapter 62-330, F.A.C.]

K. Transmission Lines

The directly associated transmission lines from the Certified Facility's electric generators to the existing Florida Power and Light Company transmission system shall be cleared, maintained and prepared without the use of herbicides. Construction of a substation on the certified Site east of the Turnpike shall not be allowed without a supplemental application and demonstration of compliance with Sections 403.508(1) and (2), F.S.

L. Potable Water System

The potable water system (wells, pipes, pumps and treatment facilities) shall be designed, constructed and operated in conformance with the applicable provisions of Chapters 62-550 and 62-555, F.A.C. Plans and specifications for these facilities shall be provided to the SED Office and the PBCHD for review and approval 90 days prior to construction.

M. Environmental Resource -SWMS

1. The SWMS for the REF #2 shall be constructed in accordance with the signed and sealed drawings by Malcolm Pirnie (Sheets 1 to 24) dated July 9th, 2010, and on file with the SED Office. The system shall be designed to serve the developed project area of 60.63 acres. The proposed stormwater management system shall treat runoff from the 25-year, 72-hour storm event (design storm) from the REF #2 area and portions of the existing renewable energy facility (REF #1) that drain north.

2. The proposed stormwater management system shall route stormwater overflow from the Jog Road drainage system through the Site to the conservation area on the western side. The gravity collection system consists of several inlet and pipe networks discharging to a dry retention system designed to treat the required runoff volume from the 25-year, 72-hour storm event (design storm) from the project area in accordance with FDEP and SFWMD criteria. The dry retention system discharges into an on-site preservation area that provides additional storage, and also through a control structure that eventually discharges into the conservation area at the existing outfall location.

N. Protection of Vegetation

The Licensee shall develop the construction site so as to retain endangered and threatened plants, or replant these plants in another suitable environment. Any endangered or threatened plants should be staked in the field or relocated, as appropriate, prior to commencement of any construction or site preparation activities.

O. Wetlands

These Conditions do not authorize dredging or filling in wetlands. Wetland areas or water bodies which are outside the specific limits of construction authorized by this license shall be protected from erosion, siltation, scouring and/or dewatering. There shall be no storage of cleared vegetation, excess lumber, scrap wood, trash, garbage, and any other type of debris within wetlands.

P. Environmental Control Program

An environmental control program shall be established under the supervision of a qualified individual to assure that all construction activities conform to applicable environmental regulations and the applicable Conditions.

If harmful effects or irreversible environmental damage not anticipated by the application or the evidence presented at the certification hearing are detected during construction, the Licensee shall notify the SED Office as required by Section A. General Conditions, Condition VII. Notification.

Q. Construction Completion Notification

Upon or immediately prior to completion of construction of the resource recovery facility or a phase thereof and upon or immediately prior to completion of all necessary preparation for the operation of each landfill cell, the SED Office, PBCHD and SFWMD will be notified of a date on which a Site or facility inspection should be performed in accordance with Section A. General Conditions, Condition X. Right of Entry, and the inspection shall be performed within 14 days of the date of notification by Licensee.

R. Biosolids Treatment Facility Conditions

1. Facility Description and Requirements

SWA owns a Biosolids Treatment Facility (BTF) (aka Biosolids Pelletization Facility) which is regulated under Section 403, F.S., and applicable rules of the Florida Administrative Code (F.A.C.). The DEP Facility Identification Number is FLA296422. The Biosolids Pelletization Facility is located at 6600 45th Street, West Palm Beach, Florida 33412. This authorization does not constitute authorization to dispose of biosolids other than as expressly stated herein. SWA is hereby authorized to operate the facilities in accordance with the documents attached hereto and specifically described as follows:

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

i. 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;

ii. The laboratory reported MDL for the specific parameter is less than or equal to the limit listed in these Conditions or the applicable criteria, if any, stated in Chapter 62-302, F.A.C. Parameters that are listed as "report only" in these Conditions shall use methods that provide an MDL, which is equal to or less than the applicable criteria stated in 62-302, F.A.C.; and

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

b. When the analytical results are below method detection or practical quantitation limits, the Licensee 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.

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

[Rules 62-4.246 and 62-160, F.A.C.]

d. The Licensee shall provide safe access points for obtaining representative samples which are required by this license.

[Rule 62-600.650(2), F.A.C.)]

e. Monitoring requirements under these Conditions are effective on the first day of the second month following issuance of Modification N. Until such time, the Licensee shall continue to monitor and report in accordance with previously effective license requirements, if any. The Licensee shall complete and submit to the DEP SED Office Industrial Wastewater Section Discharge Monitoring Reports (DMRs) in accordance with the frequencies specified by the REPORT type (i.e. monthly, quarterly, semiannual, annual, etc.) indicated on the DMR forms attached to this license as Attachment F. Monitoring results for each monitoring period shall be submitted in accordance with the associated DMR due dates below.

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

DMRs shall be submitted for each required monitoring period, including months of no discharge. The Licensee shall complete and submit the attached DMR form(s) to the DEP SED Office, Industrial Wastewater Section, at the address specified below or by email to a person designated by the Program Administrator by the 28th of the month following the month of operation. Electronic copies shall be emailed to the Siting Coordination Office at SCO@dep.state.fl.us.

[Rules 62-620.610(18), F.A.C.]

f. Unless otherwise specified, all reports and other information required by this DEP Specific Condition I.R, including 24-hour notifications, shall be submitted to or reported to, as appropriate, the SED Office at the address specified below:

Florida Department of Environmental Protection
Southeast District Office

3301 Gun Club Road
West Palm Beach, Florida 33406

Phone Number - (561)681-6600
FAX Number - (561)681-6760

[Rule 62-620.305, F.A.C.]

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

[Rule 62-620.305, F.A.C.]

2. Biosolids Treatment and Management Requirements

a. Biosolids generated by this facility may be distributed and marketed, used as a biofuel or for bioenergy or disposed of in a Class I solid waste landfill. Transferring biosolids to an alternative biosolids treatment facility does not require a modification to these Conditions. However, use of an alternative biosolids treatment facility requires submittal of the agreement pursuant to Rule 62-640.880(1)(c), F.A.C., along with a written notification to the DEP SED Office at least 30 days before transport of the biosolids.

[Rules 62-620.320(6) and 62-640.880(1), F.A.C.]

b. The Licensee shall keep records of the quantities of biosolids generated, received from source facilities, treated, distributed and marketed, or landfilled. These records shall be kept for a minimum of 5 years.

[Rule 62-640.650(4)(a), F.A.C.]

c. The treatment, management, transportation, use, or disposal of biosolids by the Licensee until the end product is marketed to a licensed fertilizer broker and/or distributor who markets to licensed fertilizer blenders shall not cause a violation of the odor prohibition in Rule 62-296.320(2), F.A.C.

[Rule 62-640.400(6), F.A.C.]

d. Biosolids shall not be spilled from or tracked off the treatment facility site by the hauling vehicles leaving the site.

[Rule 62-640.400(9), F.A.C.]

e. The Licensee shall achieve Class AA pathogen reduction by meeting the pathogen reduction requirements in 40 CFR §503.32(a)(7), Alternative 5: Use of PFRP (Processes to Further Reduce Pathogens), Option 2: Heat Drying of Title 40 CFR Part 503.

[Rule 62-640.600(1)(a), F.A.C.]

f. The Licensee shall achieve vector attraction reduction for Class AA biosolids by meeting the vector attraction reduction requirements in specific section given below:

i. "40 CFR §503.33(b)(7) (Reduce moisture content of biosolids that do not contain unstabilized solids from primary treatment to at least 75 % solids)" (for Option 7)

ii. "40 CFR §503.33(b)(8) (Reduce moisture content of biosolids that contain unstabilized solids from primary treatment to at least 90 % solids)" (for Option 8) of Title 40 CFR Part 503.

[Rule 62-640.600(2)(b), F.A.C.]

g. Sampling and analysis shall be conducted in accordance with 40 CFR Part 503.8 and the U.S. Environmental Protection Agency publication - *POTW Sludge Sampling and Analysis Guidance Document*, August 1989. In cases where conflicts exist between 40 CFR 503.8 and the *POTW Sludge Sampling and Analysis Guidance Document*, the requirements in 40 CFR Part 503.8 will apply.

[Rule 62-640.650(3)(a)1, F.A.C.]

h. Disposal of biosolids, and "other solids" in a solid waste disposal facility, or disposal by placement on land for purposes other than soil conditioning or fertilization, such as at a monofill, surface impoundment, waste pile, or dedicated site, shall be in accordance with Chapter 62-701, F.A.C.

[Rules 62-640.100(6)(b) and (c), F.A.C.]

i. The Licensee shall keep hauling records to track the transport of biosolids between facilities. The hauling records shall contain the following information:

Source Facility

(1) Date and time shipped

(2) Amount of biosolids shipped

(3) Degree of treatment (if applicable)

(4) Name and ID number of treatment facility

(5) Signature of responsible party at source facility

(6) Signature of hauler and name of hauling firm

Biosolids Treatment Facility or Treatment Facility

(1) Date and time received

(2) Amount of biosolids received

(3) Name and ID number of source facility

(4) Signature of hauler

(5) Signature of attendant at the BTF tip floor

j. A copy of the source facility hauling records for each shipment shall be obtained upon delivery of the biosolids to the biosolids treatment facility or treatment facility. The Licensee shall report to the DEP SED Office within 24 hours of discovery any discrepancy in the quantity of biosolids leaving the source facility and arriving at the biosolids treatment facility or treatment facility.

k. The resistance temperature detectors (RTD) temperature probes used to show continuous compliance with EPA's Processes to Further Reduce Pathogens (PFRP) requirements shall be replaced or have a calibration check annually. The Licensee has three resistance temperature detectors in service for each dryer train. Daily check of the three devices is required for each day of operation for each train. If any one of the devices deviates more than 5 percent (approximately 9° F) of the average of the other two devices, the device will be calibrated or replaced. When all three RTDs are functioning correcting (i.e. when they are

within 9 degrees °F of each other), the compliance with minimum temperature shall be based on the lowest temperature of the three devices.

[Rules 62-601.200(17) and 62-600.200(25), F.A.C.]

l. The Licensee shall be responsible for proper treatment, management, and disposition of biosolids upon acceptance from source facilities.

[Rule 62-640.880(1)(a), F.A.C.]

m. The Licensee shall enter into a written agreement with each source facility from which it intends to receive biosolids. The agreement shall address the quality and quantity of the biosolids accepted by the Licensee. The agreement shall include a statement, signed by the Licensee, as to the availability of sufficient capacity to receive the biosolids from the source facility, and indicating that the Licensee will continue to operate in compliance with the requirements of these Conditions of Certification. The agreement shall also address responsibility during transport of biosolids between the facilities. The Licensee shall submit an electronic copy of this agreement to the DEP SED Office and the DEP Siting Coordination Office at least 30 days before transporting biosolids from the source facility to the Licensee.

[Rule 62-640.880(1)(c), F.A.C.]

3. Biosolids Monitoring Requirements

a. Biosolids quantities shall be monitored by the Licensee as specified below. Results shall be reported on the Licensee's DMR in accordance with DEP's Specific Condition I.Q.1.e. and I.Q.1.f.

			Biosolids Limitations		Monitoring Requirements		
Parameter	Units	Max /Min	Limit	Statistical Basis	Frequency of Analysis	Sample Type	Monitoring Site Number
Biosolids Quantity (Received)	Dry tons	Max	Report	Total Monthly	Monthly	Calculated	RMP-1
Biosolids Quantity (Distributed and Marketed in FL)	Dry tons	Max	Report	Total Monthly	Monthly	Calculated	RMP-2
Biosolids Quantity (Distributed and Marketed outside Florida)	Dry tons	Max	Report	Total Monthly	Monthly	Calculated	RMP- 3
Biosolids Quantity (Landfilled)	Dry tons	Max	Report	Total Monthly	Monthly	Calculated	RMP-4
Biosolids Quantity (Used as a Biofuel or for Bioenergy)	Dry tons	Max	Report	Total Monthly	Monthly	Calculated	RMP-5

[Rule 62-640.650(5)(a)1, F.A.C.]

b. Biosolids quantities shall be calculated as listed in DEP's Specific Condition I.Q.3.a. and as described below:

Monitoring Site Number	Description of Monitoring Site Calculation
RMP-1	See Biosolids Quantity Operating Protocol as required in Specific Condition I.Q.6.c.
RMP-2	See Biosolids Quantity Operating Protocol as required in Specific Condition I.Q.6.c
RMP-3	See Biosolids Quantity Operating Protocol as required in Specific Condition I.Q.6.c
RMP-4	See Biosolids Quantity Operating Protocol as required in Specific Condition I.Q.6.c
RMP-5	See Biosolids Quantity Operating Protocol as required in Specific Condition I.Q.6.c

c. Class AA Biosolids finished product shall comply with the limits and be monitored by the Licensee as specified below. Results shall be reported on the Licensee's DMR in accordance DEP's Specific Conditions I.R.1.e. and I.R.1.f. as listed above. Biosolids shall not be distributed and marketed as a Class AA product or land applied as a Class AA product if a single sample result or the monthly average of sample results for any parameter exceeds the following Class AA parameter concentrations:

			Biosolids Limitations		Monitoring Requirements		
Parameter	Units	Max/Min	Limit	Statistical Basis	Frequency of Analysis	Sample Type	Monitoring Site Number
Nitrogen, Total (as N)	Percent	Max	Report	Monthly Avg.	Monthly	Composite	RMP-AA
Phosphorus, Total (as P)	Percent	Max	Report	Monthly Avg.	Monthly	Composite	RMP-AA
Potassium, Total (as K)	Percent	Max	Report	Monthly Avg.	Monthly	Composite	RMP-AA
Arsenic, Total,	mg/kg	Max Max	41.0 75.0	Monthly Avg. Single Sample	Monthly	Composite	RMP-AA
Cadmium, Total (as Cd)	mg/kg	Max Max	39.0 85.0	Monthly Avg. Single Sample	Monthly	Composite	RMP-AA
Copper, Total, (as Cu)	mg/kg	Max Max	1500.0 4300.0	Monthly Avg. Single Sample	Monthly	Composite	RMP-AA
Lead	mg/kg	Max Max	300.0 840.0	Monthly Avg. Single Sample	Monthly	Composite	RMP-AA
Mercury	mg/kg	Max Max	17.0 57.0	Monthly Avg. Single Sample	Monthly	Composite	RMP-AA
Molybdenum	mg/kg	Max	75.0	Single Sample	Monthly	Composite	RMP-AA
Nickel	mg/kg	Max Max	420.0 420.0	Monthly Avg. Single Sample	Monthly	Composite	RMP-AA

Selenium	mg/kg	Max Max	100.0 100.0	Monthly Avg. Single Sample	Monthly	Composite	RMP-AA
Zinc	mg/kg	Max Max	2800.0 7500.0	Monthly Avg. Single Sample	Monthly	Composite	RMP-AA
pH	s.u.	Max	Report		Monthly	Grab	RMP-AA
Solids, Total,	Percent	Min	Report	Monthly Avg.	Monthly	Composite	RMP-AA
Coliform, Feca**l***	MPN/g	Max	1000	Single Sample	Monthly	Grab	RMP-AA
Salmonella sp.*****	MPN/4g	Max	3.0	Single Sample	Monthly	Grab	RMP-AA

* Pathogen results: provide at least one, either fecal coliform or Salmonella sp.

All units are in a dry weight basis except for total percent solids and pH

[Rules 62-640.650(3)(a)(3), 62-640.700(5)(a), 62-640.700(5)(b), and 62-640.850(4), F.A.C.]

d. Class AA Biosolids samples shall be taken at the monitoring site locations listed in DEP's Specific Condition I.R.3.c., as listed above and as described below:

Monitoring Site Number	Description of Monitoring Site
RMP-AA	Finished Product Sampling Port

e. The Licensee shall be responsible for proper treatment, management, and disposal of biosolids accepted from source facilities.

[Rule 62-640.880(1)(a), F.A.C.]

f. The list developed as required by DEP Specific Condition I.R.6.b. shall be routinely monitored to demonstrate compliance with pathogen reduction requirements specified in Rule 62-640.600, F.A.C.

[Rule 62-640.650(3)(a)2, F.A.C.]

g. The list developed as required by DEP Specific Condition I.R.6.b shall be routinely monitored to demonstrate compliance with vector attraction reduction requirements specified in Rule 62-640.600, F.A.C.

[Rule 62-640.650(3)(a)2, F.A.C.]

4. Class AA Biosolids Finished Product Requirements

a. Biosolids generated by this facility may be distributed and marketed or disposed of in a Class I solid waste landfill.

b. If the Licensee wants to store biosolids at this facility, the Licensee shall submit to the DEP SED Office, a Facility Biosolids Storage Plan. Storage shall be in accordance with the approved Facility Biosolids Storage Plan.

[Rule 62-640.300(4), F.A.C.]

c. Class AA biosolids that are stored by the Licensee until the end product is marketed to a licensed fertilizer broker and/or distributor who sells to a licensed fertilizer blender, for more than 45 days at the BTF or off-site as an unblended product shall be re-sampled for fecal coliform or Salmonella sp. every 45 days.

[Rule 62-640.650(3)(a)5, F.A.C.]

d. All Class AA Biosolids samples shall be representative and shall be taken after final treatment of the biosolids but before distribution and marketing.

[Rule 62-640.650(3)(a)5, F.A.C.]

e. Within 24 hours of discovery of distributing and marketing biosolids that did not meet the Class AA standards, the Licensee shall notify the DEP SED Office and all persons to whom they delivered or distributed and marketed the biosolids.

[Rule 62-640.650(6)(g), F.A.C.]

f. The Licensee shall make the following information available to Class AA finished product customers by product labels or other means:

i. The name and address of the facility or person that produced the Class AA biosolids;

ii. A statement that the biosolids or biosolids product meets the criteria of Rule 62-640.700(5), F.A.C.;

iii. Recommendation that biosolids be applied at a rate that does not exceed crop or plant nutrient needs and;

iv. Recommendations on proper storage of the biosolids or biosolids product prior to use. For distributed quantities of biosolids or biosolids products greater than one dry ton, the recommendations shall include that biosolids may not be stored on property for more than 7 days unless stored to prevent runoff of biosolids or stormwater that has been in contact with biosolids, violation of the odor prohibition in Rule 62-296.320(2), F.A.C., and vector attraction.

v. A statement that Class AA biosolids that are stored for more than 45 days as an unblended product shall be re-sampled for fecal coliform or Salmonella sp. every 45 days.

[Rule 62-640.650(3)(a)5, F.A.C.]

g. The Class AA biosolids produced by this facility that are to be used as a fertilizer shall not be distributed and marketed in the State of Florida unless the biosolids are registered as a fertilizer under Chapter 576, F.S., and Chapter 5E-1, F.A.C., or distributed and marketed to a person who will sell or give away the biosolids as a fertilizer or as a component in a fertilizer product under Chapter 576, F.S., and Chapter 5E-1, F.A.C. Fertilizer license numbers shall be kept current and made available to the Department at any time upon request.

[Section 373.4595, F.S.; Rule 62-640.850(2), F.A.C.]

h. The Licensee shall maintain a list of companies (the fertilizer brokers) that the biosolids are being sold to for marketing and distribution. The Licensee shall

keep this list current and make it available to the DEP SED Office and the Siting Coordination Office upon request.

i. Incineration or use of biosolids as a biofuel or for bioenergy by gasification shall be in accordance with Chapters 62-204, 62-210, 62-212, 62-213, 62-296, and 62-297, F.A.C., and the Resource Conservation and Recovery Act.

