

STATE OF FLORIDA
DEPARTMENT OF
ENVIRONMENTAL PROTECTION



CEMEX Construction Materials Florida, ~~LLC~~LLC's
Brooksville South Cement ~~Plant's~~Plant
and
Central Power & Lime, LLC's
Steam Electric Generating Plant

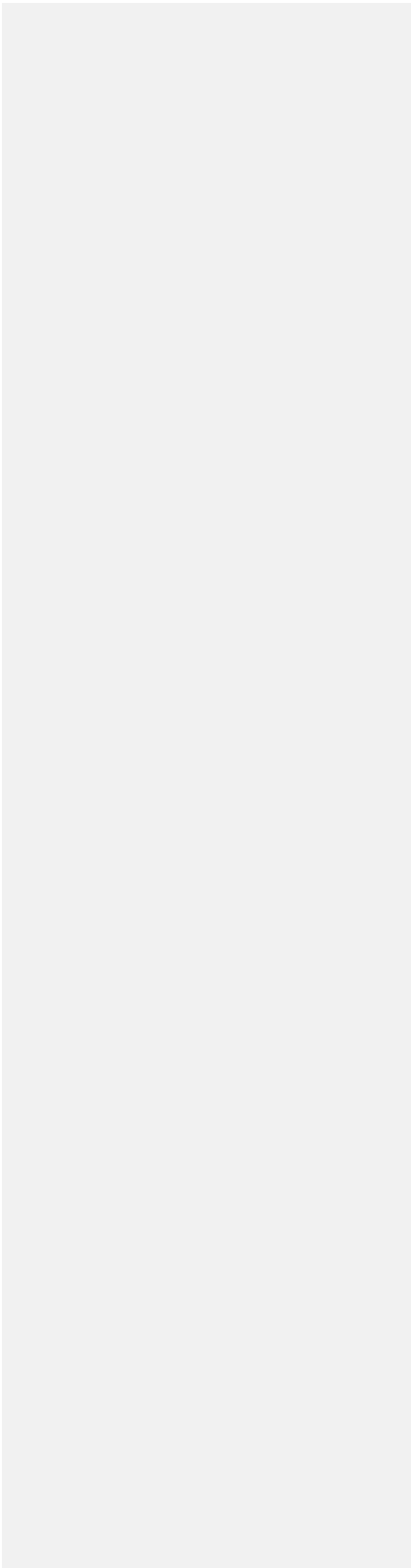
PA82-~~170~~17P

CONDITIONS OF CERTIFICATION

~~05/29/2009~~

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April xx, 2012



State of Florida Department of Environmental Protection
CEMEX Construction Materials Florida, LLC
Central Power & Lime, LLC
PA 82-17017P
Conditions of Certification

Modified 05/29/2009

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~~I. AIR~~

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SECTION A: GENERAL CONDITIONS

SECTION A: GENERAL CONDITIONS (APPLICABLE TO THE CERTIFIED FACILITIES)

I. SCOPE

A. Pursuant to the Florida Electrical Power Plant Siting Act (PPSA), Sections 403.501-518, Florida Statutes (F.S.), this certification is issued to CEMEX Construction Materials Florida, LLC (CEMEX) and Central Power & Lime, LLC (CPL) as owners/operators and Licensees of CEMEX's Brooksville South Cement Plant and CPL's Steam Electric Generating Plant, respectively. Subject to the requirements contained in these Conditions of Certification (Conditions) CEMEX and CPL will operate the facilities described herein and CPL will convert an existing steam electric generating unit to operate as a 70-80 megawatt (MW) electrical generating facility consisting of a biomass-fueled electrical generating unit; biomass fuel delivery, handling and storage facilities; recirculation ponds; water intake and outfall structures and pipes; transmission infrastructure; access roadways and other associated facilities. The electrical generating unit is located on a 125-acre Site which is located in Hernando County, Florida. UTM coordinates are: Zone 17N; 360065.5 km East; 3162512.3 km North.

B. The CPL portion of the Certified Facilities includes, but is not limited to, the following major facilities:

- The electrical generating unit;
- Biomass fuel delivery, unloading, handling, and storage facilities;
- Water intake and outfall structures and pipes;
- Four-mile electrical transmission line extending from the Site; and
- Transmission infrastructure, including an on-Site substation.

The CEMEX portion of the Certified Facilities includes, but is not limited to, the following major facilities:

- Cement plant and kilns;
- Grinding Mills;
- Limerock processing facility;
- Waste tire processing facility;
- Rail spur; and
- Coal delivery, unloading, storage and handling facilities.

C. CPL and CEMEX will continue to share responsibility for the following portions of the Certified Facilities:

- Recirculation ponds;
- Domestic wastewater treatment plant;
- Water supply wells
- Electrical switchyard;

SECTION A: GENERAL CONDITIONS

- Administration building;
- Access roadways;
- Truck wash; and
- Surfacewater management systems

II. DEFINITIONS

The meaning of terms used herein shall be governed by the definitions contained in Chapter 403., F.S., and any regulation adopted pursuant thereto. In the event of any dispute over the meaning of a term used in these general or special conditions which is not defined in such statutes or regulations, such dispute shall be resolved by reference to the most relevant definitions contained in any other state or federal statute or regulation or, in the alternative, by the use of the commonly accepted meaning as determined by the Department. As used herein:

A. "DEP" or "Department" shall mean the Florida Department of Environmental Protection.

B. "DHR" shall mean the Florida Department of State, Division of Historical Resources.

C. "Feasible" or "practicable" shall mean reasonably achievable considering a balance of land use impacts, environmental impacts, engineering constraints, and costs.

D. "FFWCC" shall mean the Florida Fish and Wildlife Conservation Commission.

E. "Licensees/permittees" shall mean applicants which have obtained a certification order for the subject electrical power plant.

F. "NPDES permit" shall mean the federal National Pollutant Discharge Permit System permit issued in accordance with the federal Clean Water Act.

G. "Power plant", "facility", or "project" shall mean the electrical power generating plant as defined in Section 403.503(12), F.S.

H. "PSD permit" shall mean the federal Prevention of Significant Deterioration air emissions permit issued in accordance with the federal Clean Air Act.

I. "Title V permit" shall mean the federal permit issued in accordance with Title V of the federal Clean Air Act.

J. "SWFWMD" shall mean the Southwest Florida Water Management District.

III. EFFECTS OF CERTIFICATION

Certification and conditions of certification are predicated upon design and performance criteria indicated in the application. Thus, conformance to those criteria, unless specifically amended, modified, or as the Department and parties are otherwise notified, is binding upon the Licensees in the preparation, construction, and maintenance of the certified project. In those instances where a conflict occurs between the application's design criteria and the conditions of certification, the conditions shall prevail.

SECTION A: GENERAL CONDITIONS

IV. OPEN BURNING

Open burning in connection with land clearing shall be in accordance with Chapters 62-256 and 5I-2, F.A.C. 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 Chapter 5I-2, F.A.C.

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

V. FLOOD PROOFING

The power generation equipment and other facilities vital to the operation of the plant shall be constructed in such a manner that water elevations at the 100 year flood will not cause damage to the equipment or necessitate plant shutdown.

VI. RIGHT OF ENTRY

The licensees shall allow authorized Department personnel, including authorized representatives of the Florida Department of Environmental Protection, Southwest Florida Water Management District and/or United States Environmental Protection Agency, 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:

A. To enter upon the licensees' premises where an effluent source is located or in which records are required to be kept under the terms and conditions of this permit; and

B. To have access to and to make copies of all records required to be kept under the conditions of this certification; and

C. To inspect and test any monitoring equipment or monitoring method required in this certification and to sample any discharge or pollutants; and

D. To assess any damage to the environment or violation of ambient standards and to sample or monitor any substances or parameters at any location necessary to assure compliance with these Conditions or Department rules.

VII. SEVERABILITY

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

VIII. FACILITIES OPERATION

A. General Operation

The licensees shall at all times properly operate and maintain the facilities and related appurtenances, and systems of treatment and control that are installed and used to achieve compliance with the conditions of this certification, and are required by Department rules. This provision includes the operation of backup or auxiliary facilities or similar systems when necessary to achieve compliance with the conditions of the approval and when required by Department rules.

SECTION A: GENERAL CONDITIONS

B. Malfunction or Shutdown

In the event of a prolonged [thirty (30) days or more] equipment malfunction or shutdown of pollution control equipment, facility operation may be allowed to resume and continue to take place under an appropriate Department order, provided that the licensees demonstrate that such operation will be in compliance with all applicable ambient air quality standards and PSD increments, water quality standards and rules, solid waste rules, domestic wastewater rules and industrial wastewater rules. During such malfunction or shutdown, the operation of the facilities shall comply with all other requirements of this certification and all applicable state and federal emission and effluent standards not affected by the malfunction or shutdown.

C. Records Maintained at the Facility

1. These Conditions of Certification or a copy thereof shall be kept at the work site of the approved activity.

2. The licensees shall hold at the facilities, or other location designated by this approval, records of all monitoring information, including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation required by this approval, copies of all reports required by this approval, and records of all data used to complete the application for this approval. These materials shall be retained at least three (3) years from the date of the sample, measurement, report, or application unless otherwise specified by Department rule. The licensees shall provide copies of these records to the Department upon request. If the licensees become aware of relevant facts that were not submitted or were incorrect in any report to the Department, such facts or information shall be promptly submitted or corrected.

D. Change in Discharge

All discharges or emissions authorized herein shall be consistent with the terms and conditions of this certification. The discharge of any pollutant not identified in the application, or more frequently than, or at a level in excess of that authorized herein, shall constitute a violation of the certification. Any anticipated facility expansions, production increases, or process modifications which may result in new, different or increased discharges or pollutants, change in fuel, or expansion in steam generating capacity must be reported by submission of a new application for amendment or modification pursuant to Section 403.516, F.S.

E. Noncompliance Notification

If, for any reason, the licensees do not comply with or are unable to comply with any limitation specified in this certification, the licensees shall notify the Southwest District Office of the Department by telephone during the working day that said noncompliance occurs. After normal business hours, the licensees shall report any condition that poses a public health threat to the State Warning Point at telephone number (850) 413-9911 or (850) 413-9912. The licensees shall confirm this situation to the DEP District Office in writing within seventy-two (72) hours of becoming aware of such conditions and shall supply the following information:

1. A description of the discharge and cause of noncompliance; and,

SECTION A: GENERAL CONDITIONS

2. The period of noncompliance, including exact dates and times; or, if not corrected, the anticipated time the noncompliance is expected to continue, and,

3. Steps being taken to reduce, eliminate and prevent recurrence of the noncomplying event.

F. Enforcement

1. The terms, conditions, requirements, limitations and restrictions set forth in these Conditions of Certification are the same as "Permit Conditions" and are binding and enforceable pursuant to Sections 403.141, 403.161, and 403.514, F.S. Any noncompliance with a Condition of Certification or condition of a federally delegated or approved permit constitutes a violation of chapter 403, F.S., and is grounds for enforcement action, permit termination, permit revocation, or permit revision. The licensees are placed on notice that the Department will review this approval periodically and may initiate enforcement action for any violation of these conditions.

2. All records, notes, monitoring data and other information relating to the construction or operation of this certified source which are submitted to the Department may be used by the Department as evidence in any enforcement case involving the certified source arising under the Florida Statutes or Department rules, except where such evidence shall only be used to the extent it is consistent with the Florida Rules of Civil Procedure and appropriate evidentiary rules.

IX. ADVERSE IMPACT

The licensees shall take all reasonable steps to minimize any adverse impacts resulting from non-compliance with any limitation specified in this certification, including, but not limited to, such accelerated or additional monitoring as necessary to determine the nature and impact of the non-complying event.

X. REVOCATION OR SUSPENSION

This certification may be suspended or revoked pursuant to Section 403.512, F.S., or for violations of any Condition of Certification.

XI. CIVIL AND CRIMINAL LIABILITY

This certification does not relieve the licensees from civil or criminal responsibility or liability for non-compliance with any conditions of this certification, applicable rules or regulations of the Department, or Chapter 403, F.S., or regulations thereunder.

Subject to Section 403.511, F.S., this certification shall not preclude the institution of any legal action or relieve the licensees from any responsibilities or penalties established pursuant to any other applicable state statutes or regulations.

XII. PROPERTY RIGHTS

The Issuance of this certification does not convey any property rights in either real or personal property, tangible or intangible, nor any exclusive privileges, nor 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. The applicant will obtain title, lease or right of use to

SECTION A: GENERAL CONDITIONS

any sovereign submerged lands occupied by the plant, transmission line structures, or appurtenant facilities from the State of Florida.

XIII. CONSTRUCTION ON SOVEREIGNTY LANDS

No construction on sovereignty lands shall commence without obtaining lease or title from the DEP or Trustees of the Internal Improvement Trust Fund (TIITF).

XIV. MODIFICATION OF CONDITIONS

The conditions of this Certification may be modified in the following manner:

A. Pursuant to Section 403.516(1)(a), F.S., Section 120.569(2)(n), F.S., and Rule 62-211, F.A.C., the Siting Board hereby delegates the authority to the Department of Environmental Protection to modify, after notice and receipt of no objection by a party or other substantially affected person, any conditions which would not otherwise require approval by the Siting Board.

B. This certification shall be automatically modified to conform to any subsequent amendments, modifications, or renewals made by DEP under a federally delegated or approved program to any separately issued Prevention of Significant Deterioration (PSD) permit, Title V Air Permit, or National Pollutant Discharge Elimination System (NPDES) permit for the certified facility. The licensees shall send each party to the original certification proceedings (at the party's last known address as shown in the record of such proceeding) notice of requests for modifications or renewals of the above listed permits if the request involves a relief mechanism (e.g., mixing zone, variance, etc.) from standards, a relaxation of conditions included in the permit due to state permitting requirements, or the inclusion of less restrictive air emission limitations in the air permits. DEP shall notify all parties to the certification proceeding of any intent to modify conditions under this section prior to taking final agency action.

C. All other modifications shall be made in accordance with Sections 403.516, F.S.

XV. REVIEW OF SITE CERTIFICATION

The certification shall be final unless revised, revoked or suspended pursuant to law. At least every five years from the date of issuance of this certification, the Department shall review all monitoring data that has been submitted to it during the preceding five-year period for the purpose of determining the extent of the licensees' compliance with the conditions of this certification of the environmental impact of this facility. The Department shall submit results of its review and recommendations to the licensees. Such review will be repeated at least every five years thereafter.

XVI. OPERATION SAFEGUARDS

The overall design, layout, and operation of the facilities shall be such as to minimize hazards to humans and the environment. Security control measures shall be utilized to prevent exposure of the public to hazardous conditions.

XVII. TOXIC, DELETERIOUS, OR HAZARDOUS MATERIALS

The spill of any toxic, deleterious, or hazardous materials shall be reported in the manner specified by the Facility Operations Section A.VIII.

SECTION A: GENERAL CONDITIONS

XVIII. PROCEDURE 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 Licensees are for the purpose of facilitating the agencies' monitoring of the effects arising from the location of the Certified Facility and the construction and maintenance of the Certified Facility. This monitoring is for DEP to assure, in consultation with other agencies with applicable regulatory jurisdiction, continued compliance with these Conditions, without further agency action. Any submittal of information or determination of compliance pursuant to a post-certification submittal does not provide a point of entry for a third party.

B. Filings

All post-certification submittals of information by Licensees are to be filed with the SCO, the SWD, and any other agency that is entitled to receive a submittal pursuant to these Conditions. All filings with the SCO shall be submitted in electronic .pdf format only, unless otherwise requested by SCO. Each submittal shall clearly identify the Certified Facility name, PA#, and the condition number/s (i.e. Section X, Condition XX.y(z)) requiring the submittal. As required by Section 403.5113(2), F.S., each post-certification submittal will be reviewed by each agency with regulatory authority over the matters addressed in the submittal on an expedited and priority basis.

[Section 403.5113, F.S., and Ruld 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 Licensees 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 agencies with regulatory jurisdiction over the matters addressed in the post-certification submittal to discuss whether compliance with these Conditions has been provided. Failure of DEP to conduct an interagency meeting or failure of any agency to attend an interagency meeting shall not be grounds for DEP to withhold a determination of compliance with these Conditions nor to delay the timeframes for review established by these Conditions. At DEP's request, the Licensee shall conduct a field inspection with the agency representative in conjunction with the interagency meeting.

SECTION A: GENERAL CONDITIONS

E. Determination of Compliance

DEP shall give written notification within 90 days, to the Licensees and the other agency/ies to which the post-certification information was submitted of DEP's determination of whether there is demonstration of compliance with these Conditions. If it is determined that compliance with the Conditions has not been provided, the Licensees shall be notified with particularity of the deficiencies and possible corrective measures suggested. Failure to notify Licensees 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, Licensees 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 Licensees 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 Licensees 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., and Rule 62-17.191, F.A.C.]

XIX. ENVIRONMENTAL RESOURCES

A. General

1. Submittals for Construction Activities

a. Prior to the commencement of construction of new facilities and/or associated facilities the Licensees shall provide to the SWD's Environmental Resource Permitting Section(s) for review, all information necessary for a complete *Joint Application for Environmental Resource Permit* (ERP), DEP Forms 62-343.900(1), or 62-346.900(1) and 62-312.900(1), as applicable. Information may be submitted for each individually affected portions of the Certified Facilities for a determination of compliance with these Conditions.

This form may: a) have been 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. Such ERP submittals, once received, shall be reviewed in accordance with the standards and criteria for issuance of an ERP, including all the provisions related to reduction and elimination of impacts, conditions for issuance, additional conditions for issuance, and mitigation contained in Chapters 62-330, 62-341, 62-343, and 62-346, F.A.C., as applicable unless otherwise stated in these Conditions.

SECTION A: GENERAL CONDITIONS

Those forms submitted as part of a site certification, 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. Condition XVIII, 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. In the case of post-certification submittals, the Department's determination is governed by the "Procedures for Post-Certification Submittals" general condition..

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

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

[Chapter 62-340, F.A.C.; section 373.416, F.S.; subsections 62-312, 62-343.070(2) and 62-346.070(2), paragraph 62-343.090(2)(b), and Forms 62-343.900(1) and 62-346.900(1), 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 be in accordance with any applicable non-procedural requirements in the Department rules.

[Section 373.414, 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 license or a formal wetlands jurisdictional determination under Section 373.421(2), F.S., provides otherwise.

[Sections 373.421, 403.504, F.S.]

B. Surface Water Management

1. Designs for surface water management systems shall be in accordance with the applicable non-procedural requirements of Part IV of Chapter 373, F.A.C. following submittal of Form 62-343.900(1), F.A.C. to the SWD.

2. All construction, operation, and maintenance of the surface water management system(s) for the Certified Facilities shall be as set forth in the plans, specifications and performance criteria contained in the Application and any 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

SECTION A: GENERAL CONDITIONS

SWMS, those requirements shall be incorporated into a SWMS Plan for that system and included in Appendix N. Any alteration or modification to the SWMS Plan or the surface water management system as certified requires prior approval from the Department.

3. To allow for stabilization of all disturbed areas, immediately prior to, construction, during construction, and for the period of time after construction of the surface water management system(s), the Licensees 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 of transferring suspended solids into a receiving waterbody to which state surface water quality standards apply exists due to the licensed work. Controls shall remain in place at all locations until construction in that location is completed and soils are stabilized and vegetation is established. 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 Licensees 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 Licensees 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 to the operation and maintenance phase, all silt screens and fences, temporary baffles, and other materials that are no longer required for erosion and sediment control shall be removed.

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

5. At least 48 hours prior to the commencement of construction of any new surface water management system authorized by this license, the Licensees shall submit to the SWD a written notification of commencement using an "Environmental Resource Permit Construction Commencement Notice" (DEP Form 62-343.900(3), F.A.C.), indicating the actual start date and the expected completion date. When the duration of construction will exceed one year, the Licensees shall submit construction status reports to the SWD on an annual basis utilizing an "Annual Status Report Form" (DEP Form No. 62-343.900(4), F.A.C.). Status Report Forms shall be submitted the following June of each year.

SECTION A: GENERAL CONDITIONS

6. Each phase or independent portion of the approved system must be completed in accordance with the approved plans and these Conditions prior to the operation 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 surface water management system, the Licensee shall submit to the SCO and the SWD 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 by a Registered Professional" (DEP Form 62-343.900(5), F.A.C.). Additionally, if deviations from the approved drawings are discovered, the As-Built Certification must be accompanied by a copy of the approved drawings with deviations noted.

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

9. Prior to converting a construction-phase surface water management system to an operation phase surface water management system, the Licensees shall submit to the SWD a "Request for Transfer of Environmental Resource Permit Construction Phase to Operation Phase" (DEP Form 62-343.900(7), F.A.C.). The operation phase of any new surface water management system approved by the Department shall not become effective until the Licensees have complied with the requirements of the conditions herein, the Department determines the system to be in compliance with the approved plans, and the entity approved by the Department accepts responsibility for operation and maintenance of the system.

10. The DEP District ERP Section must be notified in advance of any proposed construction dewatering. If the dewatering activity is likely to result in offsite discharge or sediment transport into wetlands or surface waters, a written dewatering plan must be submitted to and approved by the Department prior to the dewatering event. Additional authorizations may be required for certain dewatering discharges.

[Section 373.414, F.S., Chapters 62-25, 62-302, 62-330, 62-343 62-346, and Rule 62-4.242, F.A.C.]

C. Wetland and Other Surface Water Impacts

1. All certified facilities shall be constructed in a manner which will eliminate or reduce adverse impacts to on-site and/or adjacent wetlands or other surface waters to the extent practicable or otherwise comply with the 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, an applicant may propose and the Department shall consider mitigation to offset otherwise unpermissible activities under the Environmental Resource Permit review process pursuant to subparagraph A.1.a, "Submittal for Construction Activities," above.

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

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[Sections 373.413, 373.414, 373.4145, 403.511, and 403.814(6), F.S. and Chapters 62-330, 62-341 62-342, 62-343,and 62-345, F.A.C.]

XX. NOISE

To mitigate the effects of noise produced by the steam blowout of steam boiler tubes the licensees shall conduct public awareness campaigns prior to such activities to forewarn the public of the estimated time and duration of the noise.

XXI. SCREENING

The licensees shall provide screening of the site through the use of aesthetically acceptable structures, vegetated earthen walls and/or existing or planted vegetation.

SECTION B: COMMON CONDITIONS

SECTION B: COMMON SPECIFIC CONDITIONS (APPLICABLE TO THE CEMENT PLANT AND THE STEAM ELECTRIC POWER PLANT)

I. DEPARTMENT OF ENVIRONMENTAL PROTECTION

A. Air

The construction and operation of the CEMEX Construction Materials Florida, LLC, Brooksville South Cement Plant and Florida Power Development, LLC's steam electric power plant site shall be in accordance with all applicable provisions of the Department of Environmental Protection's (DEP) regulations as found in ~~Chapter~~ Chapters 62-296, 204, 62-297, 210, 62-301, 212, 62-302, 62-522, 62-701-296, and 62-702-297, Florida Administrative Code (F.A.C.), and permits PSD-FL-227, PSD-FL-227A, PSD-FL-090, PSD-FL-091, PSD-FL-351 (0530021-009-AC), PSD-FL-351A (0530021-015), 0530021-006-AC, 0530021-010-AC, 0530021-012-AC, 0530021-016-AC, 0530021-018-AC, 0530021-022-AC, 0530021-026-AC, 0530021-030-AC, 0530021-033-AC and 0530021-~~042034~~-AC as amended (attached as ~~Appendix~~ Appendices B through ~~H~~ O), as applicable to the cement plant or the steam electric power plant. The ~~Facility~~ facilities shall also be operated in conformance with the title V Air Operation Permits No. 0530021-011-AV and 0530021-~~013021~~-AV (attached as Appendix A) and any subsequent renewals, revisions or corrections to these permits, as applicable to the cement plant or the steam electric power plant.

B. Water

The facility shall be operated in accordance with DEP Rules 62-301 and 62-302, F.A.C.

A. ~~Cooling System~~

~~The amount of groundwater used as makeup to the cooling system shall not exceed the following site specific standard of 30.86 MGD on a daily maximum or 4.80 MGD on an annual average.~~

B1. Coal Pile and Biomass Fuel Storage Area Runoff and Leachate

Coal pile runoff, biomass fuel storage area runoff, and leachate from less than the 10-year 24-hour rainfall event shall be collected in lined ditches and treated in a lined treatment facility prior to discharge to the tailings pond.

C2. Water Monitoring Programs

The ~~licensee~~ licensees shall monitor and report to the Department's Southwest District Office ~~or Water Management District~~ the listed parameters on the basis specified herein. The methods and procedures utilized shall be contained in an approved Groundwater Monitoring Plan (Appendix Q) which shall receive written approval by the Department ~~or~~ in compliance with Chapter 62-160, ~~and Chapter 40D-4, F.A.C.~~ The monitoring program may be reviewed annually and revised by the Department, and a determination may be made as to the necessity and extent of continuation ~~and may be modified in accordance with condition No. XXV.~~

1.a. Groundwater Monitoring

ai. The groundwater levels shall be monitored continuously in

SECTION B: COMMON CONDITIONS

wells as approved by Southwest Florida Water Management District. Chemical analyses shall be made on samples from all monitored wells identified in Conditions ~~H.C.31.B.2.c.~~ below. The location, frequency and selected chemical analyses shall be as given in Condition ~~H.C.31.B.2.c.~~ or as subsequently amended in the approved Groundwater Monitoring Plan- ~~(Appendix Q).~~

~~bii.~~ The groundwater monitoring program shall be implemented in accordance with the Groundwater Monitoring Plan-~~submitted April 2000,~~ or as later amended by DEP ~~and SWFWMD~~ approval. The chemical analyses shall be in accord with the latest edition of Standard Methods for the Analysis of Water and Wastewater.

~~eiii.~~ Ground water sampling shall be reported on the Discharge Monitoring Report (DMR) Forms [DEP Form 62-620.910(10)]. In order to facilitate entry of this data into the state computer system, these forms or an exact replica must be used and must not be altered as to content. The original copies should be retained so that necessary information is available to properly complete future reports. The report forms received from the laboratory must be submitted within 30 days of receipt of written request from the Department. A quarterly summary of the results of monitoring shall be provided to the Department ~~and SWFWMD~~ using Form 62-620.910(10).

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

~~div.~~ Conductivity and heavy metals shall be monitored in wells around the coal pile, coal pile runoff sump, ~~landfall~~ landfill and cooling pond.

~~2b.~~ Leachate

~~ai.~~ Compliance

Leachate from the biomass fuel storage area, coal storage pile, coal pile runoff collection sump, ash disposal, and ditches shall not contaminate waters of the State (including both surface and groundwaters) in excess of the limitations of Chapters 62-302, 62-520 and 62-550 F.A.C.

~~bii.~~ Monitoring

A monitoring well system shall be used, commencing one year prior to operation, to determine whether or not leachate from the coal pile runoff collection sump, canals, ditches, ash disposal and coal pile is contaminating the groundwater in violation of Chapter 62-520, F.A.C. The ~~licensee~~ licensees shall keep a quarterly record of the monitoring results and shall notify the Southwest District Office of the Department ~~and the Southwest Florida Water Management District~~ when said measurements exceed water quality standards. A quarterly summary of the results of monitoring shall be provided to the Department ~~and SWFWMD~~ using Form 62-1.216(2). ~~The~~ All proposed revisions to the existing monitoring well system shall be submitted to the Department for approval prior to installation.

~~eiii.~~ Corrective Action

SECTION B: COMMON CONDITIONS

When the leachate monitoring system indicates to the Department violation of the groundwater quality standards of Chapter 62-520, F.A.C., the appropriate ditches, treatment system sump, landfill or coal pile shall be sealed, relocated or closed or the operation of the affected facility shall be altered in such a manner as to assure the Department that no significant contamination of the groundwater will occur.

div. Zone of Discharge

Leachate from the coal storage pile, biomass fuel storage area, wastewater ponds, landfill or coal pile runoff collection sump shall not contaminate waters of the State (including both surface and groundwaters) in excess of the limitations of Chapters 62-302, 62-520 and 62-550, F.A.C., beyond the boundary of separate and individual zones of discharge extending 50 feet below the ground surface and 100 feet from the edge of each individual pile or pond.

3c. Shallow Aquifer Monitoring Wells

After consultation with the DEP and SWFWMD, the licensee shall install a monitoring well network to adequately monitor groundwater quality horizontally and vertically in the surficial and Floridan aquifers. Groundwater levels and flow directions will be determined twice a year (May and September) at the site through the preparation of seasonal piezometric contour maps. From the maps, the water quality monitoring well network will be located. Monitoring well locations and designs shall be submitted to the Department and SWFWMD for review and approval. Approval or disapproval of the locations and design shall be granted within 60 days. Monitoring wells of adequate design and number shall be installed up gradient and down gradient from each liquid waste sump and each coal pile storage area. Two additional monitoring wells will be placed immediately down gradient of the cooling pond. The water samples collected from each of the monitor wells shall be collected immediately after removal by pumping of a quantity of water equal to two casing volumes. The water quality analyses shall be performed monthly during the year prior to commercial operation and quarterly thereafter.

Results shall be submitted to the Department ~~and the SWFWMD~~ by the tenth (10th) day of the month following the month during which such analyses were performed. The Analysis shall follow the methods set forth in the current edition of *Standard Methods for the Examination of Water and Wastewater* by APHA-AWWA-WPCF or *Methods for Chemical Analysis of Water and Wastes* by the U.S. Environmental Protection Agency, with the methods used being specified. Results shall be submitted on the tenth day of the following month. Background water quality data shall be provided with data collected and submitted a minimum of twelve months prior to start-up of the power plant. The ~~District~~Department may require further water quality testing if the pH levels decline significantly from ambient (baseline) as established during the pre-operational study period. Testing for the following constituents is initially required ~~and~~ Changes may be ~~modified by~~made with an approved update to the approved Groundwater Monitoring Plan:

TDS

Zinc

Conductance

Copper

SECTION B: COMMON CONDITIONS

pH	Nickel
Sulfate	Selenium
Chloride	Chromium
Iron	Arsenic
Aluminum	Beryllium
Cadmium	Mercury
Silver	Lead
Barium	Manganese
Sodium	Fluorine
Gross Alpha, Ra ²²⁶ (when Gross Alpha activity exceeds 15 pCi/l)	

4d. Flow Monitoring

In the event of any discharge through the Emergency Relief Spillway for the cooling pond, the flow date and estimated daily discharge amounts shall be reported within seven (7) days to the DEP SW District Office.

5e. Pond Level

A staff gauge shall be installed at or in the cooling pond, surveyed and referenced to NGVD, with water levels collected weekly and submitted monthly.

6f. Pond Quality

As a measure to protect groundwater quality, water quality sampling for pH and suspended solids shall be collected on a monthly basis from a single site in the cooling pond at the submerged end of the boat ramp located on the north end of Pond 4. ~~Background water quality data shall be provided, with data collected and submitted a minimum of 12 months prior to start up of the power plant.~~ The analysis shall follow the methods set forth in the current edition of Standard Methods for the Examination of Water and Wastewater by APHA-AWWA-WPCF or Methods for Chemical Analysis of Water and Wastes by the U.S. Environmental Protection Agency, with the methods used being specified. Results shall be submitted on the tenth day of the following month. The District may require further water quality testing if the pH within the cooling pond falls below pH 6.3 for two consecutive months. Any additional water quality analyses required by the Department of Environmental Protection shall be submitted to the DEP SW District Office.

~~7. Coal Pile Runoff Sump Liner~~

~~The proposed Liner for the coal pile sump will be verified to be resistant to the periodic inflows of low pH water that contact it. The chemical and physical characteristics of the proposed liner shall be submitted to the department for approval at least 60 days prior to installation of the liner.~~

8g. Impoundment Dam Construction

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Any modifications to existing impoundments or construction of new impoundments must, as a minimum, be designed, constructed, and operated in accordance with Chapter 62-672, Florida Administrative Code. Before any construction is initiated on impoundments, the Department must review and approve all design plans and parameters relating to embankment construction and water control structures.

9h. Dam Inspection

Employees of DEP ~~and the SWFWMD~~ shall have the right to inspect dam embankments and structures at any reasonable time.

10i. Cooling Pond System

~~a. — The SWFWMD will be supplied with an operation and maintenance schedule, which will outline how the water enters, is routed within, and leaves the cooling pond system, under normal and emergency situations. Also an inspection and monitoring program shall be included.~~

b1. Discharge of any product registered under the Federal

Insecticide, Fungicide, and Rodenticide Act or wastes in concentrations which, alone or in combination with other substances, or components or discharges (whether thermal or non-thermal) are carcinogenic, mutagenic, teratogenic, or toxic to human beings or are acutely toxic to indigenous species to any waste stream, which ultimately may be released to waters of the State is prohibited unless specifically authorized elsewhere in the conditions of certification. 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. Authorization 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 request for authorization shall include:

- Name and general composition of biocide or chemical
- Frequencies of use
- Quantities to be used
- Proposed effluent concentration
- Acute and/or chronic toxicity data
- Material Safety Data Sheet
- Product Label

The Department shall review the above information to determine if a modification to the conditions of certification or any ~~other State permit~~ Federal Permit is required.

e2. Construction, operation and maintenance of the existing or

new cooling pond perimeter berms shall be in conformance with the provisions of Chapter 62-672, F.A.C., regarding earthen dams and shall be inspected regularly as required by Chapter 62-672, F.A.C., and annually by a licensed engineer in the State of Florida. Before any construction is initiated on the cooling pond berms, the Department must review and approve all design plans

SECTION B: COMMON CONDITIONS

and parameters relating to embankment construction and water control structures.

~~§3.~~ An annual inspection report, pertaining to the condition of the cooling pond berms, shall be submitted to DEP ~~and the SWFWMD~~ by an engineer registered in the State of Florida, who is experienced in the field of construction and maintenance of dams.

~~§4.~~ Employees of DEP ~~and the SWFWMD~~ shall have the right to inspect the cooling pond berms and structures at any reasonable time.

~~§5.~~ The cooling pond system may receive treated domestic wastewater effluent as reclaimed reuse wastewater from the City of Brooksville Cobb Road Wastewater Treatment Plant (WWTP) under DEP Permit Number FLA012036 at a rate of daily flow not to exceed 8.0 mgd on an annual average.

~~14j.~~ Dam Inspection Report

An annual inspection report, pertaining to the condition of the impoundments will be submitted to DEP ~~and the SWFWMD~~ by an engineer registered in the State of Florida, who is experienced in the field of construction and maintenance of dams.

~~D.—Emergency Shortages~~

~~In the event an emergency water shortage should be declared pursuant to Section 373.175 or 373.246, F.S., by Southwest Florida Water Management District for an area including the location of the licensee's withdrawal points, the Department pursuant to Section 403.516, F.S., may alter, modify, or declare to be inactive, all or parts of Condition II.A. An authorized Water Management District representative, at any reasonable time, may enter the property to inspect the facilities.~~

~~E.—Minimum Water Level Restrictions~~

~~The Department and SWFWMD may, at a future date pursuant to Section 403.516, F.S., establish a minimum water level in the aquifer or aquifers hydrologically associated with these withdrawals, which may require the licensee to reduce or cease withdrawal from these groundwater sources at times when water levels fall below these minimums.~~

~~F.—Water Withdrawal Limits~~

~~The Licensee is authorized to make a combined average annual withdrawal of 4,800,000 gallons of water per day with a maximum combined withdrawal rate not to exceed 11,860,000 during a single day. The total ground water requirements of the power plant facility are 20,080,000 gallons per day. Reuse water will be supplied by the crushed aggregate facility when available. In the event sufficient reuse water quantities are not available from the crushed aggregate facility, the Licensee is authorized to substitute ground water withdrawals for reuse water up to 20,080,000 gallons per day average annual withdrawal and 27,178,000 gallons maximum daily withdrawal. Withdrawals are authorized as shown in the table below.~~

WELL I.D.	WITHDRAWAL POINT		GALLONS PER DAY AVERAGE	GALLONS PER DAY MAXIMUM
	LATITUDE	LONGITUDE		

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4	28-35-25	82-26-15	1,260,000	2,160,000
5	28-35-25	82-26-15	2,310,000	4,320,000
6	28-35-25	82-26-15	2,730,000	5,040,000
7	28-35-25	82-26-15	840,000	1,728,000
8	28-35-51	82-26-29	4,620,000	8,352,000
9	28-35-51	82-26-29	3,990,000	7,200,000
10	28-35-51	82-26-29	840,000	1,728,000
15	28-35-14	82-26-37	2,500,000	7,200,000
17	28-35-06	82-26-00	*3,170,000	*3,170,000
18	28-35-06	82-26-03	4,580,000	5,040,000
Combined Totals			20,080,000	27,178,000

NOTE: *— Standby

G.— Flow Measurement

The Licensee shall maintain and operate flow measuring devices as approved in writing by the Director of the SWFWMD Resource Regulation Department on all groundwater withdrawal points listed in condition II.F. Such devices shall have and maintain an accuracy within five percent of the actual flow under installed conditions. Total flow from each designated withdrawal point shall be recorded on a monthly basis and reported to the District in a format based on the methodology developed and defined by the Licensee and approved by the District. This methodology shall be submitted by April 1, 1987. The licensee shall submit a breakdown of water used by the power plant, crushed stone plant, cement plant, lime plant, and combined total. This data shall be reported to the District by the tenth day of the following month.

Reports shall be addressed to:

Processing and Records Section
Southwest Florida Water Management District

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2379 Broad Street
Brooksville Florida 33512

H. — Runoff

~~There shall be no runoff from the Licensee's property as a result of the withdrawals permitted.~~

I. — Water Sampling

~~The DEP SW District and the SWFWMD reserves the right, at all reasonable times, to collect water samples for analysis. The District may, upon prior notice, collect water samples from any or all withdrawal points listed, or may, at the option of the District, provide mailable containers to the Licensee, and require the Licensee to forward samples from any or all withdrawal points within a reasonable period of time prescribed.~~

J. — Water Conservation

~~Water conservation shall be practiced by the licensee to increase the efficiency of transport, application, and use, to decrease waste and to minimize runoff from the site. At such times the SWFWMD adopts specific conservation criteria, the licensee will be subject to such criteria upon notice and after a reasonable period for compliance.~~

K. — Groundwater Use

~~The use of groundwater herein authorized for power plant use is a modification of use of currently authorized quantities in conjunction with existing mining operations at the Licensee's Brooksville Mine permitted under Consumptive Use Permit No. 200215, and is not to be construed as the grant of new or increased use of groundwater. The Licensee shall modify consumptive Use Permit No. 200215 prior to power plant start up to reduce the total withdrawal of groundwater in connection with all other activities on its properties at this mine by the amount herein authorized for power plant use. Jurisdiction to regulate groundwater and surface water withdrawals for use for all purposes except power plant use at the Licensee's Brooksville Mine is specifically reserved to the SWFWMD.~~

L. — Monitoring Devices

~~All measuring or monitoring devices required by any condition herein shall be installed, and all required data collection and reporting shall commence no later than power plant start up, unless otherwise provided.~~

M. — Water Use Plan

~~The Licensee shall make maximum utilization of recirculated water from its cooling pond/impoundment up to the combined total of 216 mgd of cooling pond water and groundwater as shown in its Water Use Plan (Figure 3.3-1) as shown on page 7 of Exhibit 1 attached. Water withdrawals at the site shall be used in accordance with such water Use Plan, including recirculation and reuse of cooling pond water. Prior to construction of new ponds in addition to 4, 5, and 7, the Licensee shall provide to the Southwest Florida Water Management District design calculations and other information needed to demonstrate that ponds comprising the revised surface water management system will have adequate storage capacity to capture seasonal excess rainfall needed for subsequent withdrawal during dryer months to satisfy the~~

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water use plan.

N3. Environmental Control Program and Best Management Practices

1i. A Best Management Practices (BMP) Plan has been developed and implemented for the ~~facility~~facilities. The BMP Plan prevents or minimizes the potential for the release of pollutants to waters of the state from ancillary activities, including material storage areas, plant site runoff, in-plant transfer, process and material handling areas, and loading and unloading operations through plant site runoff, spillage or leaks, or drainage from raw material storage.

2ii. The ~~licensee~~licensees shall continue to implement the Best Management Practices Plan (BMPP) dated November 28, 2005, including the Site Water Management Plan (SWMP), dated November 2005, as approved by the Department. The BMPP, SWMP and Supplemental Environmental Management Plan (SEMP) shall be revised as necessary whenever there is a change at the facility, which involves changes with operations, maintenance, process, or management. The ~~licensee~~licensees shall submit any proposed revisions to these Plans to the Department's Southwest District Office for review and approval, copying the Siting Office on all correspondence and transmittals.

04. Common Truck Wash

All truck wash/rinse wastewater is to be discharged into the ~~Central Power and Limestone electric generating plant~~ discharge and hence to the cooling pond system adjacent to the Cobb Road WWTP discharge.

III. LIME ROCK PROCESSING OPERATIONS

~~The operation of the Licensee's limerock processing operations shall be in accordance with all applicable provisions of the Department of Environmental Protection's (DEP) regulations as found in Chapters 62-4, 62-202, 62-520, 62-522, 62-550, 62-620, 62-660, and 62-672, Florida Administrative code (F.A.C.).~~

IVC. Potable Water Supply System

The potable water supply system shall be designed and operated in conformance with Chapters 62-550, 62-~~554~~555 and 62-560, F.A.C. Information as required in Chapters 62-550, ~~62-554~~, 62-555, and 62-560, F.A.C., shall be submitted to the Department prior to construction and operation. The operation of the potable water supply system shall be certified in accordance with Chapters 62-602 and 62-699, F.A.C. All monitoring reports shall be submitted to the Department's Southwest District Office, Potable Water Section.

VD. Domestic ~~Waste~~Wastewater Treatment and Disposal

A1. The ~~licensee~~licensees may continue to operate an existing 0.006 mgd three month average daily flow (3MADF), Type III, extended aeration domestic wastewater treatment plant (WWTP) consisting of: one (1) aeration basin of 6,000 gallons volume, one (1) clarifier of 1,217 gallons volume and 36 square feet of total surface area, one (1) chlorine contact chamber of 125 gallons volume, and one (1) digester of 450 gallons volume. Disinfection is achieved by using sodium hypochlorite solution. ~~This plant~~The WWTP is operated to provide secondary treatment with basic disinfection.

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~~B2.~~ The ~~Licensee~~Licensees may continue to operate the existing 0.006 mgd ~~twelve-month~~annual average daily flow (~~12MADF~~AADF) permitted capacity industrial use of reclaimed water (R001) in which disinfected effluent flows to the land-locked tailings/cooling water disposal pond of approximately 640-acres. Land application system R001 is located approximately at Latitude: 28° 34' 57" N and Longitude: 82° 25' 58" W.

~~1a.~~ Reuse and Land Application Systems

~~ai.~~ The ~~Licensee-is~~Licensees are authorized to direct reclaimed water to Reuse System R001. Such reclaimed water shall be limited and monitored by the ~~Licensee~~Licensees as specified below:

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			Reclaimed Water Limitations				Monitoring Requirements			
Parameter	Units	Max/Min	Annual Average	Monthly Average	Weekly Average	Single Sample	Monitoring Frequency	Sample Type	Monitoring Location Site Number	Notes
Flow, to R001	MGD	Maximum	0.006 ¹	-	-	-	Daily 5 days / week	Calculated 12MADF¹ AADF ¹	FLW-01	See cond. I. A. 3 & 4 c and d
BOD, Carbonaceous 5 day, 20C	mg/L	Maximum	20.0	30.0	-	60.0	Monthly	Grab	EFA-01	
Total Suspended Solids	mg/L	Maximum	20.0	30.0	-	60.0	Monthly	Grab	EFA-01	
pH	s.u.	Range	-	-	-	6.0 to 8.5	5 Days/Week	Grab	EFA-01	
Fecal Coliform	See Permit Condition I. A.5. e						Monthly	Grab	EFA-01	
Total Residual Chlorine (For Disinfection)	mg/L	Minimum	-	-	-	0.5	5 Days/Week	Grab	EFA-01	See Cond. I. A.6 f
Nitrate, Total (as N)	mg/L	Maximum	-	-	-	12.0	Monthly	Grab	EFA-01	

¹Rolling ~~Twelve Month~~ Annual Average is the average of the current month's average and the preceding eleven (11) month's averages.

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ii. Reclaimed water samples shall be taken at the monitoring site locations listed in Condition V. B. 1. and as described below:

Monitoring Location	Description of Monitoring Location
EFA-01	After disinfection and prior to discharge to the tailings/cooling water disposal R001
FLW-01	Flow measurement at the master lift station.

~~e. The twelve-month~~ iii. The annual average daily flow to reuse system R001 [measured at the master lift station] shall not exceed 0.006 mgd., calculated as a rolling average.

~~div.~~ A designated elapsed time meter for each pump and a known pumping rate for each pump shall be utilized to measure flow. The meters and the rate for each pump shall be calibrated at least annually. [Rule 62-601.200(17)(H), F.A.C.]

ev. The arithmetic mean of the monthly fecal coliform values collected during an annual period shall not exceed 200 per 100 mL of reclaimed water sample. The geometric mean of the fecal coliform values for a minimum of 10 samples of reclaimed water, each collected on a separate day during a period of 30 consecutive days (monthly), shall not exceed 200 per 100 mL of sample. No more than 10 percent of the samples collected (the 90th percentile value) during a period of 30 consecutive days shall exceed 400 fecal coliform values per 100 mL of sample. Any one sample shall not exceed 800 fecal coliform values per 100 mL of sample. Note: To report the 90th percentile value, list the fecal coliform values obtained during the month in ascending order. Report the value of the sample that corresponds to the 90th percentile (multiply the number of samples by 0.9). For example, for 30 samples, report the corresponding fecal coliform number for the 27th value of ascending order. [Rules 62-610.510, and 62-600.440(4)(c)(H), F.A.C.]

~~fi.~~ A minimum of 0.5 mg/L total residual chlorine must be maintained for a minimum contact time of 15 minutes based on peak hourly flow. [Rules 62-610.510, and 62-600.440(4)(b)(H), F.A.C.]

2h. Other Limitations and Monitoring and Reporting Requirements

~~a.i.~~ The ~~treatment facility~~ WWTP shall be limited and monitored by the ~~Licensee~~ Licensees as specified below:

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Parameter	Units	Max/Min	Limitations				Monitoring Requirements			Notes
			Annual Average	Monthly Average	Weekly Average	Single Sample	Monitoring Frequency	Sample Type	Monitoring Location Site	
Flow, total plant	MGD	Maximum	-	0.006 3MADF1	-	-	Daily 5 Days/Week	Elapsed time meters on pumps	FLW-01	See Cond. 1.B. <u>3&42 c and d</u>
Percent Capacity, (3MADF/ Permitted Capacity) x 100	%	Maximum	-	Report (Mo.Total)	-	-	Monthly	Calculated	FLW-01	
BOD, Carbonaceous 5 day, 20C	mg/L	Report <u>Max</u> imum	-Report	-	-	-	Annually ²	Grab	INF-01	See Cond. 1.B. <u>5&72.e</u>
Total Suspended Solids	mg/L	Report <u>Max</u> imum	-Report	-	-	-	Annually ²	Grab	INF-01	See Cond. 1.B. <u>5&72.e</u>
<u>Biosolids Quantity (Transferred to BTF)</u>	<u>Dry Tons</u>	<u>Max</u>	<u>Report</u>				<u>Monthly</u>	<u>Calculation</u>	<u>RMP-1</u>	<u>See Cond. 2.h</u>
<u>Biosolids Quantity (Landfilled)</u>	<u>Dry Tons</u>	<u>Max</u>	<u>Report</u>				<u>Monthly</u>	<u>Calculation</u>	<u>RMP-2</u>	<u>See Cond. 2.h</u>

¹Rolling Three Month Average is the average of the current month's average and the preceding two (2) month's averages.

²The annual sample shall be collected during the month of FEBRUARY of each year. ~~¹Rolling Three Month Average is the average of the current month's average and the preceding two (2) month's averages.~~

SECTION B: COMMON CONDITIONS

² ~~The annual sample shall be collected during the month of FEBRUARY of each year.~~

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~~bii.~~ Samples shall be taken at the monitoring site locations listed in Permit Condition V. B. 1 and as described below:

Monitoring Location	Description of Monitoring Location
<u>Monitoring Location</u>	<u>Description of Monitoring Location</u>
FLW-01	Flow measured at master lift station
INF-01	At headworks, prior to treatment and ahead of return activated sludge line.

<u>eINF-01</u>	<u>At headworks, prior to treatment and ahead of return activated sludge line.</u>
<u>RMP-1</u>	<u>Quantity of biosolids transferred to Biosolids Treatment Facility.</u>
<u>RMP-2</u>	<u>Quantity of biosolids transferred to Landfill.</u>

~~iii.~~ The three-month average daily flow to the treatment plant shall not exceed 0.006 mgd.

~~div.~~ A designated elapsed time meter for each pump and a known pumping rate for each pump shall be utilized to measure flow. The meters and the rate for each pump shall be calibrated at least annually. ~~The meters and the rate for each pump shall be calibrated at least annually. [Rule 62-601.200(17)F, F.A.C.]~~

~~ev.~~ Influent samples shall be collected so that they do not contain digester supernatant or return activated sludge, or any other plant process recycled waters. [62-601.500(4)]

~~fvi.~~ 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. Parameters which must be monitored as a result of a ground water discharge (i.e., underground injection or land application system) shall be analyzed in accordance with Chapter 62-601, F.A.C. [62-620.610(18)]

~~gvii.~~ The ~~Licensee~~Licensees shall provide safe access points for obtaining representative influent, reclaimed water, and effluent samples which are required by this permit. [62-601.500(5)]

~~h.~~ ~~Monitoring requirements under this certification are effective on the first day of~~
~~viii.~~ In the absence of a laboratory analysis, to estimate the

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~~second-month dry tons generated by a facility that transports liquid biosolids, the average value of 1.5% solids may be used. The following permit issuance. Until such time, the Licensee shall continue to monitor and report in accordance with previously effective permit requirements, if any, formula may be used to convert gallons to dry tons when the estimated percent solids is 1.5%:~~

$$\text{Dry Tons} = (\text{gallons} \times 8.34 \text{ lb/gal} \times 0.015) \\ (2000 \text{ lb/ton})$$

~~If the percent solids is known, substitute the known % solids for "0.015" in the formula above. The gallons produced and used for the above calculation shall be reported on the Discharge Monitoring Report (DMR), Part B. During the period of operation authorized by this certification, the Licensee shall months when biosolids are not transferred to a Biosolids Treatment Facility or to a landfill, the permittee should record MNR for Monitoring Not Required on the DMR. [Rule 62-640.650(5)(a), F.A.C.]~~

ix. The Licensees shall complete and submit to the Department Discharge Monitoring Reports (DMRs) in accordance with the frequencies specified by the REPORT type (i.e., monthly, toxicity, quarterly, semiannual, annual, etc.) indicated on the DMR forms attached to this permit- ~~(Attachment R)~~. Monitoring results for each monitoring period shall be submitted in accordance with the associated DMR due dates below.

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<u>REPORT Type</u>	<u>Monitoring Period</u>	<u>Due Date</u>
<u>REPORT Type</u>	<u>Monitoring Period</u>	<u>Due Date</u>
Monthly or Toxicity	first day of month – last day of month	28th day of following month
Quarterly	January 1 - March 31 April 1 – June 30 July 1 – September 30 October 1 – December 31	April 28 July 28 October 28 January 28
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 Licensee shall make copies of the attached~~The Licensees may submit either paper or electronic DMR form(s) ~~and shall submit the completed~~. If submitting electronic DMR form(s) ~~to the Department at the address specified in Permit Condition I.B. 9 by the twenty eighth (28th) of the month following the month of operation. [62-620.610(18)][62-601.300(1), (2), and (3)]~~

~~i. The Licensee shall complete and submit to the Department on a monthly basis Discharge Monitoring Report(s) (DMR), Form 62-620.910(10), as attached to this permit. The Licensee, the licensee shall use a Department approved electronic DMR system. If submitting paper DMR form(s), the Licensees shall make copies of the attached DMR form(s) and shall submit the completed DMR form(s) to the Department by the twenty-eighth (28th) of the month following the month of operation at the address specified below: [62-620.610(18)]~~and 62-601.300(1), (2), and (3)], F.A.C.]

Florida Department of Environmental Protection

~~Domestic Wastewater Facilities Regulation Section, Mail Station 3551~~
~~Twin Towers Program~~
~~Southwest District Office Building~~
~~2600 Blair Stone Road~~
~~Tallahassee~~
13051 N. Telecom Parkway
Temple Terrace, Florida 32399-2400
33637-0926
Email Address: firstname.lastname@dep.state.fl.us

~~x.~~ Unless specified otherwise in this certification, all reports and notifications required by this certification, including 24-hour notifications, shall be submitted to or reported to, as appropriate, the Department's Southwest District Office and electronically to

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the Department's SCO at the address and email address specified below:

Florida Department of Environmental Protection

Industrial Wastewater Section

Southwest District Office

~~3804 Coconut Palm Drive~~

~~Tampa, Florida 33619~~ 13051 N. Telecom Parkway

Temple Terrace, FL 33637-0926

Phone Number - (813) ~~744-6100~~ 632-7600

FAX Number - (813) ~~744-8198~~ Water Facilities, 632-7662

Email to: employeefirstname.lastname@dep.state.fl.us ~~All FAX copies shall be followed by original copies.~~

~~Email to: employeefirstname.lastname@dep.state.fl.us~~

~~3. Residuals Management~~ SCO- Email to:
SCO@dep.state.fl.us

c. Biosolids Requirements

~~a. The method of residuals use or disposal by this Facility is transport to AAA White's Septic Tank Service RMF (Permit No. FLA012052) or disposal in i.~~

Biosolids generated by this facility may be transferred to a Biosolids Treatment Facility (BTF) or disposed of in a Class I ~~or II~~ solid waste landfill. ~~Transportation of residuals~~ Transferring biosolids to an ~~alternate RMF~~ alternative biosolids treatment facility does not require a modification of ~~these conditions, however this certification.~~ However, use of an ~~alternate RMF~~ alternative biosolids treatment facility requires submission of a copy of the agreement pursuant ~~Chapter to Rule~~ 62-640.880(1)(c), F.A.C., along with a written notification to the Department at least 30- ~~days before transport of the residuals.~~

~~b. The Licensee shall be responsible for proper treatment, management, use, biosolids, [Rules 62-620.320(6) and land application or disposal of its residuals. {62-640.300(5)} 62-640.880(1)(c), F.A.C.]~~

~~ej. The Licensee~~ Licensees shall not be held responsible for treatment, and management, ~~use, or land application~~ violations that occur after its ~~residuals~~ biosolids have been accepted by a permitted ~~residuals management~~ biosolids treatment facility with which the source facility has an agreement in accordance with Rulesubsection 62-640.880(1)(c), F.A.C., for further treatment, management, ~~use or land application.~~ [disposal, Rule 62-640.300(5) 880(1)(b), F.A.C.]

~~di. Disposal of residuals~~ biosolids, septage, and "other solids" in a solid waste ~~landfill~~ 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. ~~4) Rules 62-640.100(6)(c) 3 & 4) b) & (c), F.A.C.]~~

eiv. If the Licensee Licensees intends to accept

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~~residuals~~ ~~biosolids~~ from other facilities, a ~~permit revision is modification of this certification will be~~ required pursuant to the substantive provisions of Rule 62-640.880(2)(d), F.A.C. ~~{62-640.880(2)(d)}~~

~~f. — Disposal.~~ The Licensees shall keep records of screening the quantities of biosolids generated and grit from preliminary transferred to another facility, or landfilled. [Rule 62-640.650(4)(a), F.A.C.]

~~vi. The treatment components of wastewater treatment facilities,~~ management, transportation, use, land application, or disposal of biosolids shall not cause a violation of the odor prohibition in subsection 62-296.320(2), F.A.C. [Rule 62-640.400(6), F.A.C.]

~~vii. Storage of biosolids or other solids from sewer line cleaning operations, and solids from lift stations and pump stations at this facility shall be in accordance with Chapter 62-701, F.A.C. and may not be processed at a permitted residuals management facility. [62-640.100(6)(c)8., and 62-701.300(1)(a)]~~ the Facility Biosolids Storage Plan. [Rule 62-640.300(4), F.A.C.]

~~g.viii. Biosolids shall not be spilled from or tracked off the treatment facility site by the hauling vehicle. [Rule 62-640.400(9), F.A.C.]~~

~~ix. Florida water quality criteria and standards shall not be violated as a result of land application of biosolids from this facility. [Rule 62-640.400(2), F.A.C.]~~

~~x. The Licensee~~ Licensees shall keep hauling records to track the transport of ~~residuals~~ biosolids between facilities. The hauling records shall contain the following information:

<u>Required of Source Facility</u>		<u>Required of RMF</u>	
<u>Required of Source Facility</u>		<u>Required of BTF</u>	
Date and Time Shipped		Date and Time Received	
2. — Amount of Residuals Shipped		2. — Amount of Residuals Received	

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<u>Amount of Biosolids Shipped</u>	<u>Amount of Biosolids Received</u>		
	Degree of Treatment (if applicable)	Name and ID Number of Source Facility	
<u>Name and ID Number of Biosolids Management Facility or Treatment Facility</u>	<u>Signature of Hauler</u>		
<u>Signature of Responsible Party at Source Facility</u>	<u>Signature of Responsible Party at Biosolids Treatment Facility</u>		
<u>Signature of Hauler and Name of Hauling Firm</u>			

These records shall be kept for five years and shall be made available for inspection upon request by the Department.

4. Name and ID Number of Residuals Management Facility or Treatment Facility	4. Signature of Hauler
5. Signature of Responsible Party at Source Facility	5. Signature of Responsible Party at Residuals Management Facility or Treatment Facility
Signature of Hauler and Name of Hauling Firm	

~~These records shall be kept for five years and shall be made available for inspection upon request by the Department.~~ A copy of the hauling records information maintained by the source facility shall be provided upon delivery of the ~~residuals~~biosolids to the ~~residuals management facility or~~biosolids treatment facility. The ~~Licensee~~BTF Licensees shall report to the Department within 24 hours of discovery any discrepancy in the quantity of ~~residuals~~biosolids leaving the source facility and arriving at the ~~residuals management facility or~~biosolids treatment facility. [Rule 62-640.880(4)], F.A.C.]

~~h. Storage of residuals or other solids at the permitted facility shall require prior written notification to the Department if the storage lasts longer than 30 days. [62-640.300(4)]~~

~~4d.~~ Additional Reuse ~~And~~and Land Application Requirements

~~ai.~~ Reclaimed water shall not be used in the manufacture or processing of food or beverage for human consumption where the reclaimed water will be incorporated into or come into contact with the food or beverage product. [Rule 62-610.650(4)], F.A.C.]

~~bii.~~ Advisory signs shall be posted around the portion of the

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industrial site in which reclaimed water is used and at the main entrances to the industrial site to notify employees at the industrial site and the public of the nature of the reclaimed water use.

[Rule 62-610.658(1)], F.A.C.]

ei. Cross-connections to the potable water system are prohibited. [Rule 62-610.660(1)], F.A.C.]

div. There shall be readily identifiable “non-potable” or “do not drink” notices, marking, or coding on application/distribution facilities and appurtenances. [Rule 62-610.660(2)], F.A.C.]

ev. The return of reclaimed water to the reclaimed water distribution system after it has been delivered to the industrial facility is prohibited. [Rule 62-610.660(3)], F.A.C.]

5e. Operation And Maintenance Requirements

ai. The wastewater facilities 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 62-699, F.A.C., this facility is a Category III, Class D facility and, at a minimum, operators with appropriate certification must be on the site as follows:

ia. A Class D or higher operator for 3 nonconsecutive visits per week for 1.5 hours/week. The lead operator must be a Class D operator, or higher.
~~The lead operator must be a Class D operator, or higher.~~
[Rules 62-620.630(3)], ~~62-699.310~~, and ~~62-602~~, F.A.C.]

iib. An operator meeting the lead operator classification level of the plant shall be available during all periods of plant operation. “Available” means able to be contacted as needed to initiate the appropriate action in a timely manner. ~~“Available” means able to be contacted as needed to initiate the appropriate action in a timely manner.~~ Daily checks of all plants shall be performed by the ~~Licensee~~Licensees, or ~~suppliers~~suppliers, or ~~his~~representative~~representatives~~ or ~~agent~~agents 5 days per week for all Class C and D plants. [Rule 62-699.311(1), F.A.C., (07-05-01)]

bii. The ~~Licensee~~Licensees shall submit an update Capacity Analysis Report in accordance with Rule 62-600.405, F.A.C. [Rule 62-600.405(5), F.A.C., (12-24-96)]

ei. The Reduced Pressure Zone (RPZ) backflow preventer (s) shall be installed on all potable water lines to the treatment plant and tested annually. [Rule 62-555], F.A.C.]

div. Any request to modify this facility shall include a detailed Operation and Maintenance Performance Report prepared in accordance with Rule 62-600.735, F.A.C. [Rule 62-600.735(1)], F.A.C.]

ev. The ~~Licensee~~Licensees shall maintain the following records and make them available for inspection -on the site of the permitted facility:

ia. Records of all compliance monitoring information, including all calibration and maintenance records and all original strip chart recordings for

SECTION B: COMMON CONDITIONS

continuous monitoring instrumentation and 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;

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

~~iii~~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;

~~iv~~d. Monitoring information, including a copy of the laboratory certification showing the laboratory certification number, related to the residuals use and disposal activities for the time period set forth in Chapter 62-640, F.A.C., for at least three years from the date of sampling or measurement;

~~v~~e. A copy of the current conditions of certification;

~~vi~~f. A copy of the current Operation and Maintenance Manual as required by Chapter 62-600, F.A.C.;

~~vii~~g. A copy of the facility record drawings;

~~viii~~h. Copies of the licenses of the current certified operators; and

~~ix~~i. Copies of the logs and schedules showing plant operations and equipment maintenance for three years from the date of the logs or schedules. The logs shall, at a minimum, include identification of the plant; the signature and certification 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; tests performed and samples taken; and major repairs made. 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. [62-620.350]

~~vi~~i. Records of biosolids quantities, treatment, monitoring, and hauling for at least five years.

f. Other Specific Conditions

ai. Florida water quality criteria and standards shall not be violated as a result of any discharge or land application of reclaimed water or residuals from this facility.

bii. 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 permitted facilities) shall be taken by the ~~Licensee~~Licensees. Other corrective action may be required to ensure compliance with rules of the Department. Additionally, the treatment, management, use or land application of residuals shall not cause a violation of the odor prohibition in Rule 62-296.320(2), F.A.C. [Rules 62-600.410(8) and 62-

SECTION B: COMMON CONDITIONS

640.400(6)~~}}~~, F.A.C.]

~~eiii.~~ The deliberate introduction of stormwater in any amount into collection/transmission systems designed solely for the introduction (and conveyance) of domestic/industrial wastewater; or the deliberate introduction of stormwater into collection/transmission systems designed for the introduction or conveyance of combinations of storm and domestic/industrial wastewater in amounts which may reduce the efficiency of pollutant removal by the treatment plant is prohibited, except as provided by Rule 62-610.472, F.A.C. [~~Rule 62-604.130(3)~~], F.A.C.]

~~div.~~ Collection/transmission system overflows shall be reported to the Department in accordance with ~~Condition XIX. [these conditions stated in "Non-Compliance Notification". [Rules 62-604.550] and 62-620.610(20)]~~, F.A.C.]

~~ev.~~ The operating authority of a collection/transmission system and the ~~Licensee~~Licensees of a treatment plant are prohibited from accepting connections of wastewater discharges which have not received necessary pretreatment or which contain materials or pollutants (other than normal domestic wastewater constituents):

~~ia.~~ Which may cause fire or explosion hazards; or

~~iib.~~ Which may cause excessive corrosion or other deterioration of wastewater facilities due to chemical action or pH levels; or

~~iiic.~~ Which are solid or viscous and obstruct flow or otherwise interfere with wastewater facility operations or treatment; or

~~fvi.~~ The treatment facility, storage ponds, rapid infiltration basins, and/or infiltration trenches shall be enclosed with a fence or otherwise provided with features to discourage the entry of animals and unauthorized persons. [~~Rule 62-600.400(2)(b)~~], F.A.C.]

~~vii.~~ Screenings and grit removed from the wastewater 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 and grit. [~~Rule 62-701.300(1)(a)~~], F.A.C.]

~~g.~~ Screenings and grit removed from the wastewater 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 and grit. [~~62-701.300(1)(a)~~]

~~7g.~~ Operation of the domestic waste treatment facility shall be in accordance with 62-620, F.A.C.

~~VHE.~~ Control Measures During Construction

~~A1.~~ Stormwater Runoff

During construction and plant operation, necessary measures shall be used to settle, filter, treat or absorb silt containing or pollutant laden stormwater runoff to limit the suspended solids to 50 mg/l or less at the POD during rainfall periods less than the 10-year, 24-

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hour rainfall, and to prevent an increase in turbidity to more than 29 Nephelometric Turbidity Units (NTUs) above background in waters of the State.

Control measures shall consist at the minimum of filters, sediment traps, barriers, berms or vegetative planting. Exposed or disturbed soil shall be protected as soon as possible to minimize silt and sediment laden runoff. During construction and plant operation, necessary measures shall be used to settle, filter, treat or absorb silt containing or pollutant laden stormwater runoff to limit the suspended solids to 50 mg/l or less at the POD during rainfall periods less than the 10 year, 24 hour rainfall, and to prevent an increase in turbidity to more than 29 Nephelometric Turbidity Units (NTUs) above background in waters of the State.

Control measures shall consist at the minimum of filters, sediment traps, barriers, berms or vegetative planting. Exposed or disturbed soil shall be protected as soon as possible to minimize silt and sediment laden runoff. The pH shall be kept within the range of 6.0 to 8.5.

B2. Sanitary Wastes

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

C3. Environmental Control Program and Best Management Practices

4i. An environmental control program shall be established under the supervision of a qualified person to assure that all construction activities conform to good environmental practices and the applicable conditions of certification. The ~~licensee~~licensees shall notify the Department if unexpected harmful effects or evidence of irreversible environmental damage are detected during construction, shall immediately cease work and shall provide a analysis of the problem and a plan to eliminate or significantly reduce the harmful effects of damage and to prevent recurrence.

2ii. The ~~licensee~~licensees shall implement the Best Management Practices Plan submitted to the Department on May 12, 2000, including the Site Water Management Plan, dated March 15, 2000, and Groundwater Management Plan, dated April 2000, as approved by the Department. The ~~licensee~~licensees shall submit any proposed revisions to the Management Plans to the Department's Southwest District Office for review and approval.

VIII.F. Solid Wastes

A.—Solid wastes resulting from construction or operation shall ~~be~~ disposed of in accordance with the applicable regulations of Chapters 62-701 and 62-702, F.A.C. Chemical wastes collected from the coal pile runoff sump and water treatment facility shall be disposed of in a landfill with an impervious liner. The plans and specifications for the chemical wastes landfill shall be submitted to the Southwest Florida District Office for review and approval 90 days prior to construction of that landfill.

B.—~~Open burning in connection with land clearing shall be in accordance with Chapters 62-256, F.A.C., and Chapter 51-2, F.A.C., Uniform Fire Code Section 33.101 Addendum, and any other applicable county regulation. No additional permits shall be required,~~

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~~but the Division of Forestry shall be notified prior to burning. Open burning shall not occur if the Division of Forestry has issued a ban on burning due to fire hazard conditions.~~

~~C. Power plant ash shall be contained or stored in facilities designed to prevent infiltration and exfiltration of water. No landfilling of ash may occur without prior approval of the department.~~

~~IX. OPERATION SAFEGUARDS~~

~~The overall design, layout, and operation of the facilities shall be such as to minimize hazards to humans and the environment. Security control measures shall be utilized to prevent exposure of the public to hazardous conditions.~~

~~X. SCREENING~~

~~The licensee shall provide screening of the site through the use of aesthetically acceptable structures, vegetated earthen walls and/or existing or planted vegetation.~~

~~XIG. Transformer and Electric Switching Gear~~

The foundations for transformers, capacitors, and switching gear necessary for connecting the ~~Licensee's facility~~ Licensees' facilities to the existing distribution system shall be constructed of an impervious material and shall be constructed in such a manner to allow complete collection and recovery of any spills or leakage of oily, toxic, or hazardous substances.

H. Cooling Pond Perimeter Berms

Construction of cooling pond perimeter berms shall be in conformance with the provisions of Chapter 62-272, F.A.C., regarding earthen dams and shall be inspected regularly as required by Chapter 62-272, F.A.C., and annually by a licensed engineer.

I. ASSOCIATED LINEAR FACILITIES

1. Construction

i. The final Rights-of-Way shall be located so as to minimize impacts, such as the removal of vegetation, in or on stream beds, to the extent practicable. For transmission lines within 25 feet of the banks of any streams, rivers or lakes, vegetation shall be left undisturbed, except for selective topping of trees or removal of trees which topping would kill. For transmission lines, if it is necessary to remove such trees within 25 feet of the banks of streams, rivers or lakes, the root mat shall be left undisturbed.

ii. Any necessary water quality certifications which must be made to the Corps of Engineers shall be made at the time of a finding of compliance at specific work at specific locations.

iii. Construction activities should proceed as much as practicable during the dry season.

iv. Good environmental practices such as described in Environmental Criteria for Electric Transmission Systems as published by the U.S. Department of Interior and the U.S. Department of Agriculture shall be followed to the extent practicable.

v. Compliance with the most recent version of the National Electric

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Safety Code adopted by the Public Service commission is required.

vi. Fences that run parallel to the transmission line and may become conductive shall be grounded at appropriate intervals; fences running perpendicular to the line shall be grounded at the edge of the right-of-way.

2. Maintenance

i. Vegetative clearing operations for maintenance purposes to be carried out within the corridor shall follow the general standards for clearing a right-of-way for overhead transmission lines as referenced in Sections A.1. and A.3 of this condition. Selective clearing of vegetation is preferred over clearing and grubbing or clear cutting.

ii. If chemicals or herbicides are to be used for vegetation control, the name, type, proposed use, locations, and manner of application shall be provided to the Department prior to their application for assessment of compliance with applicable regulations.

3. Emergency Reporting

Emergency replacement of a previously constructed right-of-way or transmission line shall not be considered a modification pursuant to Section 403.516, F.S. A verbal report of the emergency shall be made to the Department as soon as possible. Within fourteen (14) calendar days after correction of the emergency, a report to the Department shall be made outlining the details of the emergency and the steps taken for its temporary relief. The report shall be a written description of all work performed and shall set forth any pollution control measures or mitigative measures which were utilized or are being utilized to prevent pollution of waters, harm to sensitive areas or alteration of archaeological or historical resources.

4. Final Right-of-Way Location

A map of 124,000 scale showing final location of the right-of-way shall be submitted to the Department upon completion of acquisition.

5. Compliance

Construction and maintenance of associated facilities shall comply with applicable rules regulations of the Department and those agencies specified in section 403.508(3)(a), F.S.

II. FISH AND WILDLIFE CONSERVATION COMMISSION

A. General Listed Species

1. Prior to conducting detailed surveys, the Licensee shall coordinate with the Florida Fish and Wildlife Conservation Commission (FWC) to obtain the current wildlife survey protocols for all listed species that may occur within or adjacent to the facility.

2. Wildlife surveys shall be conducted prior to clearing and construction in accordance with the survey protocols. The results of those detailed surveys shall be submitted to the FWC. If construction activities will impact any listed species, the Licensee shall consult with the FWC to determine the appropriate steps to avoid, minimize, mitigate, or otherwise appropriately address any adverse impacts to listed wildlife.

SECTION B: COMMON CONDITIONS

[Article IV, Sec. 9, Fla. Constitution; Section 379.2291, Florida Statutes (F.S.), Sections 403.507 and 403.5113(2), F.S., and Chapter 68A-27, Florida Administrative Code (F.A.C.).]

B. Specific Listed Species Surveys

Prior to land clearing and construction activities within a project area, the Licensee shall conduct an assessment for listed species which shall note all habitat, occurrence or evidence of listed species. Listed species to be included in this survey shall include the bald eagle and those species listed as endangered, threatened, or of special concern by the FWC or those listed as endangered or threatened by U.S. Fish and Wildlife Service (USFWS). Wildlife surveys shall be conducted in the reproductive or “active” season for each species that falls before the projected clearing activity schedule unless otherwise approved by the FWC or USFWS. For species that are difficult to detect, the Licensee may make the assumption that the species is present and plan appropriate avoidance/mitigation measures after consultation and approval from the FWC.

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

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

3. This survey shall identify locations of breeding sites, nests, and burrows for listed wildlife species. Nests and burrows may be recorded with GPS coordinates, identified on an aerial photograph, and submitted with the final listed species report. Although nests and burrows may be recorded individually with GPS, the FWC prefers that groups of nest sites and burrows include any applicable protection boundary, rather than around individual nests and burrows. Nests and burrows should be physically marked in the field so that clearing and construction activities avoid impacts to nests and burrows, unless otherwise permitted.

4. Prior to land clearing and construction activities, wildlife survey(s) shall include an estimate of the acreage and percent cover for each vegetation community within the project. Descriptions for each vegetation community should use the Florida Land Use, Cover and Forms Classification System (FLUCFCS) Level III and may also include a wildlife-based habitat classification scheme such as Florida’s State Wildlife Action Plan (FWC 2005) or Natural Communities Guide (FNAI 2010).

[Article IV, Sec. 9, Fla. Constitution; Sections 379.2291, 403.526 and 403.5317, Florida Statutes (F.S.); and Chapters 68A-27, 68A-4, 68A-16, F.A.C.]

III. DEPARTMENT OF TRANSPORTATION

For all locations where an associated linear facility crosses state highways, the applicant will submit materials pursuant to the Department of Transportation’s (DOT) “Utility Accommodation Guide” to DOT’s district office for review and approval. All applicable regulations pertaining to roadway crossing by associated facilities shall be complied with. Crossing of county roads shall be coordinated with the County Engineer.

SECTION B: COMMON CONDITIONS

IV. DIVISION OF HISTORICAL RESOURCES

Any archaeological sites discovered during construction of associated facilities shall be disturbed as little as possible and such discovery shall be communicated to the Department of State, Division of Historical Resources (DHR). Potentially affected areas will be surveyed, and if a significant site is located, the site shall be avoided, protected, or excavated as directed by DHR.

SECTION C: POWER PLANT SPECIFIC CONDITIONS

SECTION C: SPECIFIC CONDITIONS POWER PLANT SPECIFIC CONDITIONS

I. DEP CONDITIONS

A. Solid Wastes

Power plant ash shall be contained or stored in facilities designed to prevent infiltration and exfiltration of water. No onsite landfilling of power plant ash may occur without prior approval of the department. If beneficial reuse of the power plant ash is not available, the Licensee may arrange for offsite disposal of the power plant ash at an appropriately licensed disposal facility. The Licensee shall provide notice to the Department of offsite disposal at a landfill.

In the event that the use of stored biomass at the facility as a fuel is discontinued and/or the biomass ash generated at the facility is no longer utilized for beneficial reuse, the management, storage, and disposal of unprocessed biomass at the facility and/or biomass ash not beneficially reused shall be in accordance with the applicable requirements of Florida Administrative Code Chapter 62-701

II. SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT

A. All reports and data required by these conditions of Certification shall be submitted to SWFWMD (and copied to the DEP Siting Office) according to the due date(s) contained in the specific condition, unless SWFWMD and the Licensee agree to another mutually acceptable date. If the condition specifies that a SWFWMD-supplied form is to be used, the Licensee should use that form in order for their submission to be acknowledged in a timely manner. The only alternative to this requirement is to use the SWFWMD Permit Information Center (www.swfwmd.state.fl.us/permits/epermitting/) to submit data, plans or reports online. There are instructions at the SWFWMD website on how to register to set up an account to do so. If the report or data is received on or before the tenth day of the month following data collection, it shall be deemed as a timely submittal.

All mailed reports and data are to be sent to:

Water Use Permit Bureau
Southwest Florida Water Management District
7601 Highway 301 North
Tampa, FL 33637-6759

Submission of plans and reports: Unless submitted online or otherwise indicated in the special condition, the original and two copies of each plan and report, such as conservation plans, environmental analyses, aquifer test results, per capita annual reports, etc. are required.

Submission of data: Unless otherwise indicated in the special condition, an original (no copies) is required for data submittals such as crop report forms, meter readings and/or pumpage, rainfall, water level evapotranspiration, or water quality data.

[Sections 373.016, 373.219, 373.236, F.A.C.; Rules 40D-2.301(1) and 40D-2.381(1), (2) and (4), F.A.C.; Basis of Review (B.O.R.), Section 6.2]

SECTION C: POWER PLANT SPECIFIC CONDITIONS

B. The average day and peak monthly quantities for all active and standby wells shown in the Production Withdrawal Table are estimates based on historic and/or projected distribution of pumpage, and are for water use inventory and impact analysis purposes only. The quantities listed for these individual sources are not intended to dictate the distribution of pumpage from permitted sources. The Licensee may make adjustments in pumpage distribution as necessary up to 1.35 times the quantity on an average and peak monthly basis so long as adverse environmental impacts do not result and the Licensee complies with all other conditions of this Site Certification. In all cases, the total average annual daily withdrawal and the total peak monthly daily withdrawal are limited to the quantities set forth in the table.

Sections 373.016, 373.219, 373.223(1), F.A.C.; Rule 40D-2.301, F.A.C.; B.O.R., Sections 3.2, 3.4, 4.1]

C. The following existing, but previously un-metered withdrawal facilities shall be metered by measurement of power consumption of the pumps and a known pumping rate for each pump, within 60 days after issuance of Final Order of Modification P: District ID No. 12, Licensee ID No. SW INTAKE-1, District ID No. 13, Licensee ID No. FLW-01 and, District ID No. 14, Licensee ID No. SW INTAKE-2. Monthly meter reading and reporting of monthly pumpage, in accordance with the attached Metering Instructions.

[Sections 373.016, 373.219, 373.223(1), 373.236, F.A.C.; Rules 40D-2.301(1), (3), 40D-2.381(1), (4); F.A.C.; B.O.R., Sections 5.1, 6.2]

D. The Licensee shall prepare a water conservation plan for review and approval by January 1, 2015. Conservation measures that the Licensee has already implemented shall continue, and proposed conservation measures shall be implemented as proposed in the plan. The Licensee should consider the Conservation Requirements for Industrial/Commercial facilities that are 100,000 gallons per day (gpd) or greater in the water conservation plan.

[Sections 373.016, 373.219, 373.223(1), F.S.; Rules 40D-2.301(1), 40D-2.381(1), 40D-3.301(2), F.A.C.; B.O.R., Section 3.4]

E. Within 180 days after the final Modification Order P is issued, unless SWFWMD and the Licensee agree to another mutually acceptable date, the Licensee shall submit to SWFWMD, the specific location of District ID Nos. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, and 11, Licensee ID Nos. 4, 5, 6, 7, 8, 9, 10, 15, 17, 18, and EL1 on an original blue line aerial (the Licensee may use the SWFWMD GIS maps from the website) with a minimum scale of 1"= 800' or by latitude/longitude. If latitude and longitude are provided, the Licensee shall include a description of the instrumentation used to determine the data.

[Sections 373.016, 373.219, 373.223(1), F.A.C.; Rules 40D-2.301(1), 40D-2.381(1), 40D-3.301(2), F.A.C.]

F. In the event that the reclaimed supply from the City of Brooksville for which there are standby quantities allocated in this Certification becomes wholly or partially unavailable, insufficient or unsuitable, the Licensee may access allocated standby quantities as follows depending upon the length of time the reclaimed supply is not available, sufficient or suitable. At no time will the Licensee utilize standby quantities to exceed the Annual Average and Peak Month authorized use.

SECTION C: POWER PLANT SPECIFIC CONDITIONS

Less than 30 days: No SWFWMD or the DEP Siting Office notification is required if the reclaimed supply is unavailable, insufficient, or unsuitable for the 30-day period or less. The Licensee may access allocated standby quantities to meet authorized use from the date of the first loss up to 30 days.

Greater than 30 days but less than one year: The Licensee shall notify SWFWMD and the DEP Siting Office in writing within 45 days of the first day the reclaimed supply became unavailable, insufficient or unsuitable. The notification shall identify the standby withdrawal sources that were or will be activated. The Licensee may access allocated standby quantities to meet authorized use.

Permanent Loss: Upon verbal or written notice from the reclaimed supply provider that delivery of all or part of the reclaimed supply is to permanently cease, the Licensee shall submit information to the SWFWMD and the DEP Siting Office explaining the reason(s) for the cessation.

[Sections 373.015, 373.219, 373.223(1), F.A.C.; Rule 40D-2.301(1); B.O.R., Section 3.1]

G. The following withdrawal facilities shall continue to be maintained and operated with existing, non-resettable, totalizing flow meter(s) or other measuring device(s) as approved by SWFWMD: District ID Nos. 9 and 10, Licensee ID Nos. 17 and 18. Monthly meter reading and reporting, in accordance with instructions below, Metering Instructions, are to be followed.

H. The following existing standby withdrawal facilities (those that provide back-up water for another withdrawal point in the event the other withdrawal point becomes unusable) shall continue to be metered: District ID Nos. 1, 2, 3, 4, 5, 6, 7, and 8, Licensee ID Nos. 1, 2, 3, 4, 5, 6, 7, and 8. Meter reading and reporting, as well as meter accuracy checks every five years shall be in accordance with instructions in Appendix S SWFWMD Metering Instructions, attached to and made part of this certification.

I. The following Alternative Water Supply (AWS) inflow line(s) from the City of Brooksville shall continue to be maintained and operated with existing non-resettable totalizing flow meter(s) or other measuring devices as approved by SWFWMD: District ID No. 11, Licensee ID EL1. Monthly meter reading and reporting, as well as meter accuracy checks every five years shall be in accordance with the included Metering Instructions.

[Sections 373.016, 373.219, 373.223(1), 373.236, F.A.C.; Rules 40D-2.301(1), (3), 40D-2.381(1), (4); F.A.C.; B.O.R., Sections 5.1, 6.2]

J. Licensee shall maintain water-level and water-quality monitoring as per Section 4--Groundwater Monitoring Plan P82-17 Supplemental Environmental Management Plan dated November 2010. The Licensee shall prepare an Annual Summary Report due March 1 describing changes and trends in cooling pond (Pond 4) water levels, groundwater monitoring water levels, Pond 4 water-quality data, and groundwater monitoring water-quality data. The Annual Summary Report shall contain brief text describing the current conditions and include appropriate water-level and water-quality tables and graphs.

[Sections 373.016, 373.219, 373.223(1), F.A.C.; Rules 40D-2.301(1), 2.381(1), 2.381(4), F.A.C.; B.O.R., Sections 1.5, 4.2, 5.8]

SECTION C: POWER PLANT SPECIFIC CONDITIONS

K. By January 1, 2013, the Licensee shall prepare a Water Use Study Plan summarizing all the inflows from outflows from the active and standby wells and the cooling ponds. The plan shall include a detailed schematic diagram of the flow routing to the power plant, cement kilns, and to the mining areas. The plan shall show the specific locations and quantities of all wells, surface-water pumps, and other cooling pond inflows and outflows.

[Sections 373.016, 373.219, 373.223(1), FASA; Rules 40D-2.301(1), 40D-2.381(1), F.A.C.; B.O.R., Sections 3.5, 5.4, 5.5]

L. If any of the statements in the application and in the supporting data are found to be untrue and inaccurate, or if Licensee fails to comply with all of the provisions of Chapter 373, F.S., Chapter 40D, or the conditions set forth herein, the SWFWMD shall seek revocation of any conditions of certification.

M. These conditions of certification are imposed based on information provided by Licensee demonstrating that the use of water is reasonable and beneficial, consistent with the public interest, and will not interfere with any existing legal use of water. If, during the term of this certification, it is determined by SWFWMD that the use is not reasonable and beneficial, in the public interest, or does impact an existing legal use of water, the SWFWMD shall seek modification these conditions of certification or revocation of the certification authorized by DEP.

N. Licensee shall not deviate from any of the SWFWMD-imposed conditions of this certification without written approval by the SWFWMD.

O. In the event the SWFWMD declares that a Water Shortage exists pursuant to Chapter 40D-21, Licensee agrees that portions of these conditions of certification shall be modified, or declared inactive as necessary to address the water shortage.

P. The SWFWMD shall collect water samples from any withdrawal point listed in these conditions of certification or shall require Licensee to submit water samples when the SWFWMD determines there is a potential for adverse impacts to water quality.

Q. Licensee shall provide access to an authorized SWFWMD representative to enter the property at any reasonable time to inspect the facility and make environmental or hydrologic assessments. Licensee shall either accompany SWFWMD/DEP staff onto the property or make provision for access onto the property.

R. Licensee shall cease or reduce any surface water withdrawals as directed by the SWFWMD if water levels in surface water fall below applicable minimum water level established in Chapter 40D-8 or rates of flow in streams fall below the minimum levels established in Chapter 40D-8.

S. Licensee shall cease or reduce withdrawals if water levels in aquifers fall below the minimum levels established by the SWFWMD.

T. Licensee shall practice water conservation to increase the efficiency of transport, application, and use, as well as to decrease waste and to minimize runoff from the property. At such time as the SWFWMD adopts specific conservation requirements for Licensee's water use classification, these conditions of certification shall be modified accordingly.

SECTION C: POWER PLANT SPECIFIC CONDITIONS

U. The SWFWMD may establish special regulations for Water Use Caution Areas. At such time as the Governing Board adopts such provisions, these conditions of certification shall be subject to them upon notice and after a reasonable period for compliance.

V. Licensee shall mitigate any adverse impact to existing legal uses caused by withdrawals. When adverse impacts occur or are imminent, Licensee shall be required to mitigate the impacts. Adverse impacts include:

1. A reduction in water levels which impairs the ability of the well to produce water;

2. Significant reduction in levels or flows in water bodies such as lakes, impoundments, wetlands, springs, streams or other watercourses; or

3. Significant inducement of natural or manmade contaminants into a water supply or into a usable portion of any aquifer water body.

W. Licensee shall mitigate any adverse impact to environmental features or offsite land uses as a result of withdrawals. When adverse impacts occur or are imminent, the Licensee shall be required to mitigate the impacts. Adverse impacts include:

1. Significant reduction in levels or flows in water bodies such as lakes, impoundments, wetlands, springs, streams or other watercourses;

2. Sinkholes or subsidence caused by reduction in water levels;

3. Damage to crops and other vegetation causing financial harm to the owner;
and

4. Damage to the habitat of endangered or threatened species.

X. When necessary to analyze impacts to the water resource or existing users, Licensee shall be required to install flow metering or other measuring devices to record withdrawal quantities and submit the data to the SWFWMD.

Y. A SWFWMD identification tag shall be prominently displayed at each withdrawal point by permanently affixing the tag to the withdrawal facility.

Z. Licensee shall notify the SWFWMD within 30 days of the sale or conveyance of permitted water withdrawal facilities or the land on which the facilities are located.

AA. The annual average daily withdrawal quantity is determined by calculating the total quantity of water to be withdrawn over a one year period, divided by 365 days, which results in a gallons per day (gpd) quantity pursuant to Basis of Review, Section 3.2, Permitted Withdrawal Quantities. This is a running 12-month average, whereby each month the annual average daily quantity is recalculated based on the previous 12-month pumpage.

[Sections 373.016, 373.219, 373.223(1), F.S.; Rules 40D-2.301(1), 40D-2.381(1), F.A.C.; B.O.R., Section 6.1]

SECTION C: POWER PLANT SPECIFIC CONDITIONS

PRODUCTION WITHDRAWAL TABLE

<u>District ID No. / Licensee ID No.</u>	<u>Annual Average (gallons per day)</u>	<u>Peak Month (gallons per day)</u>	<u>Status--Comments</u>
<u>1/4</u>	<u>640,000-- Standby</u>	<u>755,000-- Standby</u>	<u>Standby well</u>
<u>2/5</u>	<u>1,000,000-- Standby</u>	<u>1,285,000-- Standby</u>	<u>Standby well</u>
<u>3/6</u>	<u>1,000,000-- Standby</u>	<u>1,285,000-- Standby</u>	<u>Standby well</u>
<u>4/7</u>	<u>400,000-- Standby</u>	<u>550,000-- Standby</u>	<u>Standby well</u>
<u>5/8</u>	<u>1,000,000-- Standby</u>	<u>1,285,000-- Standby</u>	<u>Standby well</u>
<u>6/9</u>	<u>1,000,000-- Standby</u>	<u>1,285,000-- Standby</u>	<u>Standby well</u>
<u>7/10</u>	<u>400,000-- Standby</u>	<u>550,000-- Standby</u>	<u>Standby well</u>
<u>8/15</u>	<u>1,000,000-- Standby</u>	<u>1,285,000-- Standby</u>	<u>Standby well</u>
<u>9/17</u>	<u>2,164,000-- Active (412,000)-- Standby</u>	<u>2,900,000-- Active (412,000)-- Standby</u>	<u>Active quantity Standby quantity</u>
<u>10/18</u>	<u>3,246,000-- Active (618,000)-- Standby</u>	<u>4,350,000-- Active (618,000)-- Standby</u>	<u>Active quantity Standby quantity</u>
<u>11/EL1</u>	<u>1,030,000</u>	<u>1,030,000</u>	<u>Active source--Reclaimed quantity from Brooksville</u>
<u>12/SW INTAKE-1</u>	<u>216,000,000</u>	<u>216,000,000</u>	<u>Pond 4 intake 1</u>
<u>14/SW INTAKE-2</u>	<u>216,000,000</u>	<u>216,000,000</u>	<u>Pond 4 intake 2</u>

Total authorized groundwater quantities (District ID Nos. **9** and **10**/Licensee ID Nos.17 and 18) are 5,410,000 gallons per day Annual Average and 7,250,000 gallons per day Peak Month. Total standby groundwater quantities from District ID Nos. **9** and **10**/Licensee ID Nos.17 and 18 of 1,030,000 gallons per day Annual Average and Peak Month are authorized for use when the reclaimed quantities from Brooksville are not available.

Standby quantities from District ID Nos. **1, 2, 3, 4, 5, 6, 7,** and **8**/Licensee ID Nos. 4, 5, 6, 7, 8, 9, 10, and 15 are to be used in place of groundwater quantities from District ID Nos. **9** and **10**/Licensee ID Nos. 17 and 18 when they are not available.

SECTION D: CEMENT PLANT SPECIFIC CONDITIONS

SECTION D: SPECIFIC CONDITIONS CEMENT PLANT SPECIFIC CONDITIONS

A. DEP Conditions

1. Coal Pile Runoff Sump Liner

The proposed Liner for the coal pile sump will be verified to be resistant to the periodic inflows of low pH water that contact it. The chemical and physical characteristics of the proposed liner shall be submitted to the department for approval at least 60 days prior to installation of the liner.

2. Lime Rock Processing Operations

THE OPERATION OF THE LICENSEE'S LIMEROCK PROCESSING OPERATIONS SHALL BE IN ACCORDANCE WITH ALL APPLICABLE PROVISIONS OF THE DEPARTMENT OF ENVIRONMENTAL PROTECTION'S (DEP) REGULATIONS AS FOUND IN CHAPTERS 62-4, 62-302, 62-520, 62-522, 62-550, 62-620, 62-660, AND 62-672, FLORIDA ADMINISTRATIVE CODE (F.A.C.).~~XII. TOXIC, DELETERIOUS, OR HAZARDOUS MATERIALS~~

The spill of any toxic, deleterious, or hazardous materials shall be reported in the manner specified by Condition XIII.

~~XIII. CONSTRUCTION ON SOVEREIGNTY LANDS~~

~~No construction on sovereignty lands shall commence without obtaining lease or title from the DEP or Trustees of the Internal Improvement Trust Fund (TITF).~~

~~XIV. These operations are located outside the certified area and are not licensed under this COC. However, stormwater runoff for this facility is collected and is part of the licensed stormwater management system.~~

3. Coal Pile

An acid resistant, impermeable liner shall be placed underneath the coal pile and Collection ditches. An impermeable liner shall not have a permeability greater than 1×10^{-7} cm/sec.

~~XV. FLOOD PROOFING~~

4. Mining Operations

~~The power generation equipment and other facilities vital to the operation of the plant shall be constructed in such a manner that water elevations at the 100-year flood will not cause damage to the equipment or necessitate plant shutdown.~~

~~XVI. COOLING POND PERIMETER BERMS~~

~~Construction of cooling pond perimeter berms shall be in conformance with the provisions of Chapter 62-272, F.A.C., regarding earthen dams and shall be inspected regularly as required by Chapter 62-272, F.A.C., and annually by a licensed engineer.~~

SECTION D: CEMENT PLANT SPECIFIC CONDITIONS

~~XVII.~~ TRANSMISSION LINES, ACCESS ROAD AND RAIL SPUR

A. General

1. Filling and construction in waters of the State shall be minimized to the extent practicable. No such activities shall take place without obtaining lease or title from the Department and/or THTF where required. Construction and access roads should avoid wetlands and be located in surrounding uplands.

2. Placement of fill in wetland areas shall be minimized by spanning such areas with the maximum span practicable. Borrow pits shall not be located in waters of the State.

3. The Department may determine that any fill required in wetlands for construction but not required for maintenance purposes shall be removed and the ground restored to its original contours after transmission line, roadway or rail spur placement. Placement and removed of any such temporary fill shall be coordinated with the DEP District Office.

4. Where fill in wetlands is necessary for access, keyhole fills from upland areas should be oriented as nearly parallel to surface water flow lines as possible.

5. Sufficient size and number of culverts or other structures shall be placed through fill causeways to maintain substantially unimpaired sheet flow.

6. Turbidity control measures, including but not limited to hay bales, turbidity curtains, sodding, mulching, and seeding, shall be employed to prevent violation of water quality standards.

7. The Rights of Way shall be located so as to minimize impacts, such as the removal of vegetation, in or on stream beds, to the extent practicable. For transmission lines within 25 feet of the banks of any streams, rivers or lakes, vegetation shall be left undisturbed, except for selective topping of trees or removal of trees which topping would kill. For transmission lines, if it is necessary to remove such trees within 25 feet of the banks of streams, rivers or lakes, the root mat shall be left undisturbed.

8. Any necessary water quality certifications which must be made to the Corps of Engineers shall be made at the time of a finding of compliance at specific work at specific locations.

9. Construction activities should proceed as much as practicable during the dry season.

B. Other Construction Activities

1. Maintenance roads under control of the licensee shall be planted with native Species to prevent erosion and subsequent water quality degradation where drainage from such roads would impact water of the State significantly.

2. Good environmental practices such as described in *Environmental Criteria for Electric Transmission Systems* as published by the U.S. Department of Interior and the U.S. Department of Agriculture shall be followed to the extent practicable.

3. Compliance with the most recent version of the National Electric Safety Code adopted by the Public Service commission is required.

SECTION D: CEMENT PLANT SPECIFIC CONDITIONS

4. ~~Fences that run parallel to the transmission line and may become conductive shall be grounded at appropriate intervals; fences running perpendicular to the line shall be grounded at the edge of the right of way.~~

5. ~~Field reconnaissance of rare and endangered species shall be performed in order to minimize impacts on these species.~~

6. ~~Open burning in connection with land clearing shall be in accordance with the applicable rules of the Department of Agriculture and Consumer Services. No additional permits shall be required, but the Division of Forestry shall be notified prior to burning. Open burning shall not occur if the Division of Forestry has issued a ban on burning due to fire hazard conditions.~~

C. ~~Maintenance~~

1. ~~Vegetative clearing operations for maintenance purposes to be carried out within the corridor shall follow the general standards for clearing a right of way for overhead transmission lines as referenced in Sections XIII.A.7. and XIII.B.2. Selective clearing of vegetation is preferred over clearing and grubbing or clear cutting.~~

2. ~~If chemicals or herbicides are to be used for vegetation control, the name, type, proposed use, locations, and manner of application shall be provided to the Department prior to their application for assessment of compliance with applicable regulations.~~

D. ~~Archaeological Sites~~

~~Any archaeological sites discovered during construction of the transmission lines, access roads or rail spurs shall be disturbed as little as possible and such discovery shall be communicated to the Department of State, Division of Historical Resources (DHR). Potentially affected areas will be surveyed, and if a significant site is located, the site shall be avoided, protected, or excavated as directed by DHR.~~

E. ~~Road Crossing~~

~~For all locations where the transmission line or the rail spur cross state highways, the applicant will submit materials pursuant to the Department of Transportation's (DOT) "Utility Accommodation Guide" to DOT's district office for review and approval. All applicable regulations pertaining to roadway crossing by rail or transmission lines shall be complied with. Crossing of county roads shall be coordinated with the County Engineer.~~

F. ~~Emergency Reporting~~

~~Emergency replacement of a previously constructed right of way or transmission line shall not be considered a modification pursuant to Section 403.516, F.S. A verbal report of the emergency shall be made to the Department as soon as possible. Within fourteen (14) calendar days after correction of the emergency, a report to the Department shall be made outlining the details of the emergency and the steps taken for its temporary relief. The report shall be a written description of all work performed and shall set forth any pollution control measures or mitigative measures which were utilized or are being utilized to prevent pollution of waters, harm to sensitive areas or alteration of archaeological or historical resources.~~

SECTION D: CEMENT PLANT SPECIFIC CONDITIONS

~~G. — Final Right of Way Location~~

~~A map of 124,000 scale showing final location of the right of way shall be submitted to the Department upon completion of acquisition.~~

~~H. — Compliance~~

~~Construction and maintenance shall comply with applicable rules regulations of the Department and those agencies specified in 62-17.54(2)(a) and (b), F.A.C.~~

~~I. — Construction Plans~~

~~All proposed transmission line ROW areas, plant access roads and railroad lines which are designed to traverse a stream, lake, pond, canal, swamp, marsh or other natural or artificial system which functions to store or convey water and would require a permit under Chapter 40C-4 or 40C-6, FAC, shall have said design plans and specifications reviewed by the SWFWMD staff. The staff shall determine if such plans are consistent with the Site Certification Application, the Recommended Conditions of Certification and applicable District rules. To determine such consistency, information to include but not be limited to the following item shall be submitted to the District 60 days prior to construction:~~

- ~~1. — A centerline profile of existing topographic features along proposed access road(s).~~
- ~~2. — Preliminary design of proposed access road(s) with elevations marked.~~
- ~~3. — Typical cross section of access road(s).~~
- ~~4. — Cross section of each stream or creek at those points to be crossed by access road(s) or other facilities.~~
- ~~5. — Specifications showing size and type of water control structure (pipe, culvert, etc.) to be placed within or on waters of the District, with proposed flowline elevation marked.~~
- ~~6. — Specifications showing design capacity of all water control structures to be employed.~~
- ~~7. — Specifications showing location and type of each transmission tower and access road(s) to be constructed within or on the waters of the District.~~
- ~~8. — Computer rates of flow for streams or water courses before and after construction during a one hundred (100) year flood.~~
- ~~9. — Any other information needed by the Licensee to show compliance with standards in Rule 40C-4 and 40C-6, FAC.~~

~~XVIII. — CHANGE IN DISCHARGE~~

~~All discharges or emissions authorized herein shall be consistent with the terms and conditions of this certification. The discharge of any pollutant identified in the application more frequently than, or at a level in excess of, that authorized herein shall constitute a violation of the certification. Any anticipated facility expansions, production increases, or process modification which will result in new, different or increased discharges or expansion in steam generating~~

SECTION D: CEMENT PLANT SPECIFIC CONDITIONS

capacity will require a submission of a new or supplemental application pursuant to Chapter 403, F.S.

~~XIX. NON-COMPLIