

Jeb Bush
Governor

Department of Environmental Protection

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

Colleen M. Castille
Secretary

NOTICE OF PERMIT

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

In the Matter of an
Application for Permit by:
Progress Energy Florida
Crystal River Plant Units 1,2 and 3
15760 West Powerline Street
Crystal River , FL34428

DEP File # FL0000159-009-IW1S/NR

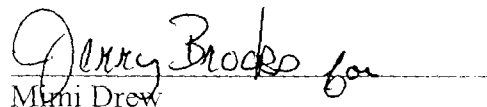
Attention: Mr. Michael Olive

Enclosed is Permit FL0000159, issued under Section 403.0885, Florida Statutes, and DEP Chapter 62-620, Florida Administrative Code, authorizing wastewater discharge from the PEF Crystal River Units 1,2,&3, Citrus County to the Gulf of Mexico, a Class III marine water.

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

Executed in Tallahassee, Florida.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION


Mimi Drew

Director
Division of Water Resource Management

2600 Blair Stone Road
Tallahassee, FL 32399-2400
(850) 245-8336

CERTIFICATE OF SERVICE

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

[Clerk Stamp]

FILING AND ACKNOWLEDGMENT

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

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

Copies furnished to:

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

**STATE OF FLORIDA
INDUSTRIAL WASTEWATER FACILITY PERMIT**

PERMITTEE:

Progress Energy Florida
Crystal River Units 1, 2, and 3
P.O. Box 14042
St. Petersburg, FL 34428

PERMIT NUMBER:

FL0000159 (Major)

PA FILE NUMBER:

FL0000159-009 -IW1S/NR

ISSUANCE DATE:

May 9, 2005

EXPIRATION DATE:

May 8, 2010

RESPONSIBLE AUTHORITY:

Mr. Michael Olive
Manager

FACILITY:

Progress Energy Florida
Crystal River Plant Units 1,2 and 3
15760 West Powerline Street
Crystal River, FL 34428
Citrus County

Latitude: 28° 58' 2" N Longitude: 82° 41' 49" W

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

Operation of an industrial wastewater treatment and disposal system to serve the referenced facility. The facility consists of two fossil fuel units (Units 1 and 2) and a nuclear fuel unit (Unit 3). These units have a combined maximum permitted daily discharge flow of 1,898 MGD and a total name plate rating of 1,854.8 MW. The facility discharge consists of once-through condenser cooling water, treated nuclear auxiliary cooling water, treated coal pile rainfall run off, intake screen washwater, and treated non-radioactive waste/radiation waste.

The radioactive component of the discharge is regulated by the U.S. Nuclear Regulatory Commission under the Atomic Energy Act and not by the U.S. Environmental Protection Agency under the Clean Water Act.

WASTEWATER TREATMENT:

Wastewater treatment at the facility consists of the following: filtration and or other biocide treatment of once-through non-contact condenser cooling water (OTCW); neutralization, settling, filtration and/or oil/water separation for low volume wastes and metal cleaning wastes..

EFFLUENT DISPOSAL:

Surface Water Discharge:

An existing discharge of OTCW to the site discharge canal and thence to the Gulf of Mexico, a Class III marine water, via **Outfall D-011**, located approximately at latitude 28° 57'30.8" N, longitude 82° 42' 00.7" W.

An existing discharge of OTCW to the site discharge canal and thence to the Gulf of Mexico, a Class III marine water, via **Outfall D-012**, located approximately at latitude 28° 57'31.2" N, longitude 82° 42' 03.0" W.

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An existing discharge of OTCW to the site discharge canal and thence to the Gulf of Mexico, a Class III marine water, via **Outfall D-013**, located approximately at latitude 28° 57'30.9" N, longitude 82° 41' 54.9" W.

An existing discharge of intake screen washwater to the site intake canal and thence to the Gulf of Mexico, a Class III marine water, via **Outfall D-091**, located approximately at latitude 28° 57'24 " N, longitude 82°42 '0.4" W.

An existing discharge of intake screen washwater to the site intake canal thence to the Gulf of Mexico, a Class III marine water, via **Outfall D-092**, located approximately at latitude 28° 57'23.2 " N, longitude 82°42 '01.9" W.

An existing discharge of intake screen washwater to the site intake canal and thence to the Gulf of Mexico, a Class III marine water, via **Outfall D-093**, located approximately at latitude 28° 57'21.6 " N, longitude 82°41 '56.2" W.

An existing discharge from the ash pond to the site discharge canal and thence to the Gulf of Mexico, a Class III marine water, via **Outfall D-0C1**, located approximately at latitude 28° 57'34.7 " N, longitude 82°42 '28.8" W.

An existing discharge from the wastewater pond system to the site discharge canal and thence to the Gulf of Mexico, a Class III marine water, via **Outfall D-0C2**, located approximately at latitude 28° 57'31.0 " N, longitude 82°42 '32.4" W.

An existing discharge of Nuclear Services and Decay Heat Seawater System effluent to the site discharge canal and thence to the Gulf of Mexico, a Class III marine water, via **Outfall D-00F**, located approximately at latitude 28° 57'31.2 " N, longitude 82°41 '55.4" W.

An existing discharge of Coal Pile runoff (Units 1 and 2) to an adjacent salt marsh, a Class III marine water, via **Outfall D-0H**, located approximately at latitude 28° 57' 08.8 " N, longitude 82°42 '12.7" W.

Existing discharges of OTCW from the Helper Cooling Tower system to the site discharge canal and thence to the Gulf of Mexico, a Class III marine water, via **Outfalls D-071 and D-072**, located approximately at latitudes 28° 57' 34.5 " N, longitude 82° 42 '32.0" W, and 28° 57'35.8 " N, longitude 82° 42 '48.5" W, respectively.

An existing discharge of intake screen washwater to the site discharge canal and thence to the Gulf of Mexico, a Class III marine water, via **Outfall D-094**, located approximately at latitude 28° 57'34.4 " N, longitude 82°42 '30.4" W.

Internal Discharges

An existing discharge from internal outfall **I-FG** Regeneration Waste Neutralization Tank to **Outfall D-00F**.

An existing discharge from internal outfall **I-FE** Laundry and Shower Sump Tank effluent to **Outfall D-00F**.

Stormwater Discharges

Existing discharges of stormwater from plant areas to the site intake and discharge canal and thence to the Gulf of Mexico via **Outfalls D-100, D-200, D-300, D-400, D-500. and D-600.**

IN ACCORDANCE WITH: The limitations, monitoring requirements and other conditions as set forth in Part I through Part VIII on pages 3 through 28 of this permit.

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I. Effluent Limitations and Monitoring Requirements

A. Surface Water Discharges

- During the period beginning on the issuance date and lasting through the expiration date of this permit, the permittee is authorized to discharge once-through non-contact condenser cooling water (OTCW) from **Outfalls D-011, D-012, D-013** to the site discharge canal thence the Gulf of Mexico. Such discharge shall be limited and monitored by the permittee as specified below:

Parameters (units)	Discharge Limitations			Monitoring Requirements		
	Daily Maximum	Daily Average	Daily Minimum	Monitoring Frequency	Sample Type	Sample Point
Flow (MGD)	See item I.A.3.	Report	--	Continuous	Pump logs ^{1,2}	EFF-2
Chlorination Duration (MINUTES)	See item I.A.5.	--	--	2/Week	Pump logs	EFF-1A EFF-1B EFF-1C
Oxidants, Total Residual (MG/L)	0.01 ³	Report	--	2/Week	Multiple Grabs	EFF-1A EFF-1B EFF-1C
Temperature (F), Water [Intake] (DEG.F)	Report	Report	--	Continuous	Recorder	INT-1
Temperature (F), Water [Discharge] (DEG.F) ⁴	96.5, See item. I.A.4.	Report	--	Continuous	Recorder	EFF-3D
Temp. Diff. between Intake and Discharge (DEG.F)	Report	Report	--	Continuous	Recorder	INT 1, EFF 3D

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

Sample Point	Description of Monitoring Location
EFF-2	At combined circulating water pumps.
EFF-1A	Outlet corresponding to individual condenser for Unit 1
EFF-1B	Outlet corresponding to individual condenser for Unit 2
EFF-1C	Outlet corresponding to individual condenser for Unit 3

¹ Flow is monitored by pump logs and/or valve position (during flow reduction season).

² Monitoring and reporting values for temperature, pump status and/or valve position shall be recorded at ten minute intervals.

³ Limitations and monitoring requirements for total residual oxidants (TRO) and time of TRO discharge for outfalls D-011, D-012, and/or D-013 are applicable only at times when OTCW is being chlorinated

⁴ Thermal discharge from this facility is subject to the requirements of Rule 62-302.520(1), F.A.C.

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Sample Point	Description of Monitoring Location
INT-1	Intake at Unit 1, See item 7
EFF-3D	At the bulkhead line which is near the down stream end of the site discharge canal .

- Combined OTCW discharge from Units 1, 2 and 3 shall not exceed 1,897.9 MGD during the period May 1st through October 31st of each year, or 1,613.2 MGD during the remainder of the year.
- The discharge temperature monitored at Sampling Point EFF-3D shall not exceed 96.5°F as a three hour rolling average.
- Discharge of TRO from the condenser of each unit shall not exceed a maximum of 60 minutes in any calendar day, except as follows. TRO may be discharged from one or more individual condensers via outfalls D-011, D-012, D-013, provided that TRO discharge concentration is monitored continuously by recorder(s). Additionally, the maximum instantaneous TRO concentration at each outfall (D-011, D-012, or D-013) shall not exceed 0.01 mg/l.
- Multiple grab samples shall consist of grab samples collected at the beginning of the period of chlorination discharge, and once every 15 minutes, thereafter. In addition, one grab sample shall be collected at the end of the period of chlorine discharge. The "period of chlorine discharge" refers to all chlorination conducted during a 24-hour period.
- In the event of an equipment failure of the temperature monitor or recorder at INT-1, temperature shall be monitored by similar instrumentation at either INT-2 or INT-3, which are the intakes for Units 2 and 3, respectively. In such a situation, the Permittee shall maintain records of the change in monitoring location for the monitoring period.
- Intake screen washwater may be discharged from **Outfalls D-091, D-092, and D-093** without limitation or monitoring requirements.
- During the period beginning on the issuance date and lasting through the expiration date of this permit, the permittee is authorized to discharge laundry and shower wastewater from **Internal Outfall I-0FE to outfall D-00F**. Such discharge shall be limited and monitored by the permittee as specified below:

Parameters (units)	Discharge Limitations			Monitoring Requirements		
	Daily Average	Daily Maximum	Daily Minimum	Monitoring Frequency	Sample Type	Sample Point
Flow (MGD)	Report	Report	--	1/Per Batch	Calculation	EFF-4
Oil and Grease (MG/L)	15.0	20.0	--	1/Per Batch	Grab	EFF-4
Solids, Total Suspended (MG/L)	30.0	100.0	--	1/Per Batch	Grab	EFF-4
pH (SU)	--	9.0	6.0	1/Per Batch	Grab	EFF-4
Number of Batches	Report	Report	--	Monthly	Log	EFF-4

- Effluent samples shall be taken at the monitoring site locations listed in permit condition I.A.9 and as described below:

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Sample Point	Description of Monitoring Location
EFF-4	The sample port from the laundry and shower sump tank treatment system, but prior to mixing with any other waste stream.

11. The discharge of metal cleaning wastes through this outfall is not authorized.
12. During the period beginning on the issuance date and lasting through the expiration date of this permit, the permittee is authorized to discharge process wastewater from **Outfall D-0C1 Ash Pond and D-0C2- Wastewater Pond System** discharges (Unit 1 and 2 combined) to the site discharge canal thence to the Gulf of Mexico. Such discharge shall be limited and monitored by the permittee as specified below:

Parameters (units)	Discharge Limitations			Monitoring Requirements		
	Daily Average	Daily Maximum	Daily Minimum	Monitoring Frequency	Sample Type	Sample Point
Flow (MGD)	Report	Report	--	Daily, when discharging	Calculation	EFF-5 EFF-6
Oil and Grease (MG/L)	--	5.0	--	Weekly	Grab	EFF-5 EFF-6
Solids, Total Suspended (MG/L)	30.0	100.0	--	3/Week	Grab	EFF-5 EFF-6
Arsenic, Total Recoverable (UG/L)	--	50.0	--	Monthly	Grab	EFF-5 EFF-6
Cadmium, Total Recoverable (UG/L)	--	9.3	--	Monthly	Grab	EFF-5 EFF-6
Chromium, Total Recoverable (UG/L)	--	50.0	--	Monthly	Grab	EFF-5 EFF-6
Copper, Total Recoverable (UG/L)	--	3.7	--	Monthly	Grab	EFF-5 EFF-6
Lead, Total Recoverable (UG/L)	--	8.5	--	Monthly	Grab	EFF-5 EFF-6
Iron, Total Recoverable (MG/L)	--	0.3	--	Monthly	Grab	EFF-5 EFF-6
Mercury, Total Recoverable (UG/L)	--	0.025	--	Monthly	Grab	EFF-5 EFF-6
Nickel, Total Recoverable (UG/L)	--	8.3	--	Monthly	Grab	EFF-5 EFF-6
Selenium, Total Recoverable (UG/L)	--	71	--	Monthly	Grab	EFF-5 EFF-6
PH Standard Units		Report	Report	Monthly	Grab	INT-1

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Parameters (units)	Discharge Limitations			Monitoring Requirements		
	Daily Average	Daily Maximum	Daily Minimum	Monitoring Frequency	Sample Type	Sample Point
PH Standard Units		8.5	6.5	Monthly	Grab	EFF-5 EFF-6
Zinc, Total Recoverable (UG/L)	--	86.0	--	Monthly	Grab	EFF-5 EFF-6

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

Sample Point	Description of Monitoring Location
INT-1	Intake at unit 1
EFF-5	Discharge from the ash pond prior to mixing with the receiving water.
EFF-6	Discharge from wastewater pond system prior to mixing with the receiving water.

14. Limitations and monitoring are required only when the ash pond is discharging via D-0C1 and/or the wastewater pond system is discharging via D-0C2.
15. During the period beginning on the issuance date and lasting through the expiration date of this permit, the permittee is authorized to discharge process wastewater from Outfall **D-00F**- Nuclear Services and Decay Heat Seawater System effluent [includes discharges from outfall I-FE – Laundry and Shower Sump Tank; (LSST) outfall I-FG –Secondary Drain Tank (SDT); effluent from the Evaporator Condensate Storage Tank (ECST); and effluent from the Condensate System (CD) to the site discharge canal and thence the Gulf of Mexico. Such discharges shall be limited and monitored by the permittee as specified below.

Parameters (units)	Discharge Limitations			Monitoring Requirements		
	Daily Maximum	Daily Average	Daily Minimum	Monitoring Frequency	Sample Type	Sample Point
Flow (MGD)	Report	Report	--	Hourly	Recorder or calculation	INT-7A
Oil and Grease (mg/l) (CD and ECST)	20	15	--	Weekly, when discharging	Grab	EFF-7B
Oil and Grease (mg/l) (CD and ECST)	5.0 ¹	--	--	Weekly, when discharging	Grab	EFF-7
Flow [ECST] (MGD)	Report	Report	--	Daily, when discharging	Recorder or Calculation	EFF-7B
Flow [CD System] (MGD)	Report	Report	--	Daily, when discharging	Recorder or Calculation	EFF-7B
Solids, Total Suspended (CD and ECST) (MG/L)	100.0	30.0	--	Weekly, when discharging	Grab	EFF-7B

¹ Monitoring requirements are only applicable if the discharge from I-FE and I-FG, the CD discharge or the ECST (following adequate mixing) exceeds the daily maximum limitation of 20.0 mg/l or a minimal dilution rate of 4 to 1 is not achieved as determined by the operator and recorded in logs maintained onsite for inspection by the Department.

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Parameters (units)	Discharge Limitations			Monitoring Requirements		
	Daily Maximum	Daily Average	Daily Minimum	Monitoring Frequency	Sample Type	Sample Point
Solids, Total Suspended (CD and ECST)[D-00F] (MG/L)	100.0 ²	30.0	--	Weekly, when discharging	Grab	EFF-7
Copper, Total Recoverable (UG/L)	3.7 ³	Report	--	Daily, when discharging	Grab	EFF-7
Iron, Total Recoverable (UG/L)	300.0 ³	Report	--	Daily, when discharging	Grab	EFF-7
Total Iron, LBS/MG of Metal Cleaning Waste generated	Report	8.345 ^{3,4}	--	Daily, when discharging	Grab	EFF-7B
Total Copper, LBS/MG of Metal Cleaning Waste generated	Report	8.345 ^{3,4}	--	Daily, when discharging	Grab	EFF-7B
Hydrazine, MG/L	-----	Report ⁵	----	Per Occurrence	Grab	EFF-7B
Hydrazine, MG/L	-----	0.341 ^{5,6}	----	Daily, when discharging	Calculation	EFF-7
Hydroquinone, MG/L	-----	Report ⁵	----	Per Occurrence	Grab	EFF-7B
Hydroquinone, MG/L	-----	0.12 ^{5,6}	----	Daily, when discharging	Calculation	EFF-7
Total Ammonia (as N), MG/L	-----	Report ⁵	----	Per Occurrence	Grab	EFF-7B
Total Ammonia (as N), MG/L	-----	0.047 ^{5,6}	----	Daily, when discharging	Calculation	EFF-7
Morpholine, MG/L	-----	Report ⁵	----	Per Occurrence	Grab	EFF-7B
Morpholine, MG/L	-----	1.78 ^{5,6}	----	Daily, when discharging	Calculation	EFF-7

² Monitoring requirements only applicable if the discharge from I-FE and I-FG, the CD discharge or the ECST (following adequate mixing) exceeds the daily maximum limitation of 100.0 mg/l or a minimal dilution rate of 4 to 1 is not achieved as determined by the operator and recorded in logs maintained onsite for inspection by the Department.

³ Limitations and monitoring requirements for total iron of MCW, total copper of MCW, total recoverable copper and total recoverable iron are applicable only on any calendar day in which metal cleaning waste is discharged in the effluent from I-FG the Evaporator Condensate Storage Tank and/or the Condensate System.

⁴ Limitations apply to the effluents from outfall I-FG, ECST and the Condensate System.

⁵ Limitations apply to the ESCT, CD or I-FG discharge. containing steam generator lay up chemicals. One grab sample shall be taken from any batch potentially containing ≥ 1.0 mg/l of hydrazine, based on the operator's knowledge of the process. The measured concentrations of hydrazine, hydroquinone, ammonia and morpholine shall be reported monthly on the DMR.

⁶ The limitations apply at D-0F. Calculation shall be used to determine the concentration of hydroquinone, hydrazine, ammonia and morpholine at D-0F.

$$\text{D-0F concentration (mg/l)} = \frac{(\text{measured concentration (mg/l)}) (\text{discharge flow})^*}{\text{flow to D-0F}}$$

* The calculation could apply to any batch which potentially contains >1.0 mg/l of hydrazine.

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	Discharge Limitations			Monitoring Requirements		
Parameters (units)	Daily Maximum	Daily Average	Daily Minimum	Monitoring Frequency	Sample Type	Sample Point
PH, Standard Units	Report	--	Report	Daily, when discharging	Grab	INT-7A
PH, Standard Units	8.5	--	6.5	Daily, when discharging	Grab	EFF-7
Spectrus CT1300, MG/L	See item I.A.18					EFF-7
Spectrus CT 1300 (MG/L)	Report	Report	Report	1/Application	Grab	EFF-7
Whole Effluent Toxicity (ACUTE)	See item I.A.19					EFF-7

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

Sample Point	Description of Monitoring Location
INT-7A	Intake flow at the combined water intake pumps.
EFF-3D	At the bulkhead line which is near the down stream end of the site discharge canal.
EFF-7	Prior to mixing with site discharge canal.
EFF-7B	Prior to discharge to outfall D-00F

17. Monitoring for pH in the combined discharge (D-0F) is required only during periods when I-FG and/or CD is discharging. If no discharge from I-FG or CD occurs, sampling shall be during next discharge of I-FG and/or CD into the combined discharge at D-0F.

18. Spectrus CT1300 shall be used only in accordance with the following procedures:

- a.) There will be an interval of at least 21 days between any two successive applications, unless more frequent applications are requested in writing and approved in writing by the Department within 14 days of receipt of the request.
- b.) CT1300 may be applied at a rate not to exceed 4.5 mg/l through the Unit 3 service water system. No application period may exceed 18 hours, unless approved in writing by the Department.
- c.) Progress Energy will record and retain the following information of each CT1300 treatment
 1. time of initiation and completion of treatment,
 2. mass and concentration of CT1300 during the test period, and
 3. results of toxicity testing, if applicable.
- d.) When toxicity testing is required, PEF will submit the information specified in Condition I.A.16.d. above to the Department within fourteen days of receipt.

19. The permittee shall initiate the series of tests described below beginning within 60 days of the issuance of the permit to evaluate whole effluent toxicity of the discharge from Outfall D-00F. All test species, procedures and quality assurance criteria used shall be in accordance with Methods for Measuring Acute Toxicity of Effluents to Freshwater and Marine Organisms, 5th ed. EPA-821-R-02-012, or the most current edition.

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The control water and the effluent used will be adjusted to an appropriate salinity using artificial sea salts as described in EPA-821-R-02-012, Section 7.4.2., or the most current edition. The appropriate tests salinity shall be determined as follows:

When the salinity of the effluent is between 1 and 7 parts per thousand (ppt), the following salinity adjustment shall be used in the test of 100% effluent. For the Americamysis (**Mysidopsis**) **bahia** bioassays, the effluent and the control (0% effluent) shall be adjusted to a salinity of 7±1 ppt for the 100% effluent test using artificial sea salts. No salinity adjustment shall be done for the **Menidia beryllina** bioassay test of the 100% effluent. When the salinity of the effluent is greater than 7 parts per thousand, no salinity adjustment shall be made and the test shall be run at the effluent's salinity for both species.

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

- a. (1) The permittee shall conduct 96-hour acute static renewal toxicity tests using the mysid shrimp, Americamysis (**Mysidopsis**) **bahia**, and the inland silverside, **Menidia beryllina**. All tests will be conducted on four separate grab samples collected at evenly-spaced (6-hr) intervals over a 24-hour period and used in four separate tests in order to catch any peaks of toxicity and to account for daily variations in effluent quality.
- (2) If control mortality exceeds 10% for either species in any test, the test for that species (including the control) shall be repeated. A test will be considered valid only if control mortality does not exceed 10% for either species. If, in any separate grab sample test, 100% mortality occurs prior to the end of the test, and control mortality is less than 10% at that time, that test (including the control) shall be terminated with the conclusion that the sample demonstrates unacceptable acute toxicity.
- b. (1) The toxicity tests specified above shall be conducted once every two months until 6 valid bimonthly tests are completed. These tests are referred to as "routine" tests. Upon the completion of six valid tests which demonstrate that no unacceptable toxicity (as defined in d.1.) has been identified, the permittee may petition the Department for a reduction in monitoring frequency.
- (2) Results from "routine" tests shall be reported according to EPA-821-R-02-012, Section 12, Report Preparation (or the most current edition), and shall be submitted to:

Florida Department of Environmental Protection
Southwest District Office
3804 Coconut Palm Drive
Tampa, Florida 33619-8378

- (3) Results from "routine" tests shall be reported on the Discharge Monitoring Report (DMR) as follows:
 - i. If greater than 50% mortality occurs in any of the four separate grab sample tests for the test species, "<100" (less than 100% effluent) should be entered on the DMR for that test species.
 - ii. If 50% or less mortality occurs in all four separate grab sample tests for the test species, ">100" (greater than 100% effluent) should be entered on the DMR for that test species.
 - iii. For each of the additional tests required, the calculated LC50 value should be entered on the DMR for that test species.
- c. (1) All "routine" tests shall be conducted using a control (0% effluent) and one test concentration of 100% final effluent.

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- (2) Mortalities of greater than 50% in any sample of 100% effluent in any “routine” test or an LC50 of less than 100% effluent in any additional definitive test will constitute a violation of these permit conditions and Rule 62-4.244(3)(a), F.A.C.
- d. (1) If unacceptable acute toxicity (greater than 20% mortality in any grab sample of 100% effluent) is determined in a “routine” test, the permittee shall conduct three additional tests on each species indicating acute toxicity. The first additional test will include four grab samples taken as described in a.1. and run as four separate definitive analyses. The second and third additional definitive tests will be run on a single grab sample collected on the day and time when the greatest toxicity was identified in the “routine” test. Results for each additional test will include the determination of LC50 values with 95% confidence limits.
- (2) Each additional test shall be conducted using a control (0% effluent) and a minimum of five dilutions: 100%, 50%, 25%, 12.5% and 6.25% effluent and a control (0% effluent). The dilution series may be modified in the second and third test to more accurately identify the toxicity, such that at least two dilutions above and two dilutions below the target toxicity and a control (0% effluent) are run.
- (3) For each additional test, the sample collection requirements and the test acceptability criteria specified in section a. above must be met for the test to be considered valid. The first test shall begin within two weeks of the end of the “routine” tests, and shall be conducted weekly thereafter until three additional, valid tests are completed. The additional tests will be used to determine if the toxicity found in the “routine” test is still present.
- (4) Results from additional tests, required due to unacceptable toxicity in the “routine” tests, shall be submitted in a single report prepared according to EPA-821-R-02-012, Section 12, or the most current edition and submitted within 45 days of completion of the third additional, valid test. If the additional tests demonstrate unacceptable toxicity, the permittee will meet with the Department within 30 days of the report submittal to identify corrective actions necessary to remedy the unacceptable toxicity.

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20. During the period beginning on the issuance date and lasting through the expiration date of this permit, the permittee is authorized to discharge process wastewater from Internal **Outfall I-0FG** to **Outfall D-00F** Regeneration Waste Neutralization Tank. Such discharge shall be limited and monitored by the permittee as specified below:

Parameters (units)	Discharge Limitations			Monitoring Requirements		
	Daily Average	Daily Maximum	Daily Minimum	Monitoring Frequency	Sample Type	Sample Point
Flow, (MGD)	Report	Report	--	1/Batch	Calculated	EFF-8
Copper, Total Recoverable, lbs/MG	--	8.345 ¹	--	1/Batch	Grab	EFF-8
Iron, Total Recoverable lbs/MG	--	8.345 ¹	--	1/Batch	Grab	EFF-8
Oil and Grease, (MG/L)	15.0	20.0	--	1/Batch	Grab	EFF-8
Total Suspended Solids, MG/L	30.0	100.0	---	1/Batch	Grab	EFF-8
PH, Standard Units	--	9.0	6.0	1/Batch	Grab	EFF-8

21. Effluent samples shall be taken at the monitoring site locations listed in permit condition I.A.20 and as described below:

Sample Point	Description of Monitoring Location
EFF-8	At outfall I-FG prior to mixing with outfall D-00F

22. During the period beginning on the effective date of this permit and lasting through the expiration, the permittee is authorized to discharge stormwater from Outfall **D-00H**- Coal Pile Runoff (Units 1 and 2) to the marshy area (wetlands) west of the coal pile storage area. Such discharge shall be limited and monitored by the permittee as specified below:

Parameters (units)	Discharge Limitations			Monitoring Requirements		
	Monthly Average	Daily Maximum	Daily Minimum	Monitoring Frequency	Sample Type	Sample Point
Flow (MGD)	--	Report	--	Daily, when discharging	Calculated	EFF-9
Solids, Total Suspended (MG/L)	--	50.0 See cond. 24	--	Daily, when discharging	Grab	EFF-9
Arsenic, Total Recoverable (UG/L)	--	50.	--	Daily, when discharging	Grab	EFF-9
Cadmium, Total Recoverable (UG/L)	--	9.30	--	Daily, when discharging	Grab	EFF-9
Chromium, Total Recoverable (UG/L)	--	50.0	--	Daily, when discharging	Grab	EFF-9

¹ The limitation is applicable only when metal cleaning waste is discharged through outfall I-0FG

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Parameters (units)	Discharge Limitations			Monitoring Requirements		
	Monthly Average	Daily Maximum	Daily Minimum	Monitoring Frequency	Sample Type	Sample Point
Copper, Total Recoverable (UG/L)	--	3.7	--	Daily, when discharging	Grab	EFF-9
Iron, Total Recoverable (MG/L)	--	0.3	--	Daily, when discharging	Grab	EFF-9
Lead, Total Recoverable (UG/L)	--	8.5	--	Daily, when discharging	Grab	EFF-9
Mercury, Total Recoverable (UG/L)	--	0.025	--	Daily, when discharging	Grab	EFF-9
Nickel, Total Recoverable (UG/L)	--	8.30	--	Daily, when discharging	Grab	EFF-9
Selenium, Total Recoverable (UG/L)	--	71.0	--	Daily, when discharging	Grab	EFF-9
Zinc, Total Recoverable (UG/L)	--	86.0	--	Daily, when discharging	Grab	EFF-9
Vanadium, Total Recoverable (PPM)	--	Report	--	Daily, when discharging	Grab	EFF-9
PH (SU)		8.5	6.5	Daily, when discharging	Grab	INT-3B
PH (SU)		8.5	6.5	Daily, when discharging	Grab	EFF-9

23. Effluent samples shall be taken at the monitoring site locations listed in permit condition I.A.22 and as described below:

Sample Point	Description of Monitoring Location
EFF-9	Point of discharge from the treatment system prior to entering wetlands area.
INT-3B	Intake at Unit 2

24. The treatment system (coal pile storage area) shall be capable of containing a 10 year, 24-hour (10Y 24H) rainfall event. The limitation for total suspended solids of 50 mg/l shall apply only to discharges resulting from rainfall less than a 10-year 24 –hour rainfall event.

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25. During the period beginning on the issuance date and lasting through the expiration date of this permit, the permittee is authorized to discharge once-through non-contact cooling water from **Outfalls D-071 and D-072** Helper Cooling Tower to the site discharge canal and thence to the Gulf of Mexico. Such discharge shall be limited and monitored by the permittee as specified below:

Parameters (units)	Discharge Limitations			Monitoring Requirements		
	Daily Maximum	Daily Average	Daily Minimum	Monitoring Frequency	Sample Type	Sample Point
Intake Flow (MGD)	Report	Report	--	Continuous	Pump logs	INT-10A
Oxidants, Total Residual (MG/L)	0.01 ¹	Report	--	Continuous	Recorder	EFF-10B
TRO-Discharge Time (MIN/DAY)	60.0, see cond. I.A.28.	--	--	Continuous	Recorder	EFF-10B
pH (SU)	Report	--	Report	Quarterly	Grab	INT-10A
PH (SU)	8.5	--	6.5	Quarterly	Grab	EFF-10B

26. Effluent samples shall be taken at the monitoring site locations listed in permit condition I.A.25 and as described below:

Sample Point	Description of Monitoring Location
INT-10A	Common Intake for all helper cooling tower intake pumps
EFF-10A	At Outfall D-071 from helper cooling towers 1 and 2 to the site discharge canal.
EFF-10B	At Outfall D-072 from helper cooling towers 3 and 4 to the site discharge canal.

27. Cooling towers shall be operated as necessary to ensure that the discharge temperature at Sampling Location EFF-3D does not exceed 96.5 F as a three-hour rolling average.
28. TRO may be discharged from either or both Outfalls D-071 and D-072 at the same time TRO is discharged from Outfalls D-011, D-012, and D-013, provided that TRO discharge from either D-071 or D-072 does not exceed a maximum instantaneous concentration of 0.01 mg/l.
29. Monitoring requirements are only applicable during periods of discharge.
30. During the period beginning on the issuance date and lasting through the expiration date of this permit, the permittee is authorized to discharge intake screen wash waste water from **Outfall D-094** to the site discharge canal thence the Gulf of Mexico without limitation or monitoring requirements.
31. During the period beginning on the issuance date and lasting through the expiration date of this permit, the permittee is authorized to discharge stormwater from **Outfalls D-100, D-200, D-300, D-400, and D-500** to the site discharge canal and thence to the Gulf of Mexico without limitation or monitoring requirements.
32. During the period beginning on the issuance date and lasting through the expiration date of this permit, the permittee is authorized to discharge storm water from **Outfall D-600** Plant Area to the site intake canal and thence to the Gulf of Mexico. Such discharge shall be limited and monitored by the permittee as specified below:

¹ Limitations and monitoring requirements for TRO and time of TRO discharge for outfall D-071 and outfall D-072 are not applicable for any calendar day in which chlorine is not added.

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Parameters (units)	Discharge Limitations			Monitoring Requirements		
	Daily Average	Daily Maximum	Daily Minimum	Monitoring Frequency	Sample Type	Sample Point
Flow (MGD)	--	Report	--	Monthly, when discharging	Calculated	EFF-600
Total recoverable iron (UG/L)	--	Report	--	Monthly, when discharging	Grab	EFF-600

33. Effluent samples shall be taken at the monitoring site locations listed in permit condition I.A.32 and as described below:

Sample Point	Description of Monitoring Location
EFF-600	Prior to discharge from Outfall D-600 to the intake canal.

34. Stormwater from No. 2 Fuel Oil Tank Diked Petroleum Storage or Handling Area

- a. Permittee is authorized to discharge stormwater from diked petroleum storage or handling areas, provided the following conditions are met:
- b. Such discharges shall be limited and monitored by the permittee as specified below:
 1. The facility shall have a valid SPCC Plan pursuant to 40 CFR 112.
 2. In draining the diked area, a portable oil skimmer or similar device or absorbent material shall be used to remove oil and grease (as indicated by the presence of a sheen) immediately prior to draining.
 3. Monitoring records shall be maintained in the form of a log and shall contain the following information, as a minimum:
 - a.) Date and time of discharge,
 - b.) Estimated volume of discharge,
 - c.) Initials of person making visual inspection and authorizing discharge, and
 - d.) Observed conditions of storm water discharged.
 4. There shall be no discharge of floating solids or visible foam in other than trace amounts and no discharge of a visible oil sheen at any time.

35. As specified above, sampling for the storm water discharge shall be conducted once per discharge event.

36. There shall be no discharge of floating solids or visible foam in other than trace amounts.

37. The discharge shall not cause a visible sheen on the receiving water.

B. Underground Injection Control Systems

This section is not applicable to this facility.

C. Land Application Systems

The land application system for this facility is regulated under separate Department Permit FLA0169690

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D. Other Methods of Disposal or Recycling

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

E. Other Limitations and Monitoring and Reporting Requirements

1. The sample collection, analytical test methods and method detection limits (MDLs) applicable to this permit shall be in accordance with Rule 62-4.246, Chapters 62-160 and 62-601, F.A.C., and 40 CFR 136, as appropriate. The list of Department established analytical methods, and corresponding MDLs (method detection limits) and PQLs (practical quantification limits), which is titled "Florida Department of Environmental Protection Table as Required By Rule 62-4.246(4) Testing Methods for Discharges to Surface Water" dated June 21, 1996, is available from the Department on request. The MDLs and PQLs as described in this list shall constitute the minimum acceptable MDL/PQL values and the Department shall not accept results for which the laboratory's MDLs or PQLs are greater than those described above unless alternate MDLs and/or PQLs have been specifically approved by the Department for this permit. Any method included in the list may be used for reporting as long as it meets the following requirements:

The laboratory's reported MDL and PQL values for the particular method must be equal or less than the corresponding method values specified in the Department's approved MDL and PQL list;

- b. The laboratory reported PQL for the specific parameter is less than or equal to the permit limit or the applicable water quality criteria, if any, stated in Chapter 62-302, F.A.C. Parameters that are listed as "report only" in the permit shall use methods that provide a PQL, which is equal to or less than the applicable water quality criteria stated in 62-302 FAC; and
- c. If the PQLs for all methods available in the approved list are above the stated permit limit or applicable water quality criteria for that parameter, then the method with the lowest stated PQL shall be used.

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

2. Parameters which must be monitored as a result of a surface water discharge shall be analyzed using a sufficiently sensitive method in accordance with 40 CFR Part 136.
3. Monitoring requirements under this permit are effective on the first day of the second month following permit issuance. Until such time, the permittee shall continue to monitor and report in accordance with previously effective permit requirements, if any. During the period of operation authorized by this permit, the permittee shall complete and submit to the Southwest District Office Discharge Monitoring Reports (DMRs) in accordance with the frequencies specified by the REPORT type (i.e., monthly, toxicity, quarterly, semiannual, annual, etc.) indicated on the DMR forms attached to this permit. Monitoring results for each monitoring period shall be submitted in accordance with the associated DMR due dates below.

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

DMRs shall be submitted for each required monitoring period including months of no discharge.

The permittee shall make copies of the attached DMR form(s) and shall submit the completed DMR form(s) to the Department at the address specified below:

Florida Department of Environmental Protection
Wastewater Compliance Evaluation Section, Mail Station 3550
Twin Towers Office Building
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

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

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

Phone Number – (813) 744-6100
FAX Number - (813) 744-8198 (All FAX copies shall be followed by original copies.)

5. All reports and other information shall be signed in accordance with requirements of Rule 62-620.305, F.A.C
6. The permittee shall provide safe access points for obtaining representative samples which are required by this permit.
7. If there is no discharge from the facility on a day scheduled for sampling, the sample shall be collected on the day of the next discharge
8. There shall be no discharge of polychlorinated biphenyl compounds.
9. Discharge of any product registered under the Federal Insecticide, Fungicide, and Rodenticide Act to any waste stream which ultimately may be released to waters of the State is prohibited unless specifically authorized elsewhere in this permit. This requirement is not applicable to products used for lawn and agricultural purposes or to the use of herbicides if used in accordance with labeled instructions and any applicable State permit.

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

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- a. Name and general composition of biocide or chemical
- b. Frequencies of use
- c. Quantities to be used
- d. Proposed effluent concentrations
- e. Acute and/or chronic toxicity data (laboratory reports shall be prepared according to Section 12 of EPA document no. EPA/600/4-90/027 entitled, Methods for Measuring the Acute Toxicity of Effluents and Receiving Waters for Freshwater and Marine Organisms, or most current addition.)
- f. Product data sheet
- g. Product label

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

10. Discharge of any waste resulting from the combustion of toxic, hazardous, or metal cleaning wastes to any waste stream which ultimately discharges to waters of the State is prohibited, unless specifically authorized elsewhere in this permit.
11. Any bypass of the treatment facility which is not included in the monitoring specified in I.A, I.B, I.C, or I.D, is to be monitored for flow and all other required parameters. For parameters other than flow, at least one grab sample per day shall be monitored. Daily flow shall be monitored or estimated, as appropriate, to obtain reportable data. All monitoring results shall be reported on the appropriate DMR.
12. The Permittee shall continue compliance with the facility's Manatee Protection Plan approved by the Department on May 15, 2002.
13. -Combined Waste Streams

In the event that waste streams from various sources are combined for treatment or discharge, the quantity of each pollutant or pollutant property attributable to each controlled waste source shall not exceed the specified limitation for that waste source (ref. 40 CFR Section 423.15(k);1974).
14. Condenser Maintenance Program
 - a.) The permittee is authorized to use SIDTEC, a mechanical on-line condenser maintenance service program at Units 1 and 2.
 - b.) The permittee is authorized to use the existing Amertap Condenser Cleaning System at Unit 3, or an equivalent system. However, any substantive change to the cleaning ball devices or ball retrieval system is subject to approval by the Department..
15. The permittee shall develop a Plan of Study (POS) for seagrass monitoring pursuant to the schedule in Item VI.2, including a proposed implementation schedule, for continued monitoring of seagrass recovery. The Department will review the evaluation plan and implementation schedule for revision, as needed
16. The Permittee shall develop an evaluation plan in accordance with Rule 62-302.520(1), F.A.C., pursuant to the schedule in item VI. 3, including a proposed implementation schedule, designed to determine any effects on biological communities from the heated water discharge to Crystal Bay. The plan shall address monitoring of submerged grasses, benthic macroinvertebrates, and other aquatic species as appropriate, and shall include reporting requirements. The evaluation plan shall incorporate existing data developed by the Permittee and available data other sources as well as any additional monitoring to be conducted by the Permittee, if necessary. The Department will review the evaluation plan and implementation schedule for revision, as needed.
17. The Permittee is authorized to use the following previously approved chemical additives and biocides: Spectrus CT-1300, Dianodic DN2140, Spectrus NX1103, Spectrus NX1100, and Foamtrol AF1440.

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II. Industrial Sludge Management Requirements

This section not applicable to this facility.

III. Ground Water Monitoring Requirements

This section is not applicable to this facility.

IV. Other Land Application Requirements

Land application requirements for this facility are regulated by separate Department permit FLA016960.

V. Operation and Maintenance Requirements

A. Operation of Treatment and Disposal Facilities

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

B. Record keeping Requirements:

1. The permittee shall maintain the following records on the site of the permitted facility and make them available for inspection:
 - a. Records of all compliance monitoring information, including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation, including, if applicable, a copy of the laboratory certification showing the certification number of the laboratory, for at least three years from the date the sample or measurement was taken;
 - b. Copies of all reports, other than those required in items a. and f. of this section, required by the permit for at least three years from the date the report was prepared, unless otherwise specified by Department rule;
 - c. Records of all data, including reports and documents used to complete the application for the permit for at least three years from the date the application was filed, unless otherwise specified by Department rule;
 - d. A copy of the current permit;
 - e. A copy of any required record drawings;
 - f. Copies of the logs and schedules showing plant operations and equipment maintenance for three years from the date on the logs or schedule.

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VI. Schedules

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

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

2. Within three months after issuance of this permit, the Permittee shall meet with the Department to discuss the content of a Plan of Study (POS) for a seagrass study in accordance with the requirements of Item I.E.15, and shall submit the POS within six months of issuance of this permit.
3. Within six months after issuance of this permit, the Permittee shall meet with the Department to discuss the content of a Plan of Study (POS) for biological monitoring in accordance with the requirements of Item I.E.16, and shall submit the POS within twelve months of issuance of this permit.
4. The permittee shall achieve compliance with the other conditions of this permit as follows:

Operational level attained	Issuance Date of permit
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5. No later than 14 calendar days following a date identified in the above schedule(s) of compliance, the permittee shall submit either a report of progress or, in the case of specific actions being required by an identified date, a written notice of compliance or noncompliance. In the latter case, the notice shall include the cause of noncompliance, any remedial actions taken, and the probability of meeting the next scheduled requirement
6. The permittee shall comply with the requirements of 40 CFR part 125.9(a)(1) and (2) no later than upon submittal of a timely application for permit renewal, submitted pursuant to the requirements of condition VII.C. of this permit.

VII. Other Specific Conditions

A. Specific Conditions Applicable to All Permits

1. Drawings, plans, documents or specifications submitted by the permittee, not attached hereto, but retained on file at the Southwest District Office, are made a part hereof.
2. Where required by Chapter 471 (P.E.) or Chapter 492 (P.G.) Florida Statutes, applicable portions of reports to be submitted under this permit, shall be signed and sealed by the professional(s) who prepared them.
3. This permit satisfies Industrial Wastewater program permitting requirements only and does not authorize operation of this facility prior to obtaining any other permits required by local, state or federal agencies.

B. Specific Conditions Related to Construction

This section is not applicable to this facility.

C. Duty to Reapply

1. The permittee shall submit an application to renew this permit at least 180 days before the expiration date of this permit.
2. The permittee shall apply for renewal of this permit on the appropriate form listed in Rule 62-620.910, F.A.C., and in the manner established in Chapter 62-620, F.A.C., and the Department of Environmental Protection

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Guide to Wastewater Permitting including submittal of the appropriate processing fee set forth in Rule 62-4.050, F.A.C.

3. An application filed in accordance with subsections 1. and 2. of this part shall be considered timely and sufficient. When an application for renewal of a permit is timely and sufficient, the existing permit shall not expire until the Department has taken final action on the application for renewal or until the last day for seeking judicial review of the agency order or a later date fixed by order of the reviewing court.
4. The late submittal of a renewal application shall be considered timely and sufficient for the purpose of extending the effectiveness of the expiring permit only if it is submitted and made complete before the expiration date.

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

1. General Conditions

In accordance with Section 304(e) and 402(a)(2) of the Clean Water Act (CWA) as amended, 33 U.S.C. §§ 1251 et seq., and the Pollution Prevention Act of 1990, 42 U.S.C. §§ 13101-13109, the permittee must develop and implement a plan for utilizing practices incorporating pollution prevention measures. References to be considered in developing the plan are "Criteria and Standards for Best Management Practices Authorized Under Section 304(e) of the Act," found at 40 CFR 122.44 Subpart K and the Waste Minimization Opportunity Assessment Manual, EPA/625/7-88/003.

a. Definitions

- (1) The term "pollutants" refers to conventional, non-conventional and toxic pollutants.
- (2) Conventional pollutants are: biochemical oxygen demand (BOD), suspended solids, pH, fecal coliform bacteria and oil & grease.
- (3) Non-conventional pollutants are those which are not defined as conventional or toxic.
- (4) Toxic pollutants include, but are not limited to: (a) any toxic substance listed in Section 307(a)(1) of the CWA, any hazardous substance listed in Section 311 of the CWA, or chemical listed in Section 313(c) of the Superfund Amendments and Reauthorization Act of 1986; and (b) any substance (that is not also a conventional or non-conventional pollutant except ammonia) for which EPA has published an acute or chronic toxicity criterion.
- (5) "Pollution prevention" and "waste minimization" refer to the first two categories of EPA's preferred hazardous waste management strategy: first, source reduction and then, recycling.
- (6) "Recycle/Reuse" is defined as the minimization of waste generation by recovering and reprocessing usable products that might otherwise become waste; or the reuse or reprocessing of usable waste products in place of the original stock, or for other purposes such as material recovery, material regeneration or energy production.
- (7) "Source reduction" means any practice which: (a) reduces the amount of any pollutant entering a waste stream or otherwise released into the environment (including fugitive emissions) prior to recycling, treatment or disposal; and (b) reduces the hazards to public health and the environment associated with the release of such pollutant. The term includes equipment or technology modifications, process or procedure modifications, reformulation or redesign of products, substitution of raw materials, and improvements in housekeeping, maintenance, training, or inventory control. It does not include any practice which alters the physical, chemical, or biological characteristics or the volume of a pollutant through a process or activity which itself is not integral to, or previously considered necessary for, the production of a product or the providing of a service.
- (8) "BMP3" means a Best Management Plan incorporating the requirements of 40 CFR § 122.44, Subpart K, plus pollution prevention techniques associated with a Waste Minimization Assessment.

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(9) "Waste Minimization Assessment" means a systematic planned procedure with the objective of identifying ways to reduce or eliminate waste.

2. **Best Management Practices/Pollution Prevention Plan**

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

a. **Signatory Authority & Management Responsibilities**

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

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

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

b. **BMP3 Plan Requirements**

- (1) Name & description of facility, a map illustrating the location of the facility & adjacent receiving waters, and other maps, plot plans or drawings, as necessary;
- (2) Overall objectives (both short-term and long-term) and scope of the plan, specific reduction goals for pollutants, anticipated dates of achievement of reduction, and a description of means for achieving each reduction goal;
- (3) A description of procedures relative to spill prevention, control & countermeasures and a description of measures employed to prevent storm water contamination;
- (4) A description of practices involving preventive maintenance, housekeeping, recordkeeping, inspections, and plant security; and

c. **Waste Minimization Assessment**

The permittee is encouraged but not required to conduct a waste minimization assessment (WMA) for this facility to determine actions that could be taken to reduce waste loadings and chemical losses to all wastewater and/or storm water streams as described in Part VII.D.3 of this permit.

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

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Florida Department of Environmental Protection
Industrial Wastewater Section, Mail Station 3545
Twin Towers Office Building
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

(850) 245-8589
(850) 245-8669 -- Fax

d. Best Management Practices & Pollution Prevention Committee Recommended:

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

e. Employee Training

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

f. Plan Development & Implementation

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

g. Submission of Plan Summary & Progress/Update Reports

- (1) Plan Summary: Not later than 2 years after the effective date of the permit, a summary of the BMP3 plan shall be developed and maintained at the facility and made available to the Department upon request. The summary shall include the following: a brief description of the plan, its implementation process, schedules for implementing identified waste reduction practices, and a list of all waste reduction practices being employed at the facility. The results of WMA studies, as well as scheduled WMA activities may be discussed.
- (2) Progress/Update Reports: Annually thereafter for the duration of the permit progress/update reports documenting implementation of the plan shall be maintained at the facility and made available to the Department upon request. The reports shall discuss whether or not implementation schedules were met and revise any schedules, as necessary. The plan shall also be updated as necessary and the attainment or progress made toward specific pollutant reduction targets documented. Results of any ongoing WMA studies as well as any additional schedules for implementation of waste reduction practices may be included.

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

Timetable for BMP3 Plan:

<u>ELEMENT</u>	<u>TIME FROM EFFECTIVE DATE OF THIS PERMIT</u>
Complete WMA (if appropriate)	6 months
Progress/Update Reports	3 years, and then annually thereafter

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

h. Plan Review & Modification

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

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

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

1. Existing manufacturing, commercial, mining, and silvicultural wastewater facilities or activities that discharge into surface waters shall notify the Department as soon as they know or have reason to believe:
 - a. That any activity has occurred or will occur which would result in the discharge, on a routine or frequent basis, of any toxic pollutant which is not limited in the permit, if that discharge will exceed the highest of the following levels
 - (1) One hundred micrograms per liter,
 - (2) Two hundred micrograms per liter for acrolein and acrylonitrile; five hundred micrograms per liter for 2,4-dinitrophenol and for 2-methyl-4,6-dinitrophenol; and one milligram per liter for antimony, or
 - (3) Five times the maximum concentration value reported for that pollutant in the permit application.
 - b. That any activity has occurred or will occur which would result in any discharge, on a non-routine or infrequent basis, of a toxic pollutant which is not limited in the permit, if that discharge will exceed the highest of the following levels
 - (1) Five hundred micrograms per liter,
 - (2) One milligram per liter for antimony, or
 - (3) Ten times the maximum concentration value reported for that pollutant in the permit application.

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F. Reopener Clause

1. The permit shall be revised, or alternatively, revoked and reissued in accordance with the provisions contained in Rules 62-620.325 and 62-620.345 F.A.C., if applicable, or to comply with any applicable effluent standard or limitation issued or approved under Sections 301(b)(2)(C) and (D), 304(b)(2) and 307(a)(2) of the Clean Water Act (the Act), as amended, if the effluent standards, limitations, or water quality standards so issued or approved:
 - a. Contains different conditions or is otherwise more stringent than any condition in the permit/or;
 - b. Controls any pollutant not addressed in the permit.The permit as revised or reissued under this paragraph shall contain any other requirements then applicable.
2. The permit may be reopened to adjust effluent limitations or monitoring requirements should future Water Quality Based Effluent Limitation determinations, water quality studies, DEP approved changes in water quality standards, or other information show a need for a different limitation or monitoring requirement.
3. The Department may develop a Total Maximum Daily Load (TMDL) during the life of the permit. Once a TMDL has been established and adopted by rule, the Department shall revise this permit to incorporate the final findings of the TMDL.

VIII. General Conditions

1. The terms, conditions, requirements, limitations and restrictions set forth in this permit are binding and enforceable pursuant to Chapter 403, F.S. Any permit noncompliance constitutes a violation of Chapter 403, F.S., and is grounds for enforcement action, permit termination, permit revocation and reissuance, or permit revision. [62-620.610(1), F.A.C.]
2. This permit is valid only for the specific processes and operations applied for and indicated in the approved drawings or exhibits. Any unauthorized deviation from the approved drawings, exhibits, specifications or conditions of this permit constitutes grounds for revocation and enforcement action by the Department. [62-620.610(2), F.A.C.]
3. As provided in Subsection 403.087(6), F.S., the issuance of this permit does not convey any vested rights or any exclusive privileges. Neither does it authorize any injury to public or private property or any invasion of personal rights, nor authorize any infringements of federal, state, or local laws or regulations. This permit is not a waiver of or approval of any other Department permit or authorization that may be required for other aspects of the total project which are not addressed in this permit. [62-620.610(3), F.A.C.]
4. This permit conveys no title to land or water, does not constitute state recognition or acknowledgment of title, and does not constitute authority for the use of submerged lands unless herein provided and the necessary title or leasehold interests have been obtained from the State. Only the Trustees of the Internal Improvement Trust Fund may express State opinion as to title. [62-620.610(4), F.A.C.]
5. This permit does not relieve the permittee from liability and penalties for harm or injury to human health or welfare, animal or plant life, or property caused by the construction or operation of this permitted source; nor does it allow the permittee to cause pollution in contravention of Florida Statutes and Department rules, unless specifically authorized by an order from the Department. The permittee shall take all reasonable steps to minimize or prevent any discharge, reuse of reclaimed water, or residuals use or disposal in violation of this permit which has a reasonable likelihood of adversely affecting human health or the environment. It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit. [62-620.610(5), F.A.C.]
6. If the permittee wishes to continue an activity regulated by this permit after its expiration date, the permittee shall apply for and obtain a new permit. [62-620.610(6), F.A.C.]

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7. The permittee shall at all times properly operate and maintain the facility and systems of treatment and control, and related appurtenances, that are installed and used by the permittee to achieve compliance with the conditions of this permit. This provision includes the operation of backup or auxiliary facilities or similar systems when necessary to maintain or achieve compliance with the conditions of the permit. *[62-620.610(7), F.A.C.]*
8. This permit may be modified, revoked and reissued, or terminated for cause. The filing of a request by the permittee for a permit revision, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance does not stay any permit condition. *[62-620.610(8), F.A.C.]*
9. The permittee, by accepting this permit, specifically agrees to allow authorized Department personnel, including an authorized representative of the Department and authorized EPA personnel, when applicable, upon presentation of credentials or other documents as may be required by law, and at reasonable times, depending upon the nature of the concern being investigated, to
 - a. Enter upon the permittee's premises where a regulated facility, system, or activity is located or conducted, or where records shall be kept under the conditions of this permit;
 - b. Have access to and copy any records that shall be kept under the conditions of this permit;
 - c. Inspect the facilities, equipment, practices, or operations regulated or required under this permit; and
 - d. Sample or monitor any substances or parameters at any location necessary to assure compliance with this permit or Department rules.*[62-620.610(9), F.A.C.]*
10. In accepting this permit, the permittee understands and agrees that all records, notes, monitoring data, and other information relating to the construction or operation of this permitted source which are submitted to the Department may be used by the Department as evidence in any enforcement case involving the permitted source arising under the Florida Statutes or Department rules, except as such use is proscribed by Section 403.111, Florida Statutes, or Rule 62-620.302, F.A.C. Such evidence shall only be used to the extent that it is consistent with the Florida Rules of Civil Procedure and applicable evidentiary rules. *[62-620.610(10), F.A.C.]*
11. When requested by the Department, the permittee shall within a reasonable time provide any information required by law which is needed to determine whether there is cause for revising, revoking and reissuing, or terminating this permit, or to determine compliance with the permit. The permittee shall also provide to the Department upon request copies of records required by this permit to be kept. If the permittee becomes aware of relevant facts that were not submitted or were incorrect in the permit application or in any report to the Department, such facts or information shall be promptly submitted or corrections promptly reported to the Department. *[62-620.610(11), F.A.C.]*
12. Unless specifically stated otherwise in Department rules, the permittee, in accepting this permit, agrees to comply with changes in Department rules and Florida Statutes after a reasonable time for compliance; provided however, the permittee does not waive any other rights granted by Florida Statutes or Department rules. A reasonable time for compliance with a new or amended surface water quality standard, other than those standards addressed in Rule 62-302.500, F.A.C., shall include a reasonable time to obtain or be denied a mixing zone for the new or amended standard. *[62-620.610(12), F.A.C.]*
13. The permittee, in accepting this permit, agrees to pay the applicable regulatory program and surveillance fee in accordance with Rule 62-4.052, F.A.C. *[62-620.610(13), F.A.C.]*
14. This permit is transferable only upon Department approval in accordance with Rule 62-620.340, F.A.C. The permittee shall be liable for any noncompliance of the permitted activity until the Department approves the transfer. *[62-620.610(14), F.A.C.]*
15. The permittee shall give the Department written notice at least 60 days before inactivation or abandonment of a wastewater facility and shall specify what steps will be taken to safeguard public health and safety during and following inactivation or abandonment. *[62-620.610(15), F.A.C.]*

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16. The permittee shall apply for a revision to the Department permit in accordance with Rule 62-620.300, F.A.C., and the Department of Environmental Protection Guide to Wastewater Permitting at least 90 days before construction of any planned substantial modifications to the permitted facility is to commence or with Rule 62-620.325(2), F.A.C., for minor modifications to the permitted facility. A revised permit shall be obtained before construction begins except as provided in Rule 62-620.300, F.A.C. [62-620.610(16), F.A.C.]
17. The permittee shall give advance notice to the Department of any planned changes in the permitted facility or activity which may result in noncompliance with permit requirements. The permittee shall be responsible for any and all damages which may result from the changes and may be subject to enforcement action by the Department for penalties or revocation of this permit. The notice shall include the following information:
 - a. A description of the anticipated noncompliance;
 - b. The period of the anticipated noncompliance, including dates and times; and
 - c. Steps being taken to prevent future occurrence of the noncompliance.[62-620.610(17), F.A.C.]
18. Sampling and monitoring data shall be collected and analyzed in accordance with Rule 62-4.246, Chapters 62-160 and 62-601, F.A.C., and 40 CFR 136, as appropriate.
 - a. Monitoring results shall be reported at the intervals specified elsewhere in this permit and shall be reported on a Discharge Monitoring Report (DMR), DEP Form 62-620.910(10).
 - b. If the permittee monitors any contaminate more frequently than required by the permit, using Department approved test procedures, the results of this monitoring shall be included in the calculation and reporting of the data submitted in the DMR.
 - c. Calculations for all limitations which require averaging of measurements shall use an arithmetic mean unless otherwise specified in this permit.
 - d. Any laboratory test required by this permit shall be performed by a laboratory that has been certified by the Department of Health (DOH) under Chapter 64E-1, F.A.C., where such certification is required by Rule 62-160.300(4), F.A.C. The laboratory must be certified for any specific method and analyte combination that is used to comply with this permit. For domestic wastewater facilities, the on-site test procedures specified in Rule 62-160.300(4), F.A.C., shall be performed by a laboratory certified test for those parameters or under the direction of an operator certified under Chapter 62-602, F.A.C.
 - e. Fields activities including on-site tests and sample collection, whether performed by a laboratory or a certified operator, must follow the applicable procedures described in DEP-SOP-001/01 (January 2002). Alternate field procedures and laboratory methods may be used where they have been approved according to the requirements of Rules 62-160.220, 62-160.330, and 62-160.600, F.A.C.[62-620.610(18), F.A.C.]
19. Reports of compliance or noncompliance with, or any progress reports on, interim and final requirements contained in any compliance schedule detailed elsewhere in this permit shall be submitted no later than 14 days following each schedule date. [62-620.610(19), F.A.C.]
20. The permittee shall report to the Department's Southwest District Office any noncompliance which may endanger health or the environment. Any information shall be provided orally within 24 hours from the time the permittee becomes aware of the circumstances. A written submission shall also be provided within five days of the time the permittee becomes aware of the circumstances. The written submission shall contain: a description of the noncompliance and its cause; the period of noncompliance including exact dates and time, and if the noncompliance has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent recurrence of the noncompliance.
 - a. The following shall be included as information which must be reported within 24 hours under this condition:
 - (1) Any unanticipated bypass which causes any reclaimed water or effluent to exceed any permit limitation or results in an unpermitted discharge,

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- (2) Any upset which causes any reclaimed water or the effluent to exceed any limitation in the permit,
 - (3) Violation of a maximum daily discharge limitation for any of the pollutants specifically listed in the permit for such notice, and
 - (4) Any unauthorized discharge to surface or ground waters.
- b. Oral reports as required by this subsection shall be provided as follows:
- (1) For unauthorized releases or spills of untreated or treated wastewater reported pursuant to subparagraph a.4 that are in excess of 1,000 gallons per incident, or where information indicates that public health or the environment will be endangered, oral reports shall be provided to the Department by calling the STATE WARNING POINT TOLL FREE NUMBER (800) 320-0519, as soon as practical, but no later than 24 hours from the time the permittee becomes aware of the discharge. The permittee, to the extent known, shall provide the following information to the State Warning Point:
 - (a) Name, address, and telephone number of person reporting;
 - (b) Name, address, and telephone number of permittee or responsible person for the discharge;
 - (c) Date and time of the discharge and status of discharge (ongoing or ceased);
 - (d) Characteristics of the wastewater spilled or released (untreated or treated, industrial or domestic wastewater);
 - (e) Estimated amount of the discharge;
 - (f) Location or address of the discharge;
 - (g) Source and cause of the discharge;
 - (h) Whether the discharge was contained on-site, and cleanup actions taken to date;
 - (i) Description of area affected by the discharge, including name of water body affected, if any; and
 - (j) Other persons or agencies contacted.
 - (2) Oral reports, not otherwise required to be provided pursuant to subparagraph b(1) above, shall be provided to Department's Southwest District Office within 24 hours from the time the permittee becomes aware of the circumstances.
- c. If the oral report has been received within 24 hours, the noncompliance has been corrected, and the noncompliance did not endanger health or the environment, the Department's Southwest District Office shall waive the written report.
[62-620.610(20), F.A.C.]
21. The permittee shall report all instances of noncompliance not reported under Conditions VIII. 18 and 19 of this permit at the time monitoring reports are submitted. This report shall contain the same information required by Condition VIII. 20. of this permit. *[62-620.610(21), F.A.C.]*
22. Bypass Provisions.
- a. Bypass is prohibited, and the Department may take enforcement action against a permittee for bypass, unless the permittee affirmatively demonstrates that:
 - (1) Bypass was unavoidable to prevent loss of life, personal injury, or severe property damage; and
 - (2) There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate back-up equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass which occurred during normal periods of equipment downtime or preventative maintenance; and
 - (3) The permittee submitted notices as required under Condition VIII.22.b. of this permit.
 - b. If the permittee knows in advance of the need for a bypass, it shall submit prior notice to the Department, if possible at least 10 days before the date of the bypass. The permittee shall submit notice of an unanticipated bypass within 24 hours of learning about the bypass as required in Condition VIII.20. of this permit. A notice shall include a description of the bypass and its cause; the period of the bypass, including exact dates and times; if the bypass has not been corrected, the anticipated time it is expected to continue; and the steps taken or planned to reduce, eliminate, and prevent recurrence of the bypass.

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- c. The Department shall approve an anticipated bypass, after considering its adverse effect, if the permittee demonstrates that it will meet the three conditions listed in Condition VIII.22 a. (1) through (3) of this permit.
- d. A permittee may allow any bypass to occur which does not cause reclaimed water or effluent limitations to be exceeded if it is for essential maintenance to assure efficient operation. These bypasses are not subject to the provision of Condition VIII.22.a. through c. of this permit.
[62-620.610(22), F.A.C.]

23. Upset Provisions

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

Executed in Tallahassee, Florida.

STATE OF FLORIDA DEPARTMENT OF
ENVIRONMENTAL PROTECTION

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