[Rule 62-640.100(6)(d), F.A.C.]

5. Operation and Maintenance Requirements

a. Staffing Requirements

i. The biosolids treatment facility shall be operated under the supervision of a(n) operator(s) certified in accordance with Chapter 62-602, F.A.C. In accordance with Chapter 62-640, F.A.C., this facility is a Category I, Class AA biosolids treatment facility and, at a minimum, operators with appropriate certification must be on the site as follows:

(1) A lead/chief Class A wastewater operator for 8 hours/day for 5 days/week; or

(2) A lead/chief Class C wastewater operator for 8 hours/day 5 days/week, that has completed the minimum training specified in Attachment G (Lead Chief Operator Training at NEFCO/SWA BTF).

ii. An operator meeting the lead/chief operator class (option (1) or (2) above) for the treatment facility shall be available during all periods of facility operation. "Available" means able to be contacted as needed to initiate the appropriate action in a timely manner. Daily checks of the facility shall be performed by the Licensee or his representative or agent during each day of facility operation.

[Rules 62-699.311(1) and (2), F.A.C.]

b. Additional Recordkeeping Requirements

The Licensee shall maintain the following records, in addition to the records required by General Condition XXXIII. Records Maintained at the Facility, and make them available for inspection on the site of the facility.

i. Records of all compliance monitoring information, including all calibration and maintenance records and all electronic recordings for continuous monitoring instrumentation, including, if applicable, a copy of the laboratory certification showing the certification number of the laboratory, for at least 5 years from the date the sample or measurement was taken;

ii. Copies of all reports required by the license for at least 5 years from the date the report was prepared;

iii. Records of all data, including reports and documents, used to complete the application for the license for at least 5 years from the date the application was filed;

iv. Monitoring information, including a copy of the laboratory certification showing the laboratory certification number, related to the biosolids use and

disposal activities for the time period set forth in Chapter 62-640, F.A.C., for at least 5 years from the date of sampling or measurement;

v. A copy of the current operation and maintenance manual as required by Chapter 62-600, F.A.C.;

vi. A copy of any required record drawings;

vii. Copies of the licenses of the current certified operators; and

viii. Copies of the logs and the computer maintenance management system reports and schedules showing facility operations and equipment maintenance for 5 years from the date of the logs or schedules. The logs shall, at a minimum, include identification of the facility; the signature and license number of the operator(s) and the signature of the person(s) making any entries; date and time in and out; specific operation and maintenance activities, including any preventive maintenance or repairs made or requested; results of tests performed and samples taken, unless documented on a laboratory sheet; and notation of any notification or reporting completed in accordance with Rule 62-602.650(3), F.A.C. The logs shall be maintained on-site in a location accessible to 24-hour inspection, protected from weather damage, and current to the last operation and maintenance performed.

[Rules 62-620.350 and 62-602.650, F.A.C]

6. Schedule

a. The Licensee shall submit an Operation and Maintenance Performance Report pursuant to Rule 62-600.735, F.A.C., every 5 years beginning 5 years from the date of issuance of Modification N for review by the DEP SED Office in accordance with Section A, Condition XXI. Procedures for Post-Certification submittals. The O & M Performance Report shall be accompanied by completed Forms 62-620.910(1) and (2), F.A.C.

b. Within 90 days of issuance of Modification N, the Licensee shall identify and report to the DEP SED Office the monitoring that will be conducted for all microbial and all operational and process parameters necessary to demonstrate compliance with the pathogen reduction and vector attraction reduction requirements of Rule 62-640.600, F.A.C. All operational and process parameters, such as time and temperature, number of windrow turnings, pH readings, etc., shall be monitored on a continual basis as applicable to the treatment process to demonstrate compliance with Rule 62-640.600, F.A.C.

c. The following Biosolids Quantity Operating Protocol as required in DEP's Specific Condition I.R.3.b., shall be completed according to the following schedule unless alterations to this schedule have been approved by the DEP SED Office:

ITEM NUMBER	Improvement Action	Completion Date
a.	Submit a draft Biosolids Quantity Calculating Operating Protocol to determine the estimated Biosolids to be used for Biosolids Quantity DMR.	90 days after issuance of Modification N

ITEM NUMBER	Improvement Action	Completion Date
b.	Respond to Department's comments	Within 30 days of the date of receipt of any Department comments
c.	Submit the Final Report to the Department	Within 30 days of the date of receipt of the Department final comments
d.	Start Submitting the Biosolids Quantity DMR for the DMR submitted by the Department with the Department's final comments	With the monthly DMR for the month the Department issues the Department's final comments

7. Other Specific Conditions

In the event that the treatment facilities or equipment no longer function as intended, are no longer safe in terms of public health and safety, or odor, noise, aerosol drift, or lighting adversely affects neighboring developed areas at the levels prohibited by Rule 62-600.400(2)(a), F.A.C., corrective action (which may include additional maintenance or modifications of the facilities) shall be taken by the Licensee. Other corrective action may be required to ensure compliance with rules of the Department.

[Rules 62-600.410(5) and 62-640.400(6), F.A.C.]

The BTF shall be enclosed with a fence or otherwise provided with features to discourage the entry of animals and unauthorized persons.

[Rules 62-610.518(1) and 62-600.400(2)(b, F.A.C.)]

Screenings removed from the biosolids treatment facilities shall be collected in suitable containers and hauled to a Department approved Class I landfill or to a landfill approved by the Department for receipt/disposal of screenings.

[Rules 62-701.300(1)(a), F.A.C.]

Where required by Chapter 471 or Chapter 492, F.S., applicable portions of reports that must be submitted under this license shall be signed and sealed by a professional engineer or a professional geologist, as appropriate.

[Rule 62-620.310(4), F.A.C.]

The Licensee shall provide verbal notice to the Department's SED Office as soon as practical after discovery of a sinkhole or other karst feature within an area for the management of wastewater biosolids. The Licensee shall immediately implement measures appropriate to control the entry of contaminants and shall detail these measures to the DEP SED Office in a written report within 7 days of the sinkhole discovery.

[Rule 62-620.320(6), F.A.C.]

II. DEPARTMENT OF TRANSPORTATION

A. Post-Certification Review Items

1. Access Management to the State Highway System: Any access to the State Highway System will be subject to the requirements of Rule Chapters 14-96, State Highway System Connection Permits, and 14-97, Access Management Classification System and Standards, F.A.C.

2. Overweight or Overdimensional Loads: Operation of overweight or over-dimensional loads by the applicant on State transportation facilities during construction and operation of the utility facility will be subject to safety and permitting requirements of Chapter 316, Florida Statutes, and Rule Chapter 14-26, Safety Regulations and Permit Fees for Overweight and Over-dimensional Vehicles, F.A.C.

3. Use of State of Florida Right of Way or Transportation Facilities: All usage and crossing of State of Florida right of way or transportation facilities will be subject to Rule Chapter 14-46, Utilities Installation or Adjustment, F.A.C.; Florida Department of Transportation's Utility Accommodation Manual (Document 710-020-001); Design Standards for Design, Construction, Maintenance and Utility Operation on the State Highway System; Standard Specifications for Road and Bridge Construction; and pertinent sections of the Florida Department of Transportation's Project Development and Environmental Manual. State Road 710 and State Road 702 have been identified as Florida Intrastate Highway System (FIHS) and Strategic Intermodal System's (SIS) facilities. The placement of the transmission line and pipeline should take into consideration the planned widening of these facilities. The cost of relocating or reconstructing the transmission line and pipeline will be borne by the Licensee to the extent required by Section 337.403, F.S., and Rule Chapter 14-46, F.A.C.

4. Standards: The Manual on Uniform Traffic Control Devices; Florida Department of Transportation's Design Standards for Design, Construction, Maintenance and Utility Operation on the State Highway System; Florida Department of Transportation's Standard Specifications for Road and Bridge Construction; Florida Department of Transportation's Utility Accommodation Manual; and pertinent sections of the Department of Transportation's Project Development and Environmental Manual will be adhered to in all circumstances involving the State Highway System and other transportation facilities.

5. Drainage: Any drainage onto State of Florida right of way and transportation facilities will be subject to the requirements of Rule Chapter 14-86, Drainage Connections, F.A.C., including the attainment of any permit required thereby.

6. Use of Air Space: Any newly proposed structure or alteration of an existing structure will be subject to the requirements of Chapter 333, F.S., and Rule 14-60.009, Airspace Protection, F.A.C. Additionally, notification to the Federal Aviation Administration (FAA) is required prior to beginning construction, if the structure exceeds notification requirements of 14 CFR Part 77, Objects Affecting Navigable Airspace, Subpart B, Notice of Construction or Alteration. Notification will be provided to FAA Southern Region Headquarters using FAA Form 7460-1, Notice of Proposed Construction or Alteration in accordance with instructions therein. A subsequent Determination by the FAA stating that the structure exceeds any federal obstruction standard of 14 CFR Part 77, Subpart C for any structure that is located within a 10-nautical-mile radius of the geographical center of a public-use airport or military

airfield in Florida will be required to submit information for an Airspace Obstruction Permit from the Florida Department of Transportation or variance from local government depending on the entity with jurisdictional authority over the site of the proposed structure. The FAA Determination regarding the structure serves only as a review of its impact on federal airspace and is not an authorization to proceed with any construction. However, FAA recommendations for marking and/or lighting of the proposed structure are made mandatory by Florida law. For a site under Florida Department of Transportation jurisdiction, application will be made by submitting Florida Department Transportation Form 725-040-11, Airspace Obstruction Permit Application, in accordance with the instructions therein.

7. **Level of Service on State Roadway Facilities:** All traffic impacts to State roadway facilities on the FIHS or the SIS, or funded by Section 339.2819, F.S., will be subject to the requirements of the level of service standards adopted by local governments pursuant to Section 163.3180(5)(h)1, F.S., Statewide Minimum Level of Service Standards, F.A.C., in accordance with Section 163.3180(10), F.S. All traffic impacts to State roadway facilities not on the FIHS, the SIS, or funded by Section 339.2819, F.S., will be subject to adequate level of service standards established by the local governments.

B. Best Management Practices

1. Traffic control during facility construction and maintenance will be subject to the standards contained in the Manual on Uniform Traffic Control Devices; Rule Chapter 14-94, Statewide Minimum Level of Service Standards, Florida Administrative Code; Florida Department of Transportation's Design Standards for Design, Construction, Maintenance and Utility Operation on the State Highway; Florida Department of Transportation' s Standard Specifications for Road and Bridge Construction; and Florida Department of Transportation's Utility Accommodation Manual, whichever is more stringent.

2. It is recommended that the Licensee encourage transportation demand management techniques by doing the following:

- Placing a bulletin board on site for carpooling advertisements.
- Requiring that heavy construction vehicles remain onsite for the duration of construction to the extent practicable.
- A temporary traffic control plan for handling construction related traffic is needed, subject to the applicable requirements and standards. The plan will need to be approved by Florida Department of Transportation prior to construction.

3. If the Licensee uses contractors for the delivery of any overweight or over-dimensional loads to the site during construction, the Licensee should ensure that its contractors adhere to the necessary standards and receive the necessary permits required under Chapter 316, Florida Statutes, and Rule Chapter 14-26, Safety Regulations and Permit Fees for Overweight and Overdimensional Vehicles, F.A.C.

III. SOUTH FLORIDA WATER MANAGEMENT DISTRICT

A. Legal/Administrative Conditions

1. General

a. Responsible Entity

The Licensee shall be responsible for compliance with the Certification Conditions. If contractual rights, duties, or obligations are transferred under this Certification, notice of such transfer or assignment, including the identification of the entity responsible for compliance with the Certification, shall immediately be submitted to the Florida Department of Environmental Protection and the SFWMD by the previous certification holder (Licensee) and the Assignee. Any assignment or transfer shall carry with it the full responsibility for the limitations and Conditions of this Certification. The previous Licensee shall be responsible for informing the Assignee of all authorized facilities and uses and the Conditions under which they were authorized. The previous Licensee shall remain liable for corrective actions that may be required as a result of any violations prior to transfer or assignment of any contractual rights, duties, or obligations under this Certification.

[Sections 373.044, 373.113, 373.223, and 373.342, F.S.; Rules 40E-2.091, 40E-2.301, 40E-2.381, and 40E-3.101 (1), F.A.C.]

b. Minimum Standards

This Certification is based on the Licensee's submitted information to the SFWMD which reasonably demonstrates that harm to the site water resources will not be caused by the authorized activities. The plans, drawings and design specifications submitted by the Licensee shall be considered the minimum standards for compliance.

[Sections 373.219, 373.223,373.229, 373.308, and 373.316, F.S.; Rules 40E-2.091, 40E-2.301, 40E-2.381, and 40E-3.500-531, F.A.C.]

c. Compliance Requirements

The Certified Facility must be constructed, operated and maintained in compliance with and meet all non-procedural requirements set forth in Chapter 373, F.S., and Chapters 40E-2 (Consumptive Use), and 40E-3 (Water Wells), F.A.C.

d. Off-Site Impacts

It is the responsibility of the Licensee to ensure that harm to the water resources does not occur during the construction, operation, and maintenance of the Certified Facility.

[Sections 373.223 and 373.309, F.S.; Rules 40E-2.09I, 40E-2.38I, 40E-3.301 (3), and 40E-3.301 (4), F.A.C.]

e. Liability

The Licensee shall hold and save the SFWMD harmless from any and all damages, claims, or liabilities which may arise by reason of the construction, alteration, operation, maintenance, removal, abandonment and/or use of any system authorized by this Certification, to the extent allowed under Florida law.

[Section 373.223, F.S.; Rules 40E-2.091 and 40E-2.381, F.A.C.]

f. Construction, Operation, and Maintenance Responsibilities

The Licensee shall be responsible for the construction, operation, and maintenance of all facilities installed for the Certified Facility.

[Section 373.309, F.S.; Rule 40E-3.301, F.A.C.]

g. Access

SFWMD representatives shall be allowed reasonable escorted access to the power plant site, the water withdrawal facilities and any Associated Facilities to inspect and observe any activities associated with the construction of the Certified Facility and/or the operation and/or maintenance of the on-site wells in order to determine compliance with the Conditions of this Certification. The Licensee shall not refuse entry or access to any SFWMD representative who, upon reasonable notice, requests entry for the purpose of the above noted inspection and presents appropriate credentials.

[Sections 373.223 and 373.319, F.S.; Rules 40E-2.091, 40E-2.301, 40E-2.381, and 40E-3.461, F.A.C.]

h. Post-Certification Information Submittals

Information submitted to the SFWMD subsequent to Certification, in compliance with the Conditions of this Certification, shall be for the purpose of the SFWMD determining the Licensee's compliance with the Certification Conditions and the non-procedural criteria contained in Chapters 40E-2 and 40E-3, F.A.C., as applicable, prior to the commencement of the subject construction, operation and/or maintenance activity covered thereunder.

[Rule 62-17.191, F.A.C.]

i. Enforcement

The SFWMD may confer with DEP to request DEP to take any and all lawful actions that are necessary to enforce any Condition of this Certification based on the authorizing statutes and rules of the SFWMD.

[Sections 373.223, 373.319, 373.603, and 403.514, F.S.; Rules 40E-2.091, 40E-2.301, 40E-2.381, and 40E-3.461, F.A.C.]

2. Processing of Informational Requests

a. Completeness and Sufficiency Review

At least 90 days prior to the commencement of construction of any portion of the project, the Licensee shall submit to SFWMD staff, for a completeness and sufficiency review, any pertinent additional information required under the SFWMD's Conditions of Certification for that portion proposed for construction. If SFWMD staff does not issue a written request for additional information within 30 days, the information shall be presumed to be complete and sufficient.

[Sections 373.219 and 373.342, F.S.]

b. Compliance Review and Confirmation

Within 60 days of the determination by SFWMD staff that the additional information is complete and sufficient, the SFWMD shall determine and notify the Licensee in writing whether the proposed activities conform to SFWMD rules, as required by Chapters 40E-2, 40E-3, and 40E-20, F.A.C., and these Conditions of Certification. If necessary, the SFWMD shall identify what items remain to be addressed. No construction activities shall

begin until the SFWMD has determined either in writing, or by failure to notify the Licensee in writing, that the activities are in compliance with the applicable SFWMD criteria.

[Sections 373.219 and 373.342, F.S.]

c. Revisions to Site Specific Design Authorizations

The Licensee shall submit, consistent with the provisions of SFWMD's Specific Condition A.2., any proposed revisions to the site specific design authorizations specified in this Certification to the SFWMD for review and approval prior to implementation. The submittal shall include all the information necessary to support the proposed request, including detailed drawings, calculations, and/or any other applicable data. Such requests may be included as part of the appropriate additional information submittals required by this Certification provided they are clearly identified as a requested amendment or modification to the previously authorized design.

[Sections 373.085, 373.219, 373.223, 373.313, and 373.342, F.S.; Rules 40E-2.091, 40E-2.301, and 40E-3.461, F.A.C.]

d. Dispute Resolution

Since this Certification is the only form of permit required from any agency, it is understood that the Licensee and the SFWMD shall strive to resolve disputes by mutual agreement.

[Sections 373.044, 373.085, 373.113, and 373.129, F.S.]

e. Objections

Objections to modifications of the terms and Conditions of this Certification shall be resolved through the process established in Section 403.516, F.S.

f. Changes to Information Requirements

The SFWMD and the Licensee may jointly agree to vary the informational requirements.

[Sections 373.085 and 373.229, F.S.; Rules 40E-2.1 01 (1) and 40E-3.101(2), F.A.C.]

B. Water Use Conditions

1. General

a. Water Shortage Compliance

In the event of a declared water shortage, the Licensee must comply with any water withdrawal reductions ordered by the SFWMD in accordance with the Water Shortage Plan, Chapter 40E-21, F.A.C.

[Section 373.246, F.S.; Rule 40E-2.381, F.A.C.]

b. Interference with Existing Legal Uses

The Licensee shall mitigate interference with existing legal uses, in existence at the time of issuance of the Certification Order, caused in whole or in part by the Licensee's withdrawals, consistent with the approved mitigation plan. As necessary to offset the

interference, mitigation may include pumpage reduction, replacement of the impacted individual's equipment, relocation of wells, change in withdrawal source, or other means. Interference to an existing legal use is defined as an impact that occurs under hydrologic conditions equal to or less severe than a 1 in 10-year drought event that results in the:

1) Inability to draw water consistent with the provisions of the permit, such as when remedial structural or operational actions not materially authorized by existing permits must be taken to address the interference;

2) Change in the quality of water pursuant to primary State Drinking Water Standards to the extent that the water can no longer be used for its authorized purpose, or such change is imminent; or

3) Inability of an existing legal user to meet its permitted demands without exceeding the permitted allocation.

[Section 373.223, F.S.; Rules 40E-2.091, 40E-2.301, and 40E-2.381, F.A.C.]

c. Harm to Existing Off-Site Land Uses

The Licensee shall mitigate harm to existing off-site land uses caused by the Licensee's withdrawals, as determined through reference to the conditions for permit issuance. When harm occurs, or is imminent, the SFWMD will require the Licensee to modify withdrawal rates or mitigate the harm. Harm, as determined through reference to these Conditions of Certification includes:

1) Significant reduction in water levels on the property to the extent that the designed function of the water body and related surface water management improvements are damaged, not including aesthetic values. The designed function of a water body is identified in the original permit or other government authorization issued for the construction of the water body. In cases where a permit was not required, the designed function shall be determined based on the purpose for the original construction of the water body (e.g., fill for construction, mining, drainage canal, etc.);

2) Damage to agriculture, including damage resulting from reduction in soil moisture resulting from consumptive use;

3) Land collapse or subsidence caused by reduction in water levels associated with consumptive use.

[Section 373.223, F.S.; Rules 40E-2.091, 40E-2.301, and 40E-2.381, F.A.C.]

d. Harm to Natural Resources

The Licensee shall mitigate harm to natural resources caused by the Licensee's withdrawals, as determined through reference to the conditions for permit issuance. When harm occurs, or is imminent, the SFWMD will require the Licensee to modify withdrawal rates or mitigate the harm. Harm, as determined through reference to these Conditions of Certification includes:

1) Reduction in ground or surface water levels that results in harmful lateral movement of the fresh water/salt water interface;

2) Reduction in water levels that harm the hydroperiod of wetlands;

3) Significant reduction in water levels or hydroperiod in a naturally occurring water body such as a lake or pond;

4) Harmful movement of contaminants in violation of state water quality standards; or

5) Harm to the natural system including damage to habitat for rare or endangered species.

[Sections 373.223, F.S.; Rules 40E-2.091, 40E-2.301, and 40E-2.381, F.A.C.]

e. Well System Operation

At any time, if there is an indication that the well casing, valves, or controls associated with the on-site well system leak or have become inoperative, the Licensee shall be responsible for making the necessary repairs or replacement to restore the well system to an operating condition acceptable to the SFWMD. Failure to make such repairs shall be the cause for requiring that the well(s) be filled and abandoned in accordance with the procedures outlined in Chapter 40E-3, F.A.C.

[Sections 373.308 and 373.316, F.S.; Rules 40E-3.041, 40E-3.1 01, 40E-3.411, and 40E-3.500-531, F.A.C.]

2. Site Specific Design Authorizations/Requirements

a. Authorized Monthly Withdrawals

This Certification authorizes a maximum monthly withdrawal of 53.94 MGM from the Surficial aquifer for industrial, process, and landscape irrigation water.

b. Authorized Annual Withdrawals

This Certification authorizes an average annual withdrawal of 647 MGY from the Surficial aquifer for industrial, process, and landscape irrigation water.

c. Authorized Withdrawal Facilities shall be incorporated into these Conditions as Attachment H. Any changes to Attachment H must have prior approval from the SFWMD. Changes to Attachment H will be processed through the post-certification submittal process pursuant to Section A. Condition XXI, unless determined otherwise by the SFWMD.

d. Alternative Water Supply Sources

The Licensee shall obtain industrial water supply for future expansions to the Energy Park, in excess of the current authorized allocations, from sources other than the surficial aquifer. Should reclaimed water become available, the Licensee shall provide the SFWMD with an End User Feasibility Evaluation, pursuant to Section 3.2.3.2 of the Water Use Basis of Review.

e. Emergency Withdrawals

Any withdrawals from the Surficial aquifer in excess of the withdrawals authorized under this Certification shall require prior SFWMD approval. Any

withdrawals from alternative surface or ground water supply sources shall require prior SFWMD approval. The SFWMD may grant such approval for any emergency withdrawals less than 90 days in duration without modifying these Conditions of Certification. The SFWMD's approval shall be based on the non-procedural requirements of Chapter 40E-2, F.A.C.

f. Consistency Review of Authorized Withdrawals

Within five years from the date of issuance of the Certification Order for Renewable Energy Facility #2 and every ten years thereafter, unless extended by mutual agreement between the Licensee and the SFWMD, the Licensee shall submit to the SFWMD a report on the project's consistency with SFWMD's Water Use Conditions of Certification contained herein. Within 90 days after receipt of the completed report, the SFWMD shall evaluate the information contained therein and issue a written notification to the DEP and the Licensee as to whether the ground water withdrawals for consumptive use authorized by this Certification remain in compliance with the provisions of Chapter 373, F.S., and Chapter 40E-2, F.A.C., in effect at the time the certification was issued by the Siting Board. In determining whether the Licensee has established that its use of water complies with rule 40E-2, F.A.C., and the Basis of Review for Water Use Permit Applications within the SFWMD, the SFWMD shall evaluate whether the Licensee's use of water interferes with a legal use of water that existed at the time the certification was issued by the Siting Board. If the notification indicates that the withdrawals are not in compliance with these provisions, the SFWMD shall recommend to the Licensee possible alternatives for bringing the withdrawals into compliance with SFWMD's Water Use Conditions of Certification contained herein. In addition, if DEP determines, in consultation with SFWMD, based upon a review of a report submitted pursuant to this condition, that the Licensee has failed to establish that the Licensee's use of water meets the consumptive water use requirements described herein, DEP may seek to modify the authorization to use water in the certification or take other appropriate measures to ensure that the consumptive use of water meets the conditions for issuance in Chapter 40E-2, F.A.C., as described herein. Any modification made pursuant to this condition shall not be subject to competing applications provided there is no increase in the allocation and no change in source.

g. Request for Modification of Withdrawals

The SFWMD may request a modification of the ground water withdrawals for consumptive use authorized by this Certification, in accordance with the provisions of Section 403.516, F.S. and Section 62-17.211, F.A.C. Any request for an increase in water withdrawals shall be made pursuant to the provisions of Section 403.516, F.S., and Section 62-17.211, F.A.C.

h. Dewatering Activities

Prior to commencement of construction of those portions of the Certified Facility that involve dewatering activities, the Licensee shall submit a detailed plan for any such activities to the SFWMD for a determination of compliance with the non-procedural requirements of Chapters 40E-2, 40E-3 and 40E-20, F.A.C., in effect at the time of submittal. The following information, referenced to NGVD where appropriate, shall be submitted:

1) A detailed site plan which shows the location(s) for each proposed dewatering area;

2) The method(s) used for each dewatering operation;

3) The maximum depth for each dewatering operation;

4) The location and specifications for all proposed wells and/or pumps associated with each dewatering operation;

5) The duration of each dewatering operation;

6) The discharge method, route, and location of receiving waters generated by each dewatering operation, including the measures (Best Management Practices) that will be taken to prevent water quality problems in the receiving water(s);

7) An analysis of the impacts of the proposed dewatering operations on any existing on and/or off-site legal users, wetlands, or existing ground water contamination plumes;

8) The location of any infiltration trench(es) and/or recharge barriers; and

9) All plans must be signed and sealed by a Professional Engineer or a Professional Geologist registered in the State of Florida. Notice also must be provided to the DEP SED Office pursuant to Section A, Condition XXX.B. 10, above.

[Sections 373.229 and 373.308, F.S.; Rules 40E-2.091, 40E-2.301, and 40E-3.500-531, F.A.C.]

i. Reporting Requirements

Prior to commencement of operation of Renewable Energy Facility No.2, the Licensee shall equip each Energy Park withdrawal facility with a SFWMD-approved operating water use accounting system and submit a report of calibration to the SFWMD, pursuant to Section 4.1 of the Basis of Review For Water Use Permit Applications. Recalibration reports for the water use accounting system for each water withdrawal facility (existing and proposed) authorized under this Certification shall be submitted to the SFWMD every 5 years from each previous calibration, continuing at 5-year increments. The Licensee shall report monthly withdrawals for each withdrawal facility to the SFWMD quarterly. The Licensee shall specify the water accounting method and means of calibration on each report. The existing landscape irrigation withdrawals shall be exempt from the quarterly reporting requirements.

[Section 373.223, F.S.; Rules 40E-2.091, 40E-2.301, and 40E-2.381, F.A.C.]

j. Existing Well Repair, Replacement, Abandonment

If any of the existing on-site wells require repair, replacement, and/or abandonment, the Licensee shall submit the information described in Chapter 40E-3, F.A.C., for review by the SFWMD prior to initiating such activities.

[Sections 373.308 and 373.316, F.S.; Rules 40E-3.041, 40E-3.1 01, 40E-3.411, and 40E-3.500-531, F.A.C.]

k. New Well Construction

Prior to construction of any new or replacement production or associated monitoring wells, the Licensee shall submit the drilling plans and other pertinent

information, required by Chapter 40E-3, F.A.C., to the SFWMD for review and approval. If the well locations are different from those previously reviewed and approved in this Certification, the Licensee shall also submit to the SFWMD, for review and approval, an evaluation of the impacts of the proposed pumpage from the proposed well location(s) on adjacent existing legal users, pollution sources, environmental features, and water bodies.

[Section 373.223, F.S.; Rules 40E-2.091, 40E-2.301, and 40E-2.381, F.A.C.]

l. Water Conservation Plan

Prior to commencement of construction of Renewable Energy Facility No.2, the Licensee shall submit a revised Water Conservation Plan, as required by Chapter 40E-2, F.A.C., in effect at that time, for review and approval by SFWMD staff. The plan shall, at a minimum, incorporate the following components:

1) An audit of the amount of water needed in the Licensee's operational processes. The following measures shall be implemented within one year of audit completion if found to be cost effective in the audit:

a) Implementation of a leak detection and repair program;

b) Implementation of a recovery/recycling or other program providing for technological, procedural or programmatic improvements to the Licensee's facilities; and

c) Use of processes to decrease water consumption.

2) Development and implementation of an employee awareness program concerning water conservation.

[Section 373.223, F.S.; Rules 40E-2.091, 40E-2.301, and 40E-2.381, F.A.C.]

IV. FLORIDA FISH AND WILDLIFE CONSERVATION COMMISSION

A. General Listed Species Survey

1. The Licensee shall coordinate with the FWC to obtain and follow the current survey protocols for all listed species that may occur within the project site and appropriate buffers as defined by the listed species' survey protocols, prior to conducting detailed surveys.

2. Surveys shall be conducted prior to clearing and construction in accordance with the survey protocols. The results of those detailed surveys shall be provided to FWC in a report, and coordination shall occur with the FWC on appropriate impact mitigation methodologies.

[Article IV, Sec. 9, Florida Constitution (Fla. Const.); Sections 379.2291 F.S. 403.507, and 403.5113(2), F.S.; Rules 62-17.191, 68A-27, 68A-4, and 68A-16, F.A.C.]

B. Everglades Snail Kite

1. A survey (USFWS South Florida Ecological Services Office Draft Snail Kite Survey Protocol, May 18, 2004) is necessary when the project site is within the snail kite

consultation area and suitable habitat is present. The following criteria can be used to judge the adequacy of the habitat for snail kites.

- Appropriate foraging habitat present [paspalidum (Paspalidium geminatum), spikerushes (Eleocharis spp.), panicum(Panicum spp.), or beakrushes (Rhynchospora spp.)].
- Perching and/or nesting substrate present, i.e., [willows (Salix caroliniana), melaleuca (Melaleuca quinquenervia), or pond cypress (Taxodium ascendens)]; or [sawgrass (Cladiumjamaicense), cattail (Typha spp.), giant bulrush (Scirpus validus), or reed (Phragmites australis)], respectively.
- Appropriate water depth (0.2-1.3 m deep) under nesting substrate.
- Nesting substrate an adequate distance (> 150 m) from upland.
- Proximity of nearest wading bird colony.

2. If suitable habitat is present or snail kites are reported on the project site, the following survey procedures shall be used to document their occurrence. To maximize the chances of finding snail kites the survey should be conducted in January to May during the breeding season. A visual survey of suitable habitat should be made for birds and nests. A boat may be needed for the survey as the best nesting habitat may be a considerable distance (> 150 m) from uplands. Check small trees such as willow, melaleuca, and pond cypress along the open water edge for nests or perching birds. If snail kites are observed, then nests can be located through the bird's behavior. When flushed from a nest the adult tends to circle upward, whereas non-nesting birds that are flushed fly more horizontally away from the disturbance (Bennetts et al. 1988). Nests also can be found by following kites carrying sticks, adults carrying apple snails, aerial courtship displays, vocalizations of adults or begging calls of the young, and through a thorough search of areas where adults are repeatedly observed (Bennetts et al. 1988).

3. In the event that surveys determine that a project has the potential to impact snail kites, the following measures shall be used post-certification to minimize and mitigate for these impacts.

- Authority and FWC will meet to discuss the specific issues and mitigation alternatives.
- Authority will then provide a detailed mitigation plan to address the specific impacts, which must be reviewed and approved by FWC, and be consistent with all other Conditions or federal permit conditions.
- Authority will provide a monitoring report after a designated period to document effectiveness of the mitigation plan.

C. Gopher Tortoise Protection

Prior to any site preparation or construction activities on the Site, the Licensee shall obtain the appropriate authorization from the Florida Fish and Wildlife Conservation Commission regarding protection/relocation of gopher tortoises on the Site (as necessary). A

copy of the authorization should be forwarded to the DEP SED Office within 30 days of issuance.

V. DEPARTMENT OF STATE – DIVISION OF HISTORICAL RESOURCES

If historical or archaeological artifacts or features are discovered at any time within the Certified Facility, the Licensee shall notify the DEP SED Office and the DHR, R.A. Gray Building, 500 South Bronough Street, Room 423, Tallahassee, Florida 32399-0250, telephone number (850) 487-6333, and the Licensee shall consult with DHR to determine appropriate action.

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

VI. DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

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

[Chapter 487, F.S.]

VII. CITY OF WEST PALM BEACH

A. General

Prior to construction of new buildings or additions to existing buildings of 1,000 or more gross square feet at the Site, the Licensee shall demonstrate that it complies with Section 94-35 (Site Plan Review) of the City of West Palm Beach Code of Ordinances.

[Section 94-35 (Site Plan Review) City of West Palm Beach Code of Ordinance; Section 403.511(4), F.S.]

B. Renewable Energy Facility #2

1. These Conditions apply to the REF #2 affected project site only, except as noted.

2. These Conditions of Certification shall not apply if they are pre-empted by other state or federal requirements.

3. Any contractor who will perform demolition or construction activity on property included within the SWA Site Certification boundary shall be registered to work in the City of West Palm Beach prior to commencing the demolition or construction activity.

[Sections 18-3 and 22-101 of the City of West Palm Beach Code of Ordinances]

4. The demolition, construction and operation of REF #2 shall comply with the air quality standards of its Air Permit No. 0990234-017-AC (PSD-FL-413).

5. Demolition, construction and operation occurring at the SWA facilities shall comply with Section 94-175(3) “Vibration” of the West Palm Beach Code of Ordinances, not create direct or indirect light exceeding 0.5-foot candles when measured in a residential

district, or cause to be made or continued any unreasonably loud, excessive, unnecessary or unusual noise.

[Sections 34-35 and Section 94-175(3) of the City of West Palm Beach Code of Ordinances]

6. The layout of REF #2, including all new permanent structures, landscape, construction trailer location, parking, drive aisles, buffering, ADA compliance, etc., shall conform with all City Codes and be submitted for review and approval as a Level I Site Plan (Informal Site Plan Review) at least 90 days prior to commencement of construction on REF #2.

[Section 94-35 of the City of West Palm Beach Code of Ordinances]

7. The landscape plan included as part of the Level I Site Plan for REF #2 shall include landscape material to screen the existing REF #1 structures that were constructed as part of the recent modernization and to enhance the buffer planting along the common boundary with the Ironhorse Residential Planned Development.

[Section 94-35 and Article XIV of the City of West Palm Beach Code of Ordinances]

8. Concurrent with the submittal of the Level I Site Plan for REF #2 structures and improvements, the SWA shall pay the City of West Palm Beach's standard filing fees for staff review of the documents required as part of the Level I Site Plan, to include Construction Services, Fire, Engineering, and Land Development.

[Section 94-41 of the City of West Palm Beach Code of Ordinances; City of West Palm Beach Ordinance No. 4098-07]

9. At least 60 days prior to commencement of construction on REF #2, the SWA shall submit a Construction Site Security and Management Plan which shall include, but is not limited to, temporary lighting, security personnel, vehicle barriers, construction/visitor pass, reduce/minimize entry/exit points, encourage subcontractors to secure machinery, tools at end of work day, fencing with screening and or any other measure deemed appropriate to provide a safe and secure working environment for review and approval by the City of West Palm Beach Police Department Crime Prevention Through Environmental Design official.

[City of West Palm Beach Comprehensive Plan Future Land Use Element Objective 2.3 and Policy 2.3.2]

10. Immediately, after site clearing and placement of construction trailers, the SWA shall institute the security measures outlined in the Construction Site Security and Management Plan and maintain the measures throughout until the construction of REF #2 is complete.

[City of West Palm Beach Comprehensive Plan Future Land Use Element Objective 2.3]

11. Tree Alteration Calculations are required for removal of any non-invasive trees. The tree alteration calculations and mitigation plans for any lost canopy shall be submitted with the Level 1 Site Plan application for REF #2. The fee to review the Tree Alteration plan shall be submitted concurrently with the mitigation plan.

[Sections 94-41 and 94-448 of the City of West Palm Beach Code of Ordinances]

12. SWA shall continue to eradicate all non-native and invasive non-native vegetation within the boundaries of the North County Resource Recovery Facility (excluding within the area designated as the Rookery).

13. SWA shall provide the City's Engineering Services Department a copy of the Stormwater Pollution Prevention Plan included as part of the required NPDES permit for the construction of REF #2. The Stormwater Pollution Prevention Plan shall be submitted to the City concurrent with the NPDES submittal for REF #2 to the Department. SWA shall pay the applicable City of West Palm Beach Engineering Services Department standard filing fees for staff review of the documents required as part of Stormwater Pollution Prevention Plan. A copy of the approved NPDES Permit shall be submitted to the Engineering Services Department within 5 days of its issuance.

[City of West Palm Beach Comprehensive Plan Utilities Element, Stormwater Management Sub-element Policy 1.1.1; Sections 90-201 to 90-207 and Section 94-450 of the City of West Palm Beach Code of Ordinances; City of West Palm Beach Ordinance No. 4098-07]

14. At least 60 days prior to commencement of construction on the utility's infrastructure (drainage, water, waste water, etc.) for REF #2, SWA shall submit to the City's Engineering Services Department completed construction plans for review and approval. SWA shall pay the City of West Palm Beach Engineering Services Department standard filing fees for staff review of the plans.

[Chapters 78 and 90 of the City of West Palm Beach Code of Ordinances and City of West Palm Beach Ordinance No. 4098-07]

15. The City of West Palm Beach recognizes and accepts SWA's right to claim an exemption from compliance with the Florida Building Code for certain aspects of the project pursuant to Chapter 553.73(10)(f), F.S. However, no similar provision exists to exempt this project from inspection or review as required under Chapters 633.208(2) and 633.118 (State and Local Fire Marshal and the Florida Fire Prevention Code), or Chapter 403.885, F.S., along with Chapter 62, F.A.C., which is mandated through 40 CFR 122.6 (Water, Sewer, Surface Water Management, and the NPDES). Accordingly, full submission for those portions of the project which are not exempt and for the entire project related to fire safety and water, sewer, and surface water management shall be provided to the City in order to facilitate the necessary reviews. Those portions which are exempt from specific regulation will be afforded the appropriate exemptions. SWA shall pay all applicable filing fees for staff review of the plans.

[Resolution is 367-09]

16. At least 60 days prior to commencement of construction of each portion of REF #2 not directly involved in the generation, transmission or distribution of electricity pursuant to Chapter 553.73(10)(f), F.S., SWA shall submit to the City of West Palm Beach, for its review and approval, completed City building permit forms and drawings demonstrating that the portion of REF #2 structures and improvements covered by each associated building permit conform with all provisions of the City of West Palm Beach Code of Ordinances, to include Construction Services, Fire, Engineering and Land Development.

[Section 18-32 of the City of West Palm Beach Code of Ordinances]

17. Concurrent with the submittal of the applicable building permit forms and drawings for the REF #2 structures and improvements not directly involved in the generation, transmission or distribution of electricity pursuant to Chapter 553.73(10)(f), F.S., SWA shall pay the applicable City of West Palm Beach's fees for staff review, to include Construction Services, Fire, Engineering and Land Development, of the documents, inspections, and any other fees related to the building permits.

[Sections 18-1 and 94-41 of the City of West Palm Beach Code of Ordinances; City of West Palm Beach Ordinance No. 4098-07]

18. SWA shall request inspections in accordance with the requirements of the applicable building permits issued for any REF #2 structures or improvements.

[Section 18-32 of the City of West Palm Beach Code of Ordinances]

19. Within 30 days from the completion of construction of REF #2, any disturbed area shall be brought to grade, tilled and planted with ground cover to include sodding or seeding which shall have irrigation (automatic or manual) or be landscaped in accordance with the landscape plan approved as part of the Level I Site Plan.

[Section 94- 316(d)(1)(a) of the City's Zoning and Land Development Regulations]

20. SWA shall adhere to the following Conditions included as part of the Traffic Concurrency Letter issued by the Palm Beach County Traffic Engineering Division for REF #2 on August 2, 2010:

a. Upon any facility relocations or expansions after the certification of the REF #2, SWA shall hire a traffic engineering consultant to provide a traffic impact study in conjunction with the Traffic Performance Standards in Article 12 of the Palm Beach County Land Development Code. The study shall include a peak hour traffic circulation analysis for North Jog Road, covering both the Beeline Highway and 45th Street intersections. This study shall include "Existing" and "Five Years" traffic scenarios. The study shall also look into potential traffic diversions onto and from North Jog Road due to changes in the regional roadway network and include a section identifying potential network improvement needs due to heavy truck operations.

b. No building permits for facility relocations or expansions, other than phased landfill cell development already certified, are to be issued by the City after December 31, 2015 (build-out date for REF #2) until completion of an associated traffic impact study.

[Article 12 of the Palm Beach County Land Development Code]

21. Construction work within the limits of the affected area boundaries for REF #2 shall not begin until the hour of 7:00 a.m. and shall cease at the hour of 7:00 p.m., Monday through Friday, and shall be limited to between the hours of 8:00 a.m. and 8:00 p.m., Saturday, Sunday, and official City holidays. Notwithstanding the foregoing, no work shall be permitted on Christmas Day and Thanksgiving Day. For all other holidays, SWA shall notify the City, Ironhorse, and Gramercy Park in writing of its need to work on a holiday as soon as the need is identified but not later than 7 days prior to the holiday. The construction activity on

Sundays and holidays shall not generate noise in excess of 55 dBA when measured with a sound meter at the boundary of the complaining landowner. It shall be within the discretion of the mayor or his/her designee to grant a written exception to the construction hour restrictions when it can be shown that the extended hours of construction are required to construct certain components of REF #2 and that such construction shall not create adverse effects on the residents or inhabitants of the City in the vicinity of the construction.

[Section 34-72 of the City of West Palm Beach Code of Ordinances]

22. All activity, to include construction and operation, for the REF #2 project site shall adhere to the applicable City of West Palm Beach Code of Ordinances.

[Chapters 18, 22, 34, 38, 78, 86, 90 and 94 of the City of West Palm Beach Code of Ordinances]

23. SWA shall provide the City of West Palm Beach Public Utilities Department a copy of the Cross Connection Control Plan that is being required by DEP concurrently with its submittal to the DEP.

[Section 90-33 of the City of West Palm Beach Code of Ordinances]

VIII. DEPARTMENT OF ECONOMIC OPPORTUNITY

The Licensee shall develop a comprehensive emergency management plan that addresses natural disasters, including hurricanes, and other operational emergencies at the Palm Beach Renewable Energy Facility project site. The comprehensive emergency management plan shall be submitted to DEO and Palm Beach County Emergency Management Department prior to the REF # 2 becoming operational.

SECTION C. REF#1 SPECIFIC CONDITIONS

Specific Conditions related to wetlands mitigation and the execution of a conservation easement were adopted and made applicable to the Park during the certification of REF #1. Construction of REF #1 has been completed and the wetlands mitigation requirements found under Condition XX., Mitigation, of the original Conditions of Certification for REF #1 (PA84-20) have been satisfied. The conservation easement required pursuant to Condition XIII., Construction; Paragraph A.8., Control Measures- Conservation Easement of the original Conditions of Certification has been executed and recorded in the Palm Beach County Official Records in ORB 5297, pages 1031 to 1035.

HISTORY

Issued 07/29/86; signed by Governor Graham
Modification 01/13/92; signed by Secretary Browner
Modification 11/09/94; signed by Secretary Wetherell
Modification 12/19/95; signed by Secretary Wetherell
Modification 03/27/96; signed by Secretary Wetherell
Modification 08/29/97; signed by Secretary Wetherell
Modification 12/07/2000, signed by Deputy Secretary Green
Modification 4/10/2006, signed by Siting Administrator Oven
Modification 8/27/2007; signed by Siting Administrator Halpin
Modification 04/08/2008; signed by Siting Administrator Halpin
Modification 12/12/2008; signed by Siting Administrator Halpin
Modification 02/16/2010; signed by Siting Administrator Halpin
Certification 09/01/2011; signed by Secretary Vinyard
Modification 12/11/2012; signed by Siting Administrator Mulkey
Modification (Mod O) 07/07/2017; signed by Siting Administrator Mulkey
Modification (Mod P) 07/10/2019; signed by Siting Administrator Mulkey

ATTACHMENT A: Maps

SOLID WASTE AUTHORITY

YOUR PARTNER FOR
SOLID WASTE SOLUTIONS

September 14, 2015

Justin Green
Florida Department of Environmental Protection
Siting Coordination Office (SCO)
2600 Blair Stone Road, MS 5500
Tallahassee, FL 32399-2400

Re: Palm Beach Renewable Energy Park (PBREP)
Conditions of Certification PA84-20N
Palm Beach Renewable Energy Facility No. 2
Post Certification Submittal – Site Delineation

Dear Justin:

In accordance with Conditions of Certification PA84-20N Section A – General Condition; I – Scope; Subpart D., the Solid Waste Authority of Palm Beach County is pleased to provide the survey sketch, legal description, and an aerial photograph for the new Palm Beach Renewable Energy Facility No 2 which shows the Site Delineation.

If you have any questions or need additional information, please contact Mary Beth Morrison via email at mmorrison@swa.org or call at (561) 640-4000 ext. 4613.

Sincerely,

Mark Hammond
Executive Director

Enclosures

7501 North Jog Road, West Palm Beach, Florida 33412 (561) 640-4000 FAX (561) 640-3400

Recycled Paper

S.W.A. NORTH COUNTY LANDFILL
WASTE ENERGY PLANT

LEGEND

&	=	AND
L	=	ARC LENGTH OF CURVE
(D)	=	DEED
D	=	DELTA ANGLE OF CURVE
FND.	=	FOUND
LB	=	LICENSED BUSINESS
O.R.B.	=	OFFICIAL RECORD BOOK
P.B.C.	=	PALM BEACH COUNTY
P.O.B.	=	POINT OF BEGINNING
P.O.C.	=	POINT OF COMMENCEMENT
P.S.M.	=	PROFESSIONAL SURVEYOR AND MAPPER
R	=	RADIUS OF CURVE
R/W	=	RIGHT-OF-WAY
SEC.	=	SECTION

MATCH LINE - SEE THIS SHEET

MATCH LINE - SEE THIS SHEET

N 00°00'00" E 1,329.02'

S 00°00'00" W 222.97'

W.1/4 CORNER SEC.34-42-42
FND.P.B.C.BRASS DISC W/ 6"PVC CASE MONUMENT 0.15'N,0.03'E

1,541.22'

1,105.89'

N 88°18'44" W 2,647.11' (FROM 1/4 CORNER TO CEN.SEC.)

SOUTH LINE OF THE NORTHWEST ONE-QUARTER (NW1/4) OF SECTION 34, TOWNSHIP 42 SOUTH, RANGE 42 EAST

N 00°00'00" E 316.49'

S 00°00'00" W 350.37'

S 90°00'00" E 116.07'

S 90°00'00" W 95.91'

S 00°00'00" E 65.77'

S 90°00'00" E

S 00°00'00" W 112.63'

LIMITS OF CONSTRUCTION PARCEL

S 00°00'00" W 50.55'

S 90°00'00" E 307.01'

N 44°14'40" W 182.15'

10' UTILITY EASEMENT (PER O.R.B. 6076, PAGE 934) PLANT ROAD WEST BASELINE

L=204.64' R=265.00' D=44°14'40"

N.W.CORNER SEC.34-42-42

N 90°00'00" W 246.76'

F.P.L.SUBSTATION EASEMENT (PER O.R.B.5870, PAGE 1623)

S 90°00'00" W 58.68'

S 00°00'00" W 70.86'

10' SOUTHERN BELL EASEMENT (PER O.R.B. 5450, PAGE 756)

S.R. 710 (BEELINE HWY.)

N

N

N. 100 ROAD

FLORIDA'S TURNPIKE

WASTE ENERGY PLANT

45th STREET

LOCATION MAP

NOT TO SCALE

N

100 50 0 100 200

GRAPHIC SCALE FEET

LIMITS OF CONSTRUCTION PARCEL

N 00°00'00" E 1,329.02'

S00°00'00"W 222.97'

N 10°27'45" E 129.44'

N 29°47'37" E 297.76'

N 00°39'12" E 330.24'

N 27°06'01" E 86.63'

N 59°14'55" E 232.89'

N 61°29'40" E 135.86'

N 35°43'28" E

N31°09'48"E 74.68'

N 88°22'52" W 2653.39'

NORTH LINE OF THE NORTHEAST ONE-QUARTER (NW1/4) OF SECTION 34, TOWNSHIP 42 SOUTH, RANGE 42 EAST

10' UTILITY EASEMENT (PER O.R.B. 6239, PAGE 1633)

L=524.40' R=500.00' D=60°05'31"

10' UTILITY EASEMENT (UNRECORDED)

N 90°00'00" W 1,163.41'

N.W. 1/4 SECTION 34

20' UTILITY EASEMENT (SOUTHERN BELL) (PER O.R.B. 6339 PAGE 1066)

20' LATERAL DRAINAGE EASEMENT (O.R.B. 6499 PAGE 102)

W.R/W OF NORTH JOG ROAD S 01°00'37" W (BEARING BASIS)

N 02°01'36" E 2,645.91'(FROM CEN.SEC. TO 1/4 CORNER)

FND. 1/2"IRON ROD W/NO CAP 0.09'W. OF R/W LINE

S 01°00'37" W 2,388.91'

N 01°00'37" E 4731.40'(D) 4731.56'

E. LINE OF N.W. 1/4 SEC. 34/42/42

P.O.C. N. 1/4 CORNER SEC.34-42-42

FND. NAIL/DISK "HELLER WEAVER CATO" 0.10'E. OF R/W LINE

S 88°22'33" E 25.40'

S 01°00'37" W 93.98'

S 88°44'41" E 180.78'

110' DRAINAGE EASEMENT (PER O.R.B. 6499, PAGE 2)

0.00 60+00.00 60.00' 100' DRAINAGE EASEMENT (PER O.R.B. 6499, PAGE 2) 62+00.00 64+00.00 66+00.00 68+00.00 70+00.00 72+00.00 74+00.00 76+00.00 25' DRAINAGE EASEMENT (PER O.R.B. 6499, PAGE 2) 80+00.00 82+00.00 84+00.00 60.00'

NORTH JOG ROAD

(120' R/W PER O.R.B. 6499 PAGE 2)

N.JOG ROAD BASELINE

S 01°00'37" W 4731.40'(D) 4731.56'

E.R/W LINE OF NORTH JOG ROAD

20' LATERAL DRAINAGE EASEMENT (O.R.B. 6499 PAGE 102)

FND. 1/2"IRON ROD W/NO CAP 0.12'E. OF R/W LINE

P.O.B.

N 88°22'33" W 2653.02'(FROM 1/4 CORNER TO SEC.CORNER) NORTH LINE OF THE NORTHEAST ONE-QUARTER (NE1/4) OF SECTION 34, TOWNSHIP 42 SOUTH, RANGE 42 EAST

50' UTILITY EASEMENT (PER O.R.B. 6499, PAGE 2)

AERIAL PHOTOGRAPHY FLOWN: OCTOBER 13,2014 © LATEST DATE HEREON

SURVEYOR'S REPORT FOR SWA NCLF NORTH COUNTY LANDFILL WASTE ENERGY PLANT

REPORT OF SURVEY:
THE SURVEY SHOWN HEREON IS FOR THE PURPOSE OF SHOWING AND RELATING THE SOLID WASTE AUTHORITY (SWA) NORTH COUNTY LANDFILL (NCLF) PROPOSED WASTE ENERGY PLANT LIMITS OF CONSTRUCTION AREA TO THE BOUNDARY SURVEY FOR SWA NCLF. THIS SURVEY IS LOCATED IN SECTIONS 27 & 34 TOWNSHIP 42 SOUTH, RANGE 42 EAST OF PALM BEACH COUNTY, FLORIDA. THIS SURVEY WAS PERFORMED UNDER THE DIRECTION OF THUY A. TRUONG, PROFESSIONAL SURVEYOR AND MAPPERS (PSM). THIS REPORT AND SURVEY ARE VALID ONLY WHEN THE SIGNATURE AND RAISED EMBOSSED SEAL ARE FOUND AT THE END OF THIS REPORT.

ACCURACY:
THE FIELD SURVEY WAS PERFORMED IN ACCORDANCE WITH CHAPTER 5J-17.052, FLORIDA ADMINISTRATIVE CODE PURSUANT TO SECTION 472.027 FLORIDA STATE STATUTES. HORIZONTAL VALUES ARE BASED ON SOLID WASTE AUTHORITY LOCAL GRID PER NORTH AMERICAN DATUM 1927 (NAD 27) AS SHOWN ON THE ORIGINAL GPS CONTROL SURVEY PREPARED BY MOCK-ROOS FOR SOLID WASTE AUTHORITY PER DRAWING NO. 42-42-27-08, DATED FEBRUARY 1997 AND THE NEW CONTROL SURVEY PREPARED BY G&O FOR SOLID WASTE AUTHORITY PER DRAWING NO. 180289.NLF.6250.000, DATED DECEMBER 4, 2009. UNITS SHOWN HEREON ARE EXPRESSED IN U.S. SURVEY FEET.

ALL DIMENSIONS ARE CALCULATED UNLESS OTHERWISE NOTED.

BEARINGS ARE BASED UPON THE WEST RIGHT-OF-WAY LINE (SOUTH 01°00'37" WEST) OF NORTH JOG ROAD ACCORDING TO A BOUNDARY SURVEY BY GREENHORNE & O'MARA, INC.

DATA SOURCE:
LEGAL AND SKETCH FOR PROPOSED WASTE ENERGY PLANT LIMITS OF CONSTRUCTION PREPARED BY GREENHORNE & O'MARA INC., DRAWING NO.180500.WEP.6210.LDS

BOUNDARY SURVEY BY GREENHORNE & O'MARA, INC. FOR SOLID WASTE AUTHORITY NORTH COUNTY LANDFILL, DRAWING NO.180289.NLF.6250.001, DATED DECEMBER 4, 2009.

GPS CONTROL SURVEY PREPARED BY MOCK-ROOS FOR SOLID WASTE AUTHORITY PER DRAWING No. 42-42-27-08, DATED FEBRUARY 1997, WAS PROVIDED BY S.W.A.

LEGAL DESCRIPTION: (LIMITS OF CONSTRUCTION PARCEL)
A PARCEL OF LAND LYING IN A PORTION OF SECTIONS 27 & 34, TOWNSHIP 42 SOUTH, RANGE 42 EAST, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTH QUARTER CORNER OF SECTION 34, TOWNSHIP 42, RANGE 42; THENCE SOUTH 88°22'33" EAST ALONG THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 34, A DISTANCE OF 25.40 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF NORTH JOG ROAD ALSO BEING THE POINT OF BEGINNING; THENCE SOUTH 01°00'37" WEST ALONG SAID WESTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 2,388.91 FEET TO A POINT; THENCE NORTH 90°00'00" WEST, A DISTANCE OF 1,163.41 FEET TO A POINT; THENCE SOUTH 00°00'00" WEST, A DISTANCE OF 223.72 FEET TO A POINT ON THE SOUTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 34; THENCE CONTINUING SOUTH 00°00'00" WEST, A DISTANCE OF 300.62 FEET TO A POINT; THENCE SOUTH 90°00'00" EAST, A DISTANCE OF 116.07 FEET TO A POINT; THENCE SOUTH 00°00'00" WEST, A DISTANCE OF 95.91 FEET TO A POINT; THENCE SOUTH 90°00'00" EAST, A DISTANCE OF 65.77 FEET TO A POINT; THENCE SOUTH 00°00'00" WEST, A DISTANCE OF 112.63 FEET TO A POINT; THENCE SOUTH 90°00'00" EAST, A DISTANCE OF 307.01 FEET TO A POINT; THENCE SOUTH 00°00'00" WEST, A DISTANCE OF 50.55 FEET TO A POINT; THENCE NORTH 90°00'00" WEST, A DISTANCE OF 58.68 FEET TO A POINT; THENCE SOUTH 00°00'00" WEST, A DISTANCE OF 70.86 FEET TO A POINT; THENCE NORTH 90°00'00" WEST, A DISTANCE OF 246.76 FEET TO A POINT; THENCE NORTH 44°14'40" WEST, A DISTANCE OF 182.15 FEET TO A POINT OF CURVATURE OF A CURVE CONCAVE TO THE NORTHEAST, HAVING A RADIUS OF 265.00 FEET AND A CENTRAL ANGLE OF 44°14'40", THENCE NORTHWESTERLY ALONG SAID CURVE FOR AN ARC DISTANCE OF 204.64 FEET TO THE POINT OF TANGENCY; THENCE NORTH 00°00'00" EAST, A DISTANCE OF 301.80 FEET TO A POINT ON THE SOUTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 34, SAID POINT BEING 1,540.48 FEET ALONG THE SOUTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 34 ON A BEARING OF NORTH 88°18'44" WEST TO THE WEST QUARTER CORNER OF SAID SECTION 34; THENCE CONTINUING NORTH 00°00'00" EAST, A DISTANCE OF 1,343.70 FEET TO A POINT; THENCE NORTH 10°27'45" EAST, A DISTANCE OF 129.44 FEET TO A POINT; THENCE NORTH 29°47'37" EAST, A DISTANCE OF 297.76 FEET TO A POINT; THENCE NORTH 00°39'12" EAST, A DISTANCE OF 330.24 FEET TO A POINT; THENCE NORTH 27°06'01" EAST, A DISTANCE OF 86.63 FEET TO A POINT; THENCE NORTH 50°14'55" EAST, A DISTANCE OF 232.99 FEET TO A POINT; THENCE NORTH 61°52'40" EAST, A DISTANCE OF 135.86 FEET TO A POINT; THENCE NORTH 38°43'29" EAST, A DISTANCE OF 87.27 FEET TO A POINT; THENCE NORTH 31°09'48" EAST, A DISTANCE OF 74.68 FEET TO A POINT OF CURVATURE OF A CURVE CONCAVE TO THE SOUTHEAST, HAVING A RADIUS OF 500.00 FEET AND A CENTRAL ANGLE OF 60°05'31", THENCE NORTHEASTERLY ALONG SAID CURVE FOR AN ARC DISTANCE OF 524.40 FEET TO THE POINT OF TANGENCY; THENCE SOUTH 88°44'41" EAST, A DISTANCE OF 180.78 FEET TO A POINT ON SAID WESTERLY RIGHT-OF-WAY LINE; THENCE SOUTH 01°00'37" WEST ALONG SAID WESTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 93.98 FEET TO THE POINT OF BEGINNING.

CONTAINING 60.833 ACRES, MORE OR LESS.

PREPARED FOR:
SOLID WASTE AUTHORITY
7501 NORTH JOG ROAD
WEST PALM BEACH, FLORIDA 33412

CERTIFIED TO:
SOLID WASTE AUTHORITY
CAMP, DRESSER & MCKEE, INC.
MALCOM PIRNIE / ARCADIS

JULY 24, 2015
Date of Signature

THUY A. TRUONG, P.S.M.
Professional Surveyor and Mapper
Florida License Number 5868

SURVEYOR'S NOTES

1. ATTENTION IS DIRECTED TO THE FACT THAT THIS MAP MAY HAVE BEEN REDUCED IN SIZE BY REPRODUCTION. THIS MUST BE CONSIDERED WHEN OBTAINING SCALED DATA.
2. STANTEC CONSULTING AND THE CERTIFYING SURVEYOR ACCEPT NO RESPONSIBILITY FOR RIGHT-OF-WAYS, EASEMENTS, RESTRICTIONS OR OTHER MATTERS AFFECTING TITLE TO THE LANDS SURVEYED.

REVISIONS:	DATE:

Stantec
THUY A. TRUONG, PSM
PSM LICENSE NUMBER 5868
3223 COMMERCE PLACE, SUITE 100
WEST PALM BEACH, FLORIDA 33407
LICENSE BUSINESS 7866

SKETCH TO ACCOMPANY LEGAL DESCRIPTION - PALM BEACH RENEWABLE ENERGY FACILITY NO.2

PALM BEACH COUNTY, FLORIDA

DESIGN	SCALE 1" = 100'
DRAWN RITZEL	1 OF 1
CHECKED TRUONG	
07/24/2015 DATE	202180524.024 DRAWING NO.

SKETCH AND DESCRIPTION – THIS IS NOT A SURVEY

EXHIBIT 'A'

DESCRIPTION: PROPOSED WASTE ENERGY PLANT LIMITS OF CONSTRUCTION

BEARINGS ARE BASED UPON THE WEST RIGHT-OF-WAY LINE (SOUTH 01°00'37" WEST) OF NORTH JOG ROAD ACCORDING TO A BOUNDARY SURVEY BY GREENHORNE & O'MARA, INC. FOR SOLID WASTE AUTHORITY NORTH COUNTY LANDFILL, DRAWING NO. 180289.NLF.6250.000, DATED 05/30/2009.

A PARCEL OF LAND LYING IN A PORTION OF SECTIONS 27 & 34, TOWNSHIP 42 SOUTH, RANGE 42 EAST, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTH QUARTER CORNER OF SECTION 34, TOWNSHIP 42, RANGE 42; THENCE SOUTH 88°22'33" EAST ALONG THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 34, A DISTANCE OF 25.40 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF NORTH JOG ROAD ALSO BEING THE POINT OF BEGINNING; THENCE SOUTH 01°00'37" WEST ALONG SAID WESTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 2,388.91 FEET TO A POINT; THENCE NORTH 90°00'00" WEST, A DISTANCE OF 1,163.41 FEET TO A POINT; THENCE SOUTH 00°00'00" WEST, A DISTANCE OF 223.72 FEET TO A POINT ON THE SOUTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 34; THENCE CONTINUING SOUTH 00°00'00" WEST, A DISTANCE OF 300.62 FEET TO A POINT; THENCE SOUTH 90°00'00" EAST, A DISTANCE OF 116.07 FEET TO A POINT; THENCE SOUTH 00°00'00" WEST, A DISTANCE OF 95.91 FEET TO A POINT; THENCE SOUTH 90°00'00" EAST, A DISTANCE OF 65.77 FEET TO A POINT; THENCE SOUTH 00°00'00" WEST, A DISTANCE OF 112.63 FEET TO A POINT; THENCE SOUTH 90°00'00" EAST, A DISTANCE OF 307.01 FEET TO A POINT; THENCE SOUTH 00°00'00" WEST, A DISTANCE OF 50.55 FEET TO A POINT; THENCE NORTH 90°00'00" WEST, A DISTANCE OF 58.68 FEET TO A POINT; THENCE SOUTH 00°00'00" WEST, A DISTANCE OF 70.86 FEET TO A POINT; THENCE NORTH 90°00'00" WEST, A DISTANCE OF 246.76 FEET TO A POINT; THENCE NORTH 44°14'40" WEST, A DISTANCE OF 182.15 FEET TO A POINT OF CURVATURE OF A CURVE CONCAVE TO THE NORTHEAST, HAVING A RADIUS OF 265.00 FEET AND A CENTRAL ANGLE OF 44°14'40"; THENCE NORTHWESTERLY ALONG SAID CURVE FOR AN ARC DISTANCE OF 204.64 FEET TO THE POINT OF TANGENCY; THENCE NORTH 00°00'00" EAST, A DISTANCE OF 301.80 FEET TO A POINT ON THE SOUTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 34, SAID POINT BEING 1,540.48 FEET ALONG THE SOUTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 34 ON A BEARING OF NORTH 88°18'44" WEST TO THE WEST QUARTER CORNER OF SAID SECTION 34; THENCE CONTINUING NORTH 00°00'00" EAST, A DISTANCE OF 1,343.70 FEET TO A POINT; THENCE NORTH 10°27'45" EAST, A DISTANCE OF 129.44 FEET TO A POINT; THENCE NORTH 29°47'37" EAST, A DISTANCE OF 297.76 FEET TO A POINT; THENCE NORTH 00°39'12" EAST, A DISTANCE OF 330.24 FEET TO A POINT; THENCE NORTH 27°06'01" EAST, A DISTANCE OF 86.63 FEET TO A POINT; THENCE NORTH 50°14'55" EAST, A DISTANCE OF 232.99 FEET TO A POINT; THENCE NORTH 61°32'40" EAST, A DISTANCE OF 135.86 FEET TO A POINT; THENCE NORTH 38°43'29" EAST, A DISTANCE OF 87.27 FEET TO A POINT; THENCE NORTH 31°09'48" EAST, A DISTANCE OF 74.68 FEET TO A POINT OF CURVATURE OF A CURVE CONCAVE TO THE SOUTHEAST, HAVING A RADIUS OF 500.00 FEET AND A CENTRAL ANGLE OF 60°05'31"; THENCE NORTHEASTERLY ALONG SAID CURVE FOR AN ARC DISTANCE OF 524.40 FEET TO THE POINT OF TANGENCY; THENCE SOUTH 88°44'41" EAST, A DISTANCE OF 180.78 FEET TO A POINT ON SAID WESTERLY RIGHT-OF-WAY LINE; THENCE SOUTH 01°00'37" WEST ALONG SAID WESTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 93.98 FEET TO THE POINT OF BEGINNING.

CONTAINING 60.833 ACRES, MORE OR LESS.

CERTIFICATION:
I HEREBY CERTIFY THAT THE SKETCH AND DESCRIPTION AS SHOWN HEREON IS IN COMPLIANCE WITH THE STANDARDS OF PRACTICE AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 5J-17.051 AND .052, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472, FLORIDA STATUTES. THIS SKETCH AND DESCRIPTION ARE NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL SEAL OF A FLORIDA SURVEYOR AND MAPPER.

JULY 24, 2015
DATE OF SIGNATURE

Thuy A. Truong

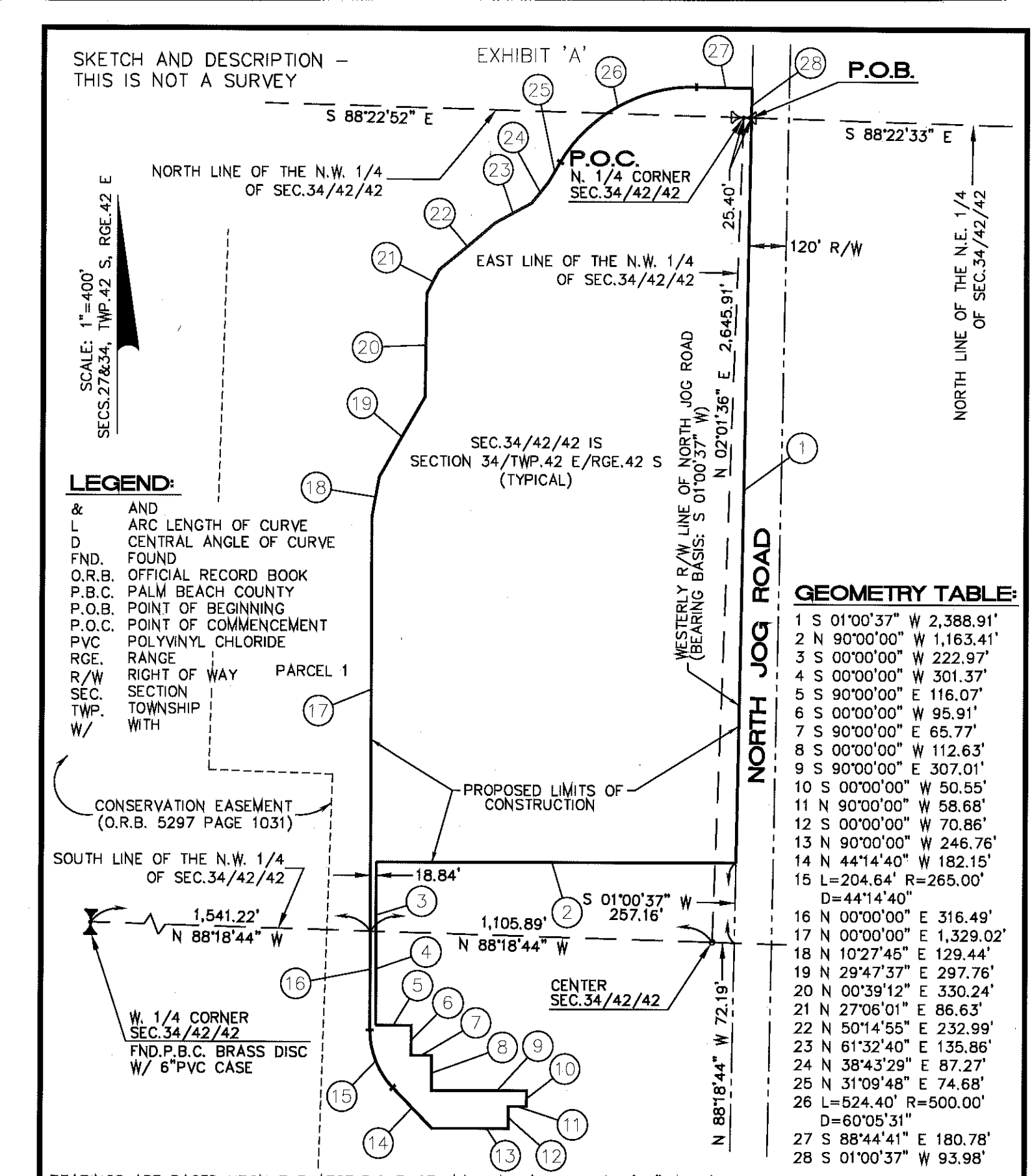
THUY A. TRUONG, P.S.M.
FLORIDA LICENSE NUMBER 5868

© LATEST DATE SHOWN HEREON

SCALE: N/A DESIGNED BY: DRAWN BY: DR CHECKED BY: TT	Stantec THUY A. TRUONG, PSM PSM LICENSE NUMBER 5868 3223 COMMERCE PLACE, SUITE 100 WEST PALM BEACH, FLORIDA 33407 LICENSE BUSINESS 7866	SKETCH & LEGAL DESCRIPTION - PALM BEACH RENEWABLE ENERGY FACILITY NO.2	DATE: 07/24/15 2024180524 .024 SHEET: 1 OF 2

SKETCH AND DESCRIPTION –
THIS IS NOT A SURVEY

EXHIBIT 'A'



LEGEND:

&	AND
L	ARC LENGTH OF CURVE
D	CENTRAL ANGLE OF CURVE
FND.	FOUND
O.R.B.	OFFICIAL RECORD BOOK
P.B.C.	PALM BEACH COUNTY
P.O.B.	POINT OF BEGINNING
P.O.C.	POINT OF COMMENCEMENT
PVC	POLYVINYL CHLORIDE
RGE.	RANGE
R/W	RIGHT OF WAY
SEC.	SECTION
TWP.	TOWNSHIP
W/	WITH

GEOMETRY TABLE:

1	S 01°00'37" W 2,388.91'
2	N 90°00'00" W 1,163.41'
3	S 00°00'00" W 222.97'
4	S 00°00'00" W 301.37'
5	S 90°00'00" E 116.07'
6	S 00°00'00" W 95.91'
7	S 90°00'00" E 65.77'
8	S 00°00'00" W 112.63'
9	S 90°00'00" E 307.01'
10	S 00°00'00" W 50.55'
11	N 90°00'00" W 58.68'
12	S 00°00'00" W 70.86'
13	N 90°00'00" W 246.76'
14	N 44°14'40" W 182.15'
15	L=204.64' R=265.00' D=44°14'40"
16	N 00°00'00" E 316.49'
17	N 00°00'00" E 1,329.02'
18	N 10°27'45" E 129.44'
19	N 29°47'37" E 297.76'
20	N 00°39'12" E 330.24'
21	N 27°06'01" E 86.63'
22	N 50°14'55" E 232.99'
23	N 61°32'40" E 135.86'
24	N 38°43'29" E 87.27'
25	N 31°09'48" E 74.68'
26	L=524.40' R=500.00' D=60°05'31"
27	S 88°44'41" E 180.78'
28	S 01°00'37" W 93.98'

BEARINGS ARE BASED UPON THE WEST RIGHT-OF-WAY LINE (SOUTH 01°00'37" WEST) OF NORTH JOG ROAD ACCORDING TO A BOUNDARY SURVEY BY GREENHORNE & O'MARA, INC. FOR SOLID WASTE AUTHORITY NORTH COUNTY LANDFILL, DRAWING NO.180289.NLF.6250.000, DATED 05/30/2009

SCALE: N/A DESIGNED BY: DRAWN BY: DR CHECKED BY: TT	Stantec THUY A. TRUONG, PSM PSM LICENSE NUMBER 5868 3223 COMMERCE PLACE, SUITE 100 WEST PALM BEACH, FLORIDA 33407 LICENSE BUSINESS 7866	SKETCH & LEGAL DESCRIPTION - PALM BEACH RENEWABLE ENERGY FACILITY NO.2	DATE: 07/24/15 2024180524.024 SHEET: 2 OF 2

PPSA Certified Site Boundary

Site Delineation

Palm Beach Renewable Energy Park
Palm Beach Renewable Energy Facility No.2

Conditions of Certification
PA84-20N Site Delineation

Solid Waste Authority
of Palm Beach County

ATTACHMENT B: Surface Water Management System Plan(s)

Surface Water Management System Operation and Maintenance Requirements

1. In accordance with Section 373.416(2), F.S., unless revoked or abandoned, all stormwater management systems, dams, impoundments, reservoirs, appurtenant works, or works permitted under Part IV of Chapter 373, F.S., must be operated and maintained in perpetuity. The operation and maintenance shall be in accordance with the designs, plans, calculations, and other specifications that are submitted with any amendment or modification and approved by the Department.

2. A registered professional must perform inspections annually after conversion of the project to the operation and maintenance phase to identify if there are any deficiencies in structural integrity, degradation due to insufficient maintenance, or improper operation of the stormwater management system or other surface water management systems that may endanger public health, safety, or welfare, or the water resources, and to insure that systems are functioning as designed and approved. Within 30 days of the inspection, a report shall be submitted electronically or in writing to the Department using Form 62-330.311(1), "Operation and Maintenance Inspection Certification".

3. If deficiencies are found, the SWA will be responsible for correcting the deficiencies so that the project is returned to the operational functions as designed and approved. The corrections must be done a timely manner to prevent compromises to flood protection and water quality.

4. If the operational maintenance and corrective measures are insufficient to enable the systems to meet the performance standards of this chapter, the SWA must either replace the systems or construct an alternative design.

5. The SWA shall provide for periodic inspections in addition to the annual inspections, especially after heavy rain. It must maintain a record of each inspection, including the date of inspection, the name and contact information of the inspector, whether the system was functioning as designed and approved, and make such record available upon request of the Department. Within 30 days of any failure of any system or deviation from the permit, a report shall be submitted electronically or in writing to the Department using Form 62-330.311(1), "Operation and Maintenance Inspection Certification," describing the remedial actions taken to resolve the failure or deviation.

6. The SWA shall immediately notify the Department by telephone whenever a serious problem occurs at this facility. Notification shall be made to the Northeast District Office at (904) 256-1700. Within 7 days of telephone notification, a report shall be submitted electronically or in writing to the Department using Form 62-330.311(1), "Operation and Maintenance Inspection Certification," describing the extent of the problem, its cause, the remedial actions taken to resolve the problem.

7. The following operational maintenance activities shall be performed on approved systems on a regular basis or as needed:

(1) Removal of trash and debris from the surface water management systems;

(2) Inspection of culverts, culvert risers, pip es and screwgates for damage, blockage, excessive leakage or deterioration, if applicable,

(3) Inspection of stormwater berms, if applicable,

(4) Inspection of pipes for evidence of lateral seepage,

(5) Inspection of flapgates for excessive backflow or deterioration, if applicable,

(6) Removal of sediments when the storage volume or conveyance capacity of the surface water management system is below design levels,

(7) Stabilization and restoration of eroded areas,

(8) Inspection of pump stations for structural integrity and leakage of fuel or oil to the ground or surface water, if applicable, and

(9) Inspection of monitoring equipment, including pump hour meters and staff gauges, for damage and operational status, if applicable.

8. In addition to the practices listed above, specific operational maintenance activities are required, if applicable, depending on the type of approved system, as follows:

(1) Overland flow systems shall include provisions for:

a. Mowing and removal of clippings, and

b. Maintenance of spreader swales and overland flow areas to prevent channelization.

(2) Spray irrigation systems for reuse/disposal shall include provisions for:

a. Inspection of the dispersal system, including the sprayheads or perforated pipe for damage or clogging, and

b. Maintenance of the sprayfield to prevent channelization.

(3) Treatment systems which incorporate isolated wetlands shall include provisions for:

a. Stabilization and restoration of channelized areas, and

b. Removal of sediments which interfere with the function of the wetland or treatment system

ATTACHMENT C: Mitigation Plan(s)

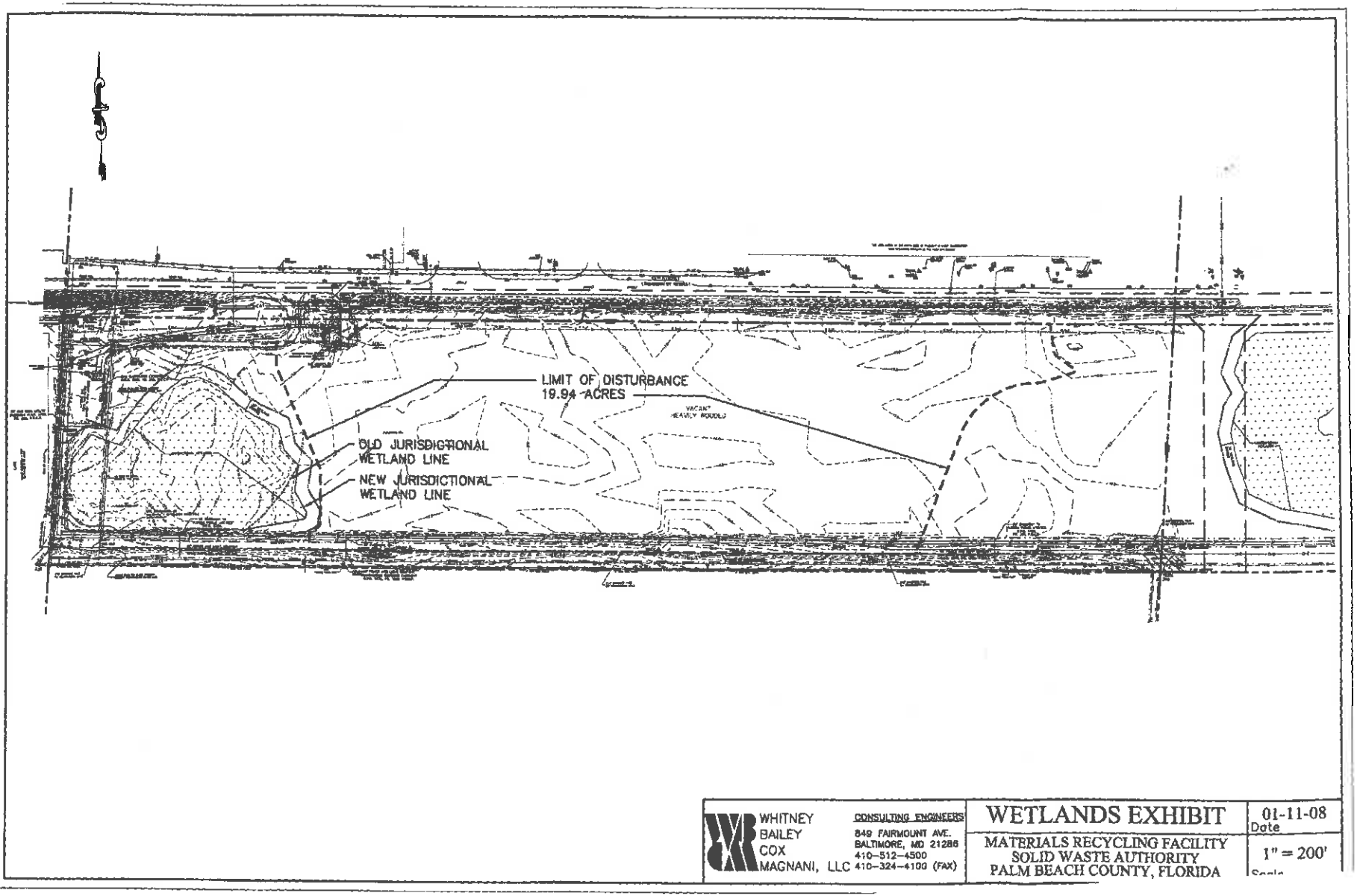
MITIGATION PLAN

Project	Impacts	Mitigation	Status	Completed
Certification of Renewable Energy Facility (REF) # 1	Execution of Conservation Easement (recorded in PBC Official Records in ORB 5297, pages 1031-1035	427-acre conservation area (159-acres undisturbed wetlands, 90-acres uplands, and approximately 178-acres abandoned shellrock mining pits and adjacent disturbed areas). Creation of 12-acres seasonally flooded littoral zone along margins of dredge lakes.	Construction completed, wetland requirements satisfied. 10/20/86 ACOE Permit# 85IP-21054	Yes
Certification of REF # 2	N/A	N/A	N/A	N/A
Mod G	Potential impacts to wetlands from construction of BPF	15-acre project	Construction completed, wetland requirements satisfied. ACOE Permit# 198521054(IP-TM)	Yes

ATTACHMENT D: Reserved

ATTACHMENT E: Wetlands Exhibit

Wetlands Exhibit



WHITNEY
BAILEY
COX
MAGNANI, LLC
CONSULTING ENGINEERS
849 FAIRMOUNT AVE.
BALTIMORE, MD 21286
410-512-4500
410-324-4100 (FAX)

WETLANDS EXHIBIT

MATERIALS RECYCLING FACILITY
SOLID WASTE AUTHORITY
PALM BEACH COUNTY, FLORIDA

01-11-08
Date

1" = 200'
Scale

ATTACHMENT F: Discharge Monitoring Report

DEPARTMENT OF ENVIRONMENTAL PROTECTION DISCHARGE MONITORING REPORT - PART A

When Completed mail this report to: Department of Environmental Protection, SED Office 400 North Congress Ave. Suite 200 West Palm Beach Fl. 33401

LICENSEE NAME: Palm Beach County Solid Waste Authority
MAILING ADDRESS: 7501 North Jog Road
West Palm Beach, Florida 33412

COVERAGE NUMBER: FLA296422-001-DW1S

LIMIT: Final
REPORT FREQUENCY: Monthly
CLASS SIZE: Type I
PROGRAM: Domestic

FACILITY: Pelletizer Facility
LOCATION: 6600 45th Street
West Palm Beach, Fl. 33412[Facility Address]

MONITORING GROUP NUMBER: RMP-AA
MONITORING GROUP DESCRIPTION:

RE-SUBMITTED DMR: ☐
NO DISCHARGE FROM SITE: ☐

COUNTY: Palm Beach]
OFFICE: Southeast District

MONITORING PERIOD From: _____ To: _____

Parameter		Quantity or Loading		Units	Quality or Concentration			Units	No. Ex.	Frequency of Analysis	Sample Type
Nitrogen, Sludge, Tot, Dry Wt (as N)	Sample Measurement										
PARM Code 78470 + Mon. Site No. RMP-AA	Permit Requirement		Report (Mo. Avg.)	percent						Monthly	Composite
Phosphorus, Sludge, Tot, Dry Wt (as P)	Sample Measurement										
PARM Code 78478 + Mon. Site No. RMP-AA	Permit Requirement		Report (Mo. Avg.)	percent						Monthly	Composite
Potassium, Sludge, Tot, Dry Wt (as K)	Sample Measurement										
PARM Code 78472 + Mon. Site No. RMP-AA	Permit Requirement		Report (Mo. Avg.)	percent						Monthly	Composite
Arsenic Total, Dry Weight, Sludge	Sample Measurement										
PARM Code 49565 + Mon. Site No. RMP-AA	Permit Requirement					41.0 (Mo. Avg.)	75.0 (Max.)	mg/kg		Monthly	Composite
Cadmium, Sludge, Tot, Dry Weight (as Cd)	Sample Measurement										
PARM Code 78476 + Mon. Site No. RMP-AA	Permit Requirement					39.0 (Mo. Avg.)	85.0 (Max.)	mg/kg		Monthly	Composite
Copper, Sludge, Tot, Dry Wt. (as Cu)	Sample Measurement										
PARM Code 78475 + Mon. Site No. RMP-AA	Permit Requirement					1500.0 (Mo. Avg.)	4300.0 (Max.)	mg/kg		Monthly	Composite

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

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

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

DISCHARGE MONITORING REPORT - PART A (Continued)

FACILITY: Palm Beach County Solid Waste Authority
Pelletizer Facility

MONITORING GROUP NUMBER: RMP-AA

COVERAGE NUMBER: FLA296-001-DW1S]

MONITORING PERIOD From: _____ To: _____

Parameter		Quantity or Loading		Units	Quality or Concentration			Units	No. Ex.	Frequency of Analysis	Sample Type
Lead, Dry Weight, Sludge	Sample Measurement										
PARM Code 78468 Y Mon. Site No. RMP-AA	Permit Requirement					300.0 (Mo. Avg.)	840.0 (Max.)	mg/kg		Monthly	Composite
Mercury, Dry Weight, Sludge	Sample Measurement										
PARM Code 78471 Y Mon. Site No. RMP-AA	Permit Requirement					17.0 (Mo. Avg.)	57.0 (Max.)	mg/kg		Monthly	Composite
Molybdenum, Dry Weight, Sludge	Sample Measurement										
PARM Code 78465 Y Mon. Site No. RMP-AA	Permit Requirement						75.0 (Max.)	mg/kg		Monthly	Composite
Nickel, Dry Weight, Sludge	Sample Measurement										
PARM Code 78469 Y Mon. Site No. RMP-AA	Permit Requirement					420.0 (Mo. Avg.)	420.0 (Max.)	mg/kg		Monthly	Composite
Selenium Sludge Solid	Sample Measurement										
PARM Code 61518 Y Mon. Site No. RMP-AA	Permit Requirement					100.0 (Mo. Avg.)	100.0 (Max.)	mg/kg		Monthly	Composite
Zinc, Dry Weight, Sludge	Sample Measurement										
PARM Code 78467 Y Mon. Site No. RMP-AA	Permit Requirement					2800.0 (Mo. Avg.)	7500.0 (Max.)	mg/kg		Monthly	Composite
pH	Sample Measurement										
PARM Code 00400 Y Mon. Site No. RMP-AA	Permit Requirement					Report (Mo. Avg.)	Report (Max.)	s.u.		Monthly	Grab
Solids, Total, Sludge, Percent	Sample Measurement										
PARM Code 61553 Y Mon. Site No. RMP-AA	Permit Requirement					Report (Mo. Avg.)	Report (Max.)	percent		Monthly	Composite
Calcium Carbonate Equivalent*	Sample Measurement										
PARM Code B0010 Y Mon. Site No. RMP-AA	Permit Requirement					Report (Mo. Avg.)	Report (Max.)	percent		Monthly	Composite
Coliform, Fecal**	Sample Measurement										
PARM Code 74055 Y Mon. Site No. RMP-AA	Permit Requirement		1000.0 (Max.)	MPN/g						Monthly	Grab
Salmonella Sludge**	Sample Measurement										
PARM Code 71204 Y Mon. Site No. RMP-AA	Permit Requirement		3.0 (Max.)	MPN/4g						Monthly	Grab

DEPARTMENT OF ENVIRONMENTAL PROTECTION DISCHARGE MONITORING REPORT - PART A

When Completed mail this report to: Department of Environmental Protection SED Office 400 North Congress Ave. Suite 200 West Palm Beach Fl. 33401

LICENSEE NAME:	Palm Beach County Solid Waste Authority	COVERAGE NUMBER:	FLA296422-001-DW1S		
MAILING ADDRESS:	7501 North Jog Road West Palm Beach, Florida 33412	LIMIT:	Final	REPORT FREQUENCY:	Monthly
		CLASS SIZE:	Type I	PROGRAM:	Domestic
FACILITY:	Pelletizer Facility	MONITORING GROUP NUMBER:	RMP-Q		
LOCATION:	6600 45th Street West Palm Beach, Fl. 33412[Facility Address]	MONITORING GROUP DESCRIPTION:	Biosolids Quantity		
		RE-SUBMITTED DMR: ☐			
COUNTY:	Palm Beach	NO DISCHARGE FROM SITE: ☐			
OFFICE:	Southeast District	MONITORING PERIOD From:	_____ To:	_____	

Parameter		Quantity or Loading		Units	Quality or Concentration			Units	No. Ex.	Frequency of Analysis	Sample Type
Biosolids Quantity (Received)	Sample Measurement										
PARM Code B0002 Q Mon. Site No. RMP-1	Permit Requirement		Report (Mo. Total)	dry tons						Monthly	Calculated
Biosolids Quantity (Treated)	Sample Measurement										
PARM Code B0003 R Mon. Site No. RMP-1	Permit Requirement		Report (Mo. Total)	dry tons						Monthly	Calculated
Biosolids Quantity (Distributed & Marketed in FL)	Sample Measurement										
PARM Code B0004 S Mon. Site No. RMP-2	Permit Requirement		Report (Mo. Total)	dry tons						Monthly	Calculated
Biosolids Quantity (Distributed & Marketed outside FL)	Sample Measurement										
PARM Code B0005 T Mon. Site No. RMP-2	Permit Requirement		Report (Mo. Total)	dry tons						Monthly	Calculated
Biosolids Quantity (Landfilled)	Sample Measurement										
PARM Code B0008 U Mon. Site No. RMP-2	Permit Requirement		Report (Mo. Total)	dry tons						Monthly	Calculated
Biosolids Quantity (Used as a Biofuel or for Bioenergy)	Sample Measurement										
PARM Code B0009 V Mon. Site No. RMP-2	Permit Requirement		Report (Mo. Total)	dry tons						Monthly	Calculated

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

NAME/TITLE OF PRINCIPAL EXECUTIVE OFFICER OR AUTHORIZED	SIGNATURE OF PRINCIPAL EXECUTIVE OFFICER OR AUTHORIZED	TELEPHONE	DATE

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

INSTRUCTIONS FOR COMPLETING THE WASTEWATER DISCHARGE MONITORING REPORT

Read these instructions before completing the DMR. Hard copies and/or electronic copies of the required parts of the DMR were provided with the license. All required information shall be completed in full and typed or printed in ink. A signed, original DMR shall be mailed to the address printed on the DMR by the 28th of the month following the monitoring period. The DMR shall not be submitted before the end of the monitoring period.

The DMR consists of three parts--A, B, and D--all of which may or may not be applicable to every facility. Facilities may have one or more Part A's for reporting effluent or reclaimed water data. All domestic wastewater facilities will have a Part B for reporting daily sample results. Part D is used for reporting ground water monitoring well data.

When results are not available, the following codes should be used on parts A and D of the DMR and an explanation provided where appropriate. Note: Codes used on Part B for raw data are different.

CODE	DESCRIPTION/INSTRUCTIONS
ANC	Analysis not conducted.
DRY	Dry Well
FLD	Flood disaster.
IFS	Insufficient flow for sampling.
LS	Lost sample.
MNR	Monitoring not required this period.

CODE	DESCRIPTION/INSTRUCTIONS
NOD	No discharge from/to site.
OPS	Operations were shutdown so no sample could be taken.
OTH	Other. Please enter an explanation of why monitoring data were not available.
SEF	Sampling equipment failure.

When reporting analytical results that fall below a laboratory's reported method detection limits or practical quantification limits, the following instructions should be used:

1. Results greater than or equal to the PQL shall be reported as the measured quantity.
2. Results less than the PQL and greater than or equal to the MDL shall be reported as the laboratory's MDL value. These values shall be deemed equal to the MDL when necessary to calculate an average for that parameter and when determining compliance with license limits.
3. Results less than the MDL shall be reported by entering a less than sign ("<") followed by the laboratory's MDL value, e.g. < 0.001. A value of one-half the MDL or one-half the effluent limit, whichever is lower, shall be used for that sample when necessary to calculate an average for that parameter. Values less than the MDL are considered to demonstrate compliance with an effluent limitation.

PART A -DISCHARGE MONITORING REPORT (DMR)

Part A of the DMR is comprised of one or more sections, each having its own header information. Facility information is preprinted in the header as well as the monitoring group number, whether the limits and monitoring requirements are interim or final, and the required submittal frequency (e.g. monthly, annually, quarterly, etc.). Submit Part A based on the required reporting frequency in the header and the instructions shown in the license. The following should be completed by the Licensee or authorized representative:

Resubmitted DMR: Check this box if this DMR is being re-submitted because there was information missing from or information that needed correction on a previously submitted DMR. The information that is being revised should be clearly noted on the re-submitted DMR (e.g. highlight, circle, etc.)
No Discharge From Site: Check this box if no discharge occurs and, as a result, there are no data or codes to be entered for all of the parameters on the DMR for the entire monitoring group number; however, if the monitoring group includes other monitoring locations (e.g., influent sampling), the "NOD" code should be used to individually denote those parameters for which there was no discharge.
Monitoring Period: Enter the month, day, and year for the first and last day of the monitoring period (i.e. the month, the quarter, the year, etc.) during which the data on this report were collected and analyzed.
Sample Measurement: Before filling in sample measurements in the table, check to see that the data collected correspond to the limit indicated on the DMR (i.e. interim or final) and that the data correspond to the monitoring group number in the header. Enter the data or calculated results for each parameter on this row in the non-shaded area above the limit. Be sure the result being entered corresponds to the appropriate statistical base code (e.g. annual average, monthly average, single sample maximum, etc.) and units.
No. Ex.: Enter the number of sample measurements during the monitoring period that exceeded the license limit for each parameter in the non-shaded area. If none, enter zero.
Frequency of Analysis: The shaded areas in this column contain the minimum number of times the measurement is required to be made according to the license. Enter the actual number of times the measurement was made in the space above the shaded area.
Sample Type: The shaded areas in this column contain the type of sample (e.g. grab, composite, continuous) required by the license. Enter the actual sample type that was taken in the space above the shaded area.
Signature: This report must be signed in accordance with Rule 62-620.305, F.A.C. Type or print the name and title of the signing official. Include the telephone number where the official may be reached in the event there are questions concerning this report. Enter the date when the report is signed.
Comment and Explanation of Any Violations: Use this area to explain any exceedances, any upset or by-pass events, or other items which require explanation. If more space is needed, reference all attachments in this area.

PART B - DAILY SAMPLE RESULTS

Monitoring Period: Enter the month, day, and year for the first and last day of the monitoring period (i.e. the month, the quarter, the year, etc.) during which the data on this report were collected and analyzed.
Daily Monitoring Results: Transfer all analytical data from your facility's laboratory or a contract laboratory's data sheets for all day(s) that samples were collected. Record the data in the units indicated. Table 1 in Chapter 62-160, F.A.C., contains a complete list of all the data qualifier codes that your laboratory may use when reporting analytical results. However, when transferring numerical results onto Part B of the DMR, only the following data qualifier codes should be used and an explanation provided where appropriate.

CODE	DESCRIPTION/INSTRUCTIONS
<	The compound was analyzed for but not detected.
A	Value reported is the mean (average) of two or more determinations.
J	Estimated value, value not accurate.
Q	Sample held beyond the actual holding time.
Y	Laboratory analysis was from an unpreserved or improperly preserved sample.

To calculate the monthly average, add each reported value to get a total. For flow, divide this total by the number of days in the month. For all other parameters, divide the total by the number of observations.
Plant Staffing: List the name, certificate number, and class of all state certified operators operating the facility during the monitoring period. Use additional sheets as necessary.

PART D - GROUND WATER MONITORING REPORT

Monitoring Period: Enter the month, day, and year for the first and last day of the monitoring period (i.e. the month, the quarter, the year, etc.) during which the data on this report were collected and analyzed.
Date Sample Obtained: Enter the date the sample was taken. Also, check whether or not the well was purged before sampling.
Time Sample Obtained: Enter the time the sample was taken.
Sample Measurement: Record the results of the analysis. If the result was below the minimum detection limit, indicate that.
Detection Limits: Record the detection limits of the analytical methods used.
Analysis Method: Indicate the analytical method used. Record the method number from Chapter 62-160 or Chapter 62-601, F.A.C., or from other sources.
Sampling Equipment Used: Indicate the procedure used to collect the sample (e.g. airlift, bucket/bailer, centrifugal pump, etc.)
Samples Filtered: Indicate whether the sample obtained was filtered by laboratory (L), filtered in field (F), or unfiltered (N).
Signature: This report must be signed in accordance with Rule 62-620.305, F.A.C. Type or print the name and title of the signing official. Include the telephone number where the official may be reached in the event there are questions concerning this report. Enter the date when the report is signed.
Comments and Explanation: Use this space to make any comments on or explanations of results that are unexpected. If more space is needed, reference all attachments in this area.

SPECIAL INSTRUCTIONS FOR LIMITED WET WEATHER DISCHARGES

Flow (Limited Wet Weather Discharge): Enter the measured average flow rate during the period of discharge or divide gallons discharged by duration of discharge (converted into days). Record in million gallons per day (MGD).
Flow (Upstream): Enter the average flow rate in the receiving stream upstream from the point of discharge for the period of discharge. The average flow rate can be calculated based on two measurements; one made at the start and one made at the end of the discharge period. Measurements are to be made at the upstream gauging station described in the license.
Actual Stream Dilution Ratio: To calculate the Actual Stream Dilution Ratio, divide the average upstream flow rate by the average discharge flow rate. Enter the Actual Stream Dilution Ratio accurate to the nearest 0.1.
No. of Days the SDF > Stream Dilution Ratio: For each day of discharge, compare the minimum Stream Dilution Factor (SDF) from the license to the calculated Stream Dilution Ratio. On Part B of the DMR, enter an asterisk (*) if the SDF is greater than the Stream Dilution Ratio on any day of discharge. On Part A of the DMR, add up the days with an "*" and record the total number of days the Stream Dilution Factor was greater than the Stream Dilution Ratio.
$CBOD_5$: Enter the average $CBOD_5$ of the reclaimed water discharged during the period shown in duration of discharge.
TKN: Enter the average TKN of the reclaimed water discharged during the period shown in duration of discharge.
Actual Rainfall: Enter the actual rainfall for each day on Part B. Enter the actual cumulative rainfall to date for this calendar year and the actual total monthly rainfall on Part A. The cumulative rainfall to date for this calendar year is the total amount of rain, in inches, that has been recorded since January 1 of the current year through the month for which this DMR contains data.
Rainfall During Average Rainfall Year: On Part A, enter the total monthly rainfall during the average rainfall year and the cumulative rainfall for the average rainfall year. The cumulative rainfall for the average rainfall year is the amount of rain, in inches, which fell during the average rainfall year from January through the month for which this DMR contains data.
No. of Days LWWD Activated During Calendar Year: Enter the cumulative number of days that the limited wet weather discharge was activated since January 1 of the current year.
Reason for Discharge: Attach to the DMR a brief explanation of the factors contributing to the need to activate the limited wet weather discharge.

ATTACHEMNT G: Lead Chief Operator Training at NEFCO/SAW BTF

Lead Chief Operator Training at NEFCO/SWA Biosolids Treatment Facility

The Lead Chief Operator (LCO) at the Solid Waste Authority Biosolids Treatment Facility (BTF) receives the following training:

1. Plant Safety Training
   a. Description of Training:
      Lead Chief Operators are required to read and understand the NEFCO Safety Manual; Fire Prevention & Emergency Response Plan Manual; Chemical and Emergency Response Plan and obtain a working knowledge of Plant specific safety programs and systems. Various experts in their area of expertise will review the safety manual, safety procedures, Personal Protection Equipment (PPE) & safety protection systems with the LCO.

   b. Trainer(s):
      Training will be provided by: NEFCO Plant Manager, Safety Director, Corporate VP of Safety, along with outside experts and appropriate NEFCO written safety procedures, safety policies and vendor O&M manuals.

   c. Training Content:
      Specific plant safety items for training are as follows:

Safety Item	Trainer(s)
Lock Out Tag Out (LOTO)	Plant Manager or Designee & Safety Manual
Confined Space Entry	Plant Manager or Designee & Safety Manual
Fall Protection	Outside Expert (such as Cintas 1st Aid & Safety Div.)
Sulfuric Acid Handling	Current Lead Chief Operator; Written Procedures
Sodium Hydroxide Storage	SWA Environmental
Sodium Hypochlorite Storage	SWA Environmental
Use of PPE	NEFCO Safety Director; Corporate V.P. of Safety
Gas Detection System (CO, H_2S, Gas Sniffers, Multiple Gas Detection)	Outside Expert (such as Farmer & Irwin); Plant Manager or Designee; & O&M Manuals
1st Aid, CPR, AED, Blood Borne Pathogens	Outside Expert (such as Cintas 1st Aid & Safety Division; American Red Cross)
Fire Extinguishers	Outside Expert (such as Cintas 1st Aid; CWPB Fire Dept)
Arc Flash	Plant Manager or Designee; Outside Expert (such as Cintas 1st Aid)
Fire Alarm/Fire Sprinkler System	Plant Manager or Designee; Outside Expert (such as Farmer & Irwin [Sprinkler System] & Advanced Alarm [Alarm System])
Fire Prevention & Emergency Response Manual	Plant Manager or Designee

   d. Training Documentation:
      A signed and dated statement from each trainer and LCO that verifies that the training was provided and the LCO understood the material. Each signed statement will include a basic outline of the training provided. Verification will involve an interactive discussion and some

verbal or written questions and answers. Outside Experts will have sign-in sheets, some will provide certificates; these will be filed in personnel files.

2. Environmental Compliance Training
   a. Description of Training:
      Lead Chief Operators are required to read and understand the following: NEFCO Spill Prevention, Control and Countermeasures (SPCC) Plan Manual; Chemical Emergency Response Plan; Pollution Prevention Plan (3P) Manual; and obtain a working knowledge of Plant specific environmental permits, such as Title V, CAM requirements, and the Effluent Water City Permit. Various experts in their area of expertise will review these manuals, environmental procedures, and reporting requirements with the LCO.

   b. Trainer(s):
      Training will be provided by: NEFCO Plant Manager, Fl. Department of Environmental Protection educational programs (where available/applicable), SWA Environmental Department, City of West Palm Beach's Industrial Pretreatment Program (IPP), NEFCO Vice President - Operations, NEFCO Environmental Compliance Manager, along with appropriate NEFCO written environmental procedures, policies and manuals.

   c. Training Content:
      Specific plant environmental items for training are as follows:

Environmental Item	Trainer(s)
SPCC Plan Manual	Plant Manager or Designee
Pollution Prevention Plan Manual	Plant Manager or Designee
Title V Permit & CAM Plan (SWABPF Requirements, ie: Sludge Feed)	SWA Environmental Department (i.e.: Marybeth Morrison)
Effluent Water City Permit	City of West Palm Beach IPP
Reading/Recording Weigh Belt, NG & LFG Meters*	Current Lead Chief Operator Plant Manager or Designee
Reporting Requirements of Title V Permit	NEFCO Corporate Environmental Compliance Mgr.
Chemical Emergency Response Plan	SWA Environmental Department
FDEP Biosolids Class AA Requirements per Fl. Rule 62-640 FAC	Fl. Department of Environmental Protection; NEFCO Corporate Environmental Compliance Mgr.

*NG = Natural Gas; LFG = Landfill Gas

   d. Training Documentation:
      A signed and dated statement from each trainer and LCO that verifies that the training was provided and the LCO understood the material. Each signed statement will include a basic outline of the training provided. Verification will involve an interactive discussion and possibly some verbal or written questions and answers; sign-in sheets may be included and filed in personnel files.

3. Laboratory and Sampling Training
   a. Training Description:
      LCO's are required to understand the plant sampling and testing requirements for Biosolids per Fl. Rule 62-640 of the Fl. Administrative Code (FAC) to perform certain testing and proper sampling and preparation of these samples for outside laboratory analysis. Experts in

their area of expertise will review these collection methods, sampling procedures, analysis required, and reporting requirements with the LCO.

b. Trainer(s):
Training will be provided by: NEFCO Plant Manager, Fl. Department of Environmental Protection approved educational programs, NEFCO Vice President - Operations, NEFCO Environmental Compliance Manager, along with appropriate NEFCO written sampling and laboratory procedures, sampling and laboratory policies and sampling and laboratory manuals.

c. Training Content:
Specific plant laboratory and sampling items for training are as follows:

Laboratory & Sampling Items	Trainer(s)
Weekly/Monthly Biosolids Sampling Events	NEFCO Corporate Environmental Compliance Mgr.
Monthly Biosolids Composite & Fecal Coliform Sampling	Fl. Department of Environmental Protection
pH/ORP Readings for Process & Bldg. Scrubbers	Plant Manager or Designee
Total Suspended Solids, pH Readings & Temperature at Lift Station for Effluent Water	Plant Manager or Designee; City of West Palm Beach IPP
Total Solids (Class AA & EQ) and Pellets	Fl. Department of Environmental Protection
Laboratory Data Collection	Current Lead Chief Operator; Outside Expert (ie: Everglades Laboratory); & FDEP Written Materials (Including but not limited to the 2008 DEP SOPs as located at WEB site http://www.dep.state.fl.us/water/sas/sop/sops.htm)
FDEP Biosolids Class AA Requirements per Fl. Rule 62-640 FAC	Fl. Department of Environmental Protection; NEFCO Corporate Environmental Compliance Mgr.
Use of SMART[5] Microwave for in-process control	NEFCO Corporate Environmental Compliance Mgr. Current Lead Chief Operator; & O&M Manual
Application of Standard Method 2540G	Lead Chief Operator; Written Current Method
Sieve Testing	Plant Manager or designee

d. Training Documentation:
A signed and dated statement from each trainer and LCO that verifies that the training was provided and the LCO understood the material. Each signed statement will include a basic outline of the training provided. Verification will involve an interactive discussion and some possible verbal or written questions and answers; sign-in sheets may be used and filed in personnel files.

4. Process & Equipment Training
a. Description of Training:
Lead Chief Operators are required to read and understand the NEFCO BTF O&M Manual and to review the major equipment O&M manuals published by manufacturers of the specific

processing equipment. Various experts in their area of expertise will review these manuals, production and processing procedures, policies and requirements with the LCO.

b. Trainer(s):
Training will be provided by: NEFCO Plant Manager, NEFCO Vice President - Operations, NEFCO Manager, appropriate NEFCO written production procedures, and written equipment O&M manuals.

c. Training Content:
Specific process and equipment items for training are as follows:

Process & Equipment Items	Trainer(s)
Sludge Receiving	Plant Manager or Designee
Conveyance Equipment	Plant Manager or Designee
Air System Components	Plant Manager or Designee
Dryer System Components	Plant Manager or Designee
Feed System Components	Plant Manager or Designee
SCADA System	O&M Manual; Plant Chief Electrician; Outside Expert (such as CCI)
NEFCO SWABPF O&M Manual	NEFCO Manager of Technology

d. Training Documentation:
A signed and dated statement from each trainer and LCO that verifies that the training was provided and the LCO understood the material. Each signed statement will include a brief outline of the training material. Verification will involve an interactive discussion and some possible verbal or written questions and answers; written testing and certificates will be employed and filed in personnel file, as well.

5. Maintenance Training
a. Description of Training
Lead Chief Operators are required to understand and have a working knowledge of the computerized maintenance management system (CMMS). Various experts in their area of expertise will review the CMMS procedures with the LCO. Also, NEFCO experts will review the O&M Manuals with the LCO.

b. Trainer(s):
Various experts in their area of expertise will review the CMMS procedures and policies with the LCO. Also, experts will review the O&M Manuals with the LCO.

c. Training Content:
Specific CMMS items for training are as follows:

CMMS Items	Trainer(s)
Use of MX4 CMMS System	Chief Maintenance Mechanic & Equipsoft Eagle Training
Maintenance of Equipment (assigned to LCO)	Plant Manager or Designee
Maintenance & Calibration requirements of CAM Associated Equipment & Instrumentation	Title V Permit; Chief Maintenance Mechanic

d. Training Documentation:
A signed and dated statement from each trainer and LCO that verifies that the training was provided and the LCO understood the material. Each signed statement will include a brief outline of the training provided. Verification will involve interactive discussions and some verbal questions and answers. Demonstration of use by new LCO will also be employed as a measurement tool.

6. Operations Training
   a. Training Description:
   LCO's are required to fully understand plant operations.

   b. Trainer(s):
   Various experts in their area of expertise will review the SWABPF Standard Operating Procedures (SOPs) and policies with the LCO. Also, experts will review the O&M Manuals with the LCO.

   c. Training Content:
   Specific operation items for training are as follows:

Operations Items	Trainer(s)
Chief's Log Requirements	Fl. Rule 62-602 FAC; and Plant Manager or Designee; or Current Lead Chief Operator
HMI (Wonderware Software)	Plant Manager or Designee; Outside Expert (such as CCI)
BTF Startup, Shutdown & Emergency Procedures – SOP's	Plant Manager or Designee; Written NEFCO Procedures

   d. Training Documentation:
   A signed and dated statement from each trainer and LCO that verifies that the training was provided and the LCO understood the material. Each signed statement will include a brief outline of the training provided. Verification will involve interactive discussions and some verbal questions and answers. Demonstration of use by new LCO will also be employed as a measurement tool.

Note:

1) All training documentation will be kept on file and will be refreshed every other year.
2) Outside experts are generally considered anyone other than NEFCO, the SWA or FDEP that has expertise in the area they will be providing training. An example is a supplier of specialized equipment that is used at the BTF.
3) FDEP, as trainer, may include written procedures/requirements, and/or other FDEP approved education, as available.
4) All NEFCO experts used for training have at a minimum of a Bachelor's degree in a related science program and greater than five (5) years of applicable Biosolids experience.
5) CCI is Commerce Controls Inc., the original project system integrator for the SWABPF.
6) Equipsoft Eagle is the developer and supplier of NEFCO's MX4 CMMS.

ATTACHMENT H: SFWMD Authorized Withdrawal Facilities

SFWMD Authorized Withdrawal Facilities

Number of wells	Description	Status
1	12" x 60' x 655 GPM well cased to 30'	
1	6" x 125' x 600 GPM well cased to 55'	
1	12" x 49' x 365 GPM well cased to 28'	
1	12" x 60' x 500 GPM Well cased to 28'	
1	12" x 115' x 600 GPM well cased to 22'	
1	12" x 60' x 180 GPM well cased to 30'	
1	12" x 112' x 625 GPM well cased to 22'	standby
1	12" x 52' x 180 GPM well cased to 30'	
1	14" x 55' x 600 GPM well cased to 17'	
1	12" x 52' x 450 GPM well cased to 35'	
1	12" x 115' x 600 GPM well cased to 22'	
12	6" x 42' x 30 GPM wells cased to 22'	
1	2" x 60' x 35 GPM well cased to 42'	
1	2" x 60' x 35 GPM well cased to 40'	
1	4" x 94' x 100 GPM wells cased to 60'	
1	4" x 94' x 120 GPM well cased to 60'	
2	4" x 100' wells cased to 50'	standby - no pump installed
1	14" x 55' well cased to 15'	standby - no pump installed
1	6" x 72' x 150 GPM well cased to 42'	
1	6" x 103' x 150 GPM well cased to 68'	
1	6" x 75' x 150 GPM well cased to 42.5'	
1	6" x 95' x 150 GPM well cased to 60'	

ATTACHMENT I: Well Locations and Zone of Discharge

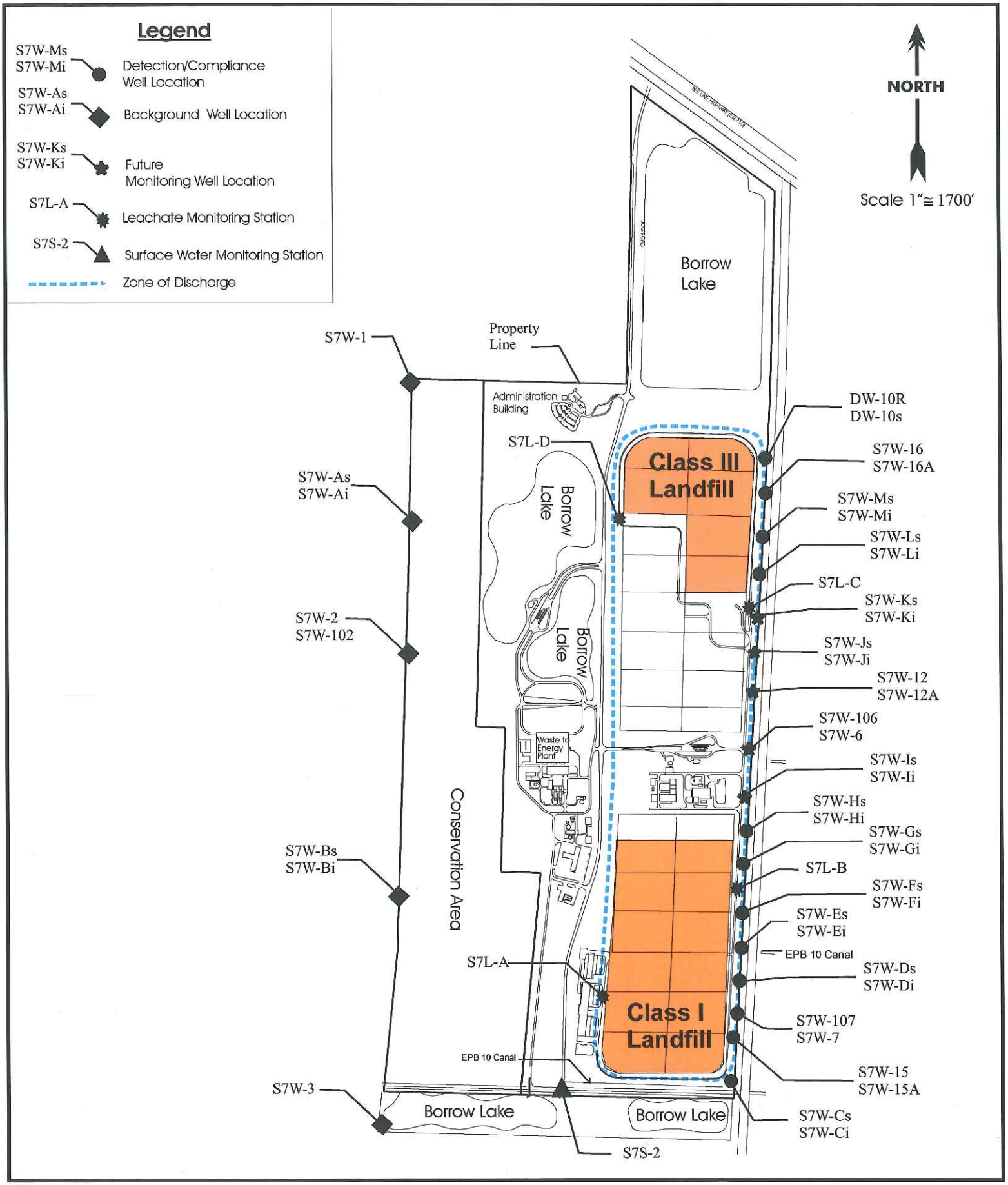


Exhibit A
December 2010

Solid Waste Authority
of Palm Beach County

ATTACHMENT J: Ash Beneficial Use Plan

ATTACHMENT J – ASH BENEFICIAL USE PLAN

1. Purpose: This Ash Beneficial Use (ABU) Plan outlines the procedures to be utilized by the Solid Waste Authority of Palm Beach County (Licensee) for the beneficial use of ash residue, as defined in Section 62-701.200(7), F.A.C. Subject to the requirements in this ABU Plan, the Licensee is authorized to blend its bottom ash with aggregate and use the blended materials in concrete and asphalt pavement, pursuant to Section 403.7045(5), F.S. This ABU Plan also describes how the Licensee may obtain authorization to blend the bottom ash with aggregate and use the blended materials in covered (paved) base courses (identified as Specific Use 2 below), if the Licensee satisfies the requirements herein.

2. Baseline Report: This ABU Plan is based on a report entitled "Assessment of Proposed Recycling Activities for Waste-to-Energy Bottom Ashes Produced by the Solid Waste Authority of Palm Beach County" dated March 2018 (Baseline Report), which was prepared for the Licensee by the Engineering School of Sustainable Infrastructure and the Environment, Department of Environmental Engineering Sciences, at the University of Florida.

3. Specified Materials: The following materials (Specified Materials) are generated by the Licensee's REF #1 and REF #2 facilities and are allowed for beneficial use by recycling and reuse, subject to the conditions in this ABU Plan:

a. Bottom ash residue that will be blended in specific percentages with aggregate in concrete and asphalt pavement (Specified Use 1, as defined below).

b. Pursuant to the Conditions in Paragraph 7 below, bottom ash residue that will be blended in specific percentages with aggregate in covered (paved) base courses (Specified Use 2, as defined below).

4. Required Aging: Once approved for use by the Department, the Specified Materials used for Specified Use 2, Blended Base Course Aggregate (as defined below), shall be aged by the Licensee in accordance with the following procedure:

Bottom ash used for Specified Use 2, Blended Base Course Aggregate (as defined below) will be aged for a minimum period of 90 days. Aging will be conducted on top of or in a lined Class I or Class III landfill cell, inside permitted ash-processing buildings, or at other locations approved by the Department. The ash piles shall be no greater than 20 feet in height during the entire treatment period.

5. Specified Uses: The beneficial use by recycling and reuse of the Specified Materials is limited to the following specified uses and subject to the conditions herein:

a. Specified Use 1, Aggregate in Concrete and Asphalt Pavement: Bottom ash will be blended with other aggregates in concrete and asphalt pavement at replacement percentages up to a maximum of 30% by mass of total aggregate.

b. Specified Use 2, Blended Base Course Aggregate: Aged bottom ash will be blended with other aggregates for use in covered (paved) base courses at replacement percentages up to a maximum of 15% by mass of total aggregate. The aggregates that the Specified Use 2 ash-derived aggregate will be blended with may include limerock, coquina, and recycled concrete aggregate.

6. Conditions for Specified Use 1, Aggregate in Concrete and Asphalt Pavement:

a. Bottom ash used by the Licensee pursuant to this ABU Plan shall be obtained from REF #l, REF #2, or a mixture from both facilities.

b. Ash-derived aggregates for Specified Use 1 shall be processed with a screen designed to remove particles smaller than ¼-inch and larger than ¾-inch.

c. Ash screening will occur on top of or within a permitted Class I or Class III landfill, inside permitted ash-processing buildings, or at another location approved by the Department.

d. The amount of ash-derived aggregates for Specified Use 1 in the concrete or asphalt product will not exceed 30% by mass of the total aggregate.

e. Fugitive dust emissions from the storage, processing, and transport of bottom ash will be controlled by wetting the ash, or covering the ash with a tarp, or covering the ash with other similar protective material.

f. Appropriate management at the aggregate yard or batch plant shall consist of controlling fugitive dust emissions.

g. Ash-derived aggregates for Specified Use 1 may be stored at a batch plant or an aggregate supplier's yard for a period of no more than two weeks before integration into a concrete or asphalt pavement mix. After two weeks, any unused Specified Use 1 ash-derived aggregate will be returned to the Licensee's Class I landfill or the designated ash processing facility.

h. Blended ash-derived aggregate products for Specified Use 1 that are removed from service shall be considered construction and demolition waste and should be managed in compliance with applicable state and local regulations.

7. Conditions for Specified Use 2, Blended Base Course Aggregate:

a. Bottom ash used by the Licensee pursuant to this ABU Plan shall be obtained from REF #l, REF #2, or a mixture from both facilities.

b. The Licensee shall not use bottom ash for Specified Use 2 until the Licensee conducts a demonstration project in compliance with the requirements in Section 9, below. Based on the results of the demonstration project, the Licensee may submit a request to modify the ABU Plan to include conditions for Specified Use 2 to ensure the protection of human health and the environment. If Specified Use 2 is approved by the Department, the following minimum conditions will be applicable to such use:

1) Bottom ash utilized for Specified Use 2 shall be aged, prior to recycling and reuse, in accordance with the requirements in Section 4, above.

2) Prior to blending, bottom ash for Specified Use 2 shall be processed with a screen designed to remove particles larger than 1.5 inches.

3) Ash screening will occur on top of or within a permitted Class I or Class III landfill, inside permitted ash-processing buildings, or at another location approved by the Department.

4) The amount of ash-derived aggregate for Specified Use 2 in any blend used for road base will not exceed 15% by mass of total aggregate.

5) Fugitive dust emissions from the storage, processing, and transport of bottom ash will be controlled by wetting the ash, or covering the ash with a tarp, or covering the ash with other similar protective material.

6) Appropriate management at the aggregate yard shall consist of controlling fugitive dust emissions.

7) After the ash is aged, ash-derived aggregate for Specified Use 2 may be stored at an aggregate supplier's yard for a period of no more than two weeks prior to blending. Any ash-derived aggregate not blended with other aggregates within two weeks will be returned to the Licensee's Class I landfill or the designated ash processing facility.

8) Blended ash-derived aggregate for Specified Use 2 will not be placed at a project site within 3 feet of the groundwater table, within 15 feet of existing wetland areas, or within 100 feet of an existing potable well that is being used to provide water for consumption by humans or livestock.

9) A base layer constructed with Specified Use 2 blended ash-derived aggregate will be covered by a pavement layer (e.g., a road, parking lot, or sidewalk).

10) Blended ash-derived aggregate for Specified Use 2 that is not used at a project site shall be removed and returned to the aggregate yard.

11) Blended ash-derived aggregates for Specified Use 2 that are removed from service shall be considered construction and demolition waste and should be managed in compliance with applicable state and local regulations.

8. Conditions for Recordkeeping, Testing, and Reporting:

a. The Licensee shall comply with the following record keeping requirements:

1) The Licensee shall prepare and maintain records that identify each Person that receives bottom ash for Specified Use 1. For each Person, the Licensee's records also shall identify (a) each date when bottom ash was provided to that Person, (b) the approximate quantity of bottom ash that was provided to the Person on each date, and (c) the street address of each batch plant or aggregate yard where the bottom ash was taken.

2) The Licensee shall maintain the records required pursuant to Section 8.a.(1), above, for not less than 10 years after the Licensee provides bottom ash to a Person for Specified Use 1.

3) By March 1st of each year after the Licensee begins to use Specified Materials pursuant to this ABU Plan, the Licensee shall submit an annual report to the Department. The annual report shall contain the information required pursuant to Sections 8.a.(1), (2), and (3), above, for the prior calendar year, and the results of the routine monitoring conducted during the prior calendar year pursuant to Section 8.b, below. Upon request, the Licensee also shall provide the Department with copies of the contracts and interlocal agreements executed by the Licensee pursuant to Section 11, below.

b. The Licensee shall conduct routine monitoring of the bottom ash on a quarterly basis for one year after the Licensee begins to use Specified Material pursuant to this ABU Plan. After one year, the routine monitoring shall be conducted semi-annually. The purpose of the routine monitoring is to confirm that the chemical characteristics of the bottom ash generated by the Licensee's Facilities in the future are consistent with the chemical characteristics of the bottom ash evaluated during the Licensee's baseline testing.

1) The routine monitoring shall be conducted with bottom ash that has not been aged pursuant to Section 4, above. Bottom ash samples will be collected from an ash conveyor, an ash bunker, or designated stockpiles in an area at the landfill that is downstream of the Facility's metals recovery system. The ash sampling methodology will be similar to the methodology described in the Baseline Report and will be conducted at the frequencies described in Section 8.b.2, below.

2) During the routine monitoring for each Facility, one Daily Composite Sample (as defined in Section 12.c, below) of bottom ash will be collected for three consecutive days. Each Daily Composite Sample will be collected by taking a grab sample at hourly intervals over an 8-hour shift as described in 8.b.1 above. In this manner, three Daily Composite Samples will be collected at REF #1 and three Daily Composite Samples will be collected at REF #2. Samples collected from REF#1 will not be combined with the samples from REF #2.

3) For each Facility, the three Daily Composite Samples from that Facility will be tested to determine the total concentrations of aluminum, arsenic, lead and antimony in the bottom ash generated by that Facility. For each Facility, the three Daily Composite Samples from that Facility also will be tested using the Synthetic Precipitation Leaching Procedure (SPLP) to determine the leachable concentrations of aluminum, arsenic, lead, and antimony in the bottom ash generated by that Facility. Consequently, the routine monitoring will produce three sets of test results for total concentrations and three sets of test results for SPLP concentrations at each Facility.

4) The Licensee will calculate the average of the three test results (Average Value) for each parameter at each Facility. For example, the Licensee will calculate the Average Value for the total concentration of aluminum in the bottom ash collected from REF #1, based on the three Daily Composite Samples of bottom ash collected at REF #1 during the routine monitoring.

5) When evaluating bottom ash that will be used for Specified Use 1 or Specified Use 2, the Licensee will compare: (i) the Average Value calculated from the test results for routine monitoring of total concentrations at a Facility; and (ii) the baseline values described in Section 10, below, for total concentrations in the bottom ash generated at the same Facility.

6) When evaluating bottom ash that will be used for Specified Use 2, the Licensee also will compare: (i) the Average Value calculated from the test results for routine monitoring of SPLP concentrations at a Facility; and (ii) the baseline values described in Section 10, below, for SPLP concentrations from bottom ash generated at the same Facility.

7) The Licensee shall notify the Department in writing within 5 business days if these comparisons show that there has been a significant increase (as defined in Section 10, below) in the concentrations of one or more of these parameters.

c. The Licensee shall notify the Department in writing within 5 business days if the Licensee concludes that recycling or reuse of the Specified Materials in accordance with this ABU Plan will cause or contribute to violations of state water quality standards.

d. Upon reasonable notice to the Licensee, the Department's staff or agents with proper identification may enter the Licensee's premises and inspect, sample, and test the Specified Materials as the Department deems necessary to verify the Licensee's compliance with the requirements of Chapter 403, F.S., and this ABU Plan.

9. Conditions for Demonstration Projects with Specified Use 2 Material:

a. Subject to the requirements in this Section 9, the Licensee may conduct demonstration projects with Specified Use 2 Material.

b. Before the Licensee uses bottom ash for Specified Use 2, the Licensee shall establish the baseline values for SPLP concentrations in compliance with the requirements in Section 10.b, below, and then the Licensee shall conduct a demonstration project with the bottom ash, subject to the requirements herein. The Licensee shall provide the Department with a post-certification submittal that describes the key features of, and scope of work for, the demonstration project. The Licensee's submittal shall include the following information: (1) the proposed use of the material (e.g., as an engineered base under a sidewalk); (2) the proposed location for the use of the Specified Use 2 Material; (3) the type of material (e.g., concrete; asphalt) that will cover the Specified Use 2 Material; (4) the groundwater monitoring, if any, that will be conducted; (5) the testing and reporting that will be conducted by the Licensee; and (6) the other safeguards that will be used by the Licensee to ensure the protection of human health and the environment.

c. The Department's Solid Waste Division shall review all post-certification submittals for demonstration projects based on Specified Use 2. The Department's Solid Waste Division may impose reasonable conditions on the demonstration project. The Licensee shall not use bottom ash for Specified Use 2 in a demonstration project until the Department confirms in writing that the Licensee may proceed with that project.

d. The requirements in this ABU Plan, including the requirements in this Section 9, do not apply to or otherwise restrict the laboratory or bench scale testing of any Specified Material or product made with Specified Material.

10. Conditions for Determining Significant Increases in Test Results:

a. Pursuant to Section 8.b.5, above, for each Facility, the Licensee shall compare the Average Values from the routine monitoring for total and SPLP values to the baseline values for the bottom ash. The baseline values for total concentrations at each Facility are presented in the Baseline Report. These values were established by separately collecting and testing 14 Daily Composite Samples from each Facility. The samples were obtained by collecting bottom ash at hourly intervals over two 8-hour shifts each day for 7 days. The baseline values for SPLP concentrations will be established in the same manner, as described in Section 10.b, below.

b. The Baseline Report only provided SPLP results for aged bottom ash. The Licensee shall conduct SPLP tests on bottom ash to establish an appropriate baseline. Fourteen Daily Composite Samples will be separately collected and tested for each Facility. More specifically, over a 7-day period, grab samples will be collected at hourly intervals over two 8-hour shifts, and the grab samples from one 8-hour shift will comprise one Daily Composite Sample. Each Daily Composite Sample will be tested using SPLP to determine the leachable concentrations of aluminum, arsenic, lead, and antimony from the bottom ash generated by each Facility. The Licensee shall calculate the 95th percentile of the SPLP data for each of these parameters. The Licensee shall submit the SPLP data and the 95th percentile values to the Department in a post-certification submittal. The Licensee shall not use bottom ash or ash-derived aggregates for Specified Use 2 until the Department confirms in writing that the baseline values and the 95th percentile values for the SPLP tests have been established in compliance with the procedures described herein.

c. For the purposes of this ABU Plan, a significant increase in total concentrations shall be deemed to have occurred if an Average Value from the routine monitoring at a Facility is greater than one of the following values for the same Facility:

Total Concentrations (mg/kg)

	Aluminum	Arsenic	Lead	Antimony
Bottom Ash from REF #1	40,714	6.30	1,174	14.0
Bottom Ash from REF #2	21,606	19.7	1,300	9.5

The total concentrations presented above are equal to the 95th percentile of the baseline values for the total concentrations in the bottom ash. The Average Values for total concentrations shall be compared to the baseline values when the Licensee is evaluating bottom ash that will be used for Specified Use 1 or Specified Use 2, pursuant to Section 8.b.5, above.

d. For the purposes of this ABU Plan, a significant increase in SPLP concentrations for Specified Use 2 shall be deemed to have occurred if an Average Value from the routine monitoring at a Facility is greater than the 95th percentile of the corresponding baseline value for the SPLP concentration at the same Facility.

SPLP Concentrations (mg/l)

	Aluminum	Arsenic	Lead	Antimony
Bottom Ash from REF #1	TBD	TBD	TBD	TBD
Bottom Ash from REF #2	TBD	TBD	TBD	TBD

The Average Values for SPLP concentrations shall be compared to the baseline values when the Licensee is evaluating bottom ash that will be used for Specified Use 2, pursuant to Section 8.b.6, above.

11. Conditions for Contracts to Receive Bottom Ash or Ash-Derived Aggregate:

a. The Licensee shall not provide bottom ash or ash-derived aggregate (collectively, SWA Aggregate) to any Person for a beneficial use project until the Licensee and that Person (Recipient) execute a contract or interlocal agreement requiring the Recipient to comply with the conditions in this ABU Plan that are applicable to the Recipient's proposed use

of the SWA Aggregate. More specifically, before the Licensee provides SWA Aggregate to a Recipient, the Licensee and Recipient shall execute a contract or interlocal agreement that contains the provisions in Section 11.b if the SWA Aggregate will be used for Specified Use 1.

b. The following provisions shall be included in any contract or interlocal agreement authorizing the use of SWA Aggregate for Specified Use 1 (Aggregate in Concrete or Asphalt Pavement):

1) The SWA Aggregate may be used in a concrete or asphalt product, but the SWA Aggregate shall not comprise more than thirty percent (30%) by mass of the total aggregate used in the product. The SWA Aggregate shall not be used for any other purpose or in any other manner.

2) Fugitive emissions (dust) generated by storing, processing, or transporting the SWA Aggregate must be controlled by wetting the SWA Aggregate, or covering the SWA Aggregate with a tarp, or covering the SWA Aggregate with other similar material.

3) The SWA Aggregate shall not be stored at the Recipient's batch plant, supply yard, or other location for more than 14 days before it is used in a concrete or asphalt mix. If the SWA Aggregate is not used in a concrete or asphalt mix within 14 days after it is received from the SWA, the SWA Aggregate shall be returned to a location on the SWA's property (e.g., the SWA's Class I landfill) that is designated by the SWA. In such cases, the Recipient must contact the SWA's Director of WTE Operations by calling (561) 640-4000 and must request specific instructions concerning the return of the SWA Aggregate.

4) The Recipient shall provide a quarterly written report to the SWA concerning the Recipient's use of the SWA Aggregate. At a minimum, the Recipient's report shall provide the following information for each location where the SWA Aggregate was used: (i) the amount (tonnage) of SWA Aggregate that was used in a concrete or asphalt product; (ii) the percent of SWA Aggregate in the product; (iii) the project information for the use of the concrete or asphalt product, indicating the type of end use of the concrete or asphalt created with the SWA aggregate (e.g., roadway; parking lot; sidewalk); and (iv) the date when the SWA aggregate was used. In each report the Recipient shall provide a statement confirming that the Recipient used all of the SWA Aggregate in compliance with the requirements contained herein and returned any unused SWA Aggregate to the SWA.

5) Each of the requirements in Sections 1 through 4, above, is a material component of this agreement between the SWA and the Recipient. If the Recipient fails to comply with any of these requirements: (i) the SWA may seek damages, specific performance, or any other remedies available at law or in equity for the Recipient's breach of this contract or interlocal agreement; and (ii) the SWA may terminate this contract or interlocal agreement.

12. Definitions: For the purposes of this ABU Plan, the following definitions shall be used:

a. **Average Value** means, with regard to a parameter (i.e., aluminum, arsenic, lead, and antimony), the average of the test results for three Daily Composite Samples of bottom ash generated at each Facility. The average is calculated by summing the three test results for that parameter and then dividing by three.

b. **Baseline Report** means the report described in Section 2, above.

c. **Daily Composite Sample** means a composite sample of bottom ash that has been collected by taking a grab sample at hourly intervals over an 8-hour shift from a Facility.

d. **Facility** means one of the Licensee's renewable energy facilities – REF #1 or REF #2.

e. **Licensee** means the Solid Waste Authority of Palm Beach County or "SWA."

f. **Person** means any and all persons, including any individual, firm, or association; any municipal entity or private corporation organized or existing under the laws of this state or any other state; any county of the state of Florida; and any governmental agency of the state of Florida or the Federal Government.

g. **Recipient** means any Person that receives SWA Aggregate from the SWA for a beneficial use project.

h. **REF** means a renewable energy facility.

i. **SPLP** means the Synthetic Precipitation Leaching Procedure.

j. **SWA Aggregate** means the bottom ash and ash-derived aggregate generated by one or both of the waste-to-energy facilities owned by the SWA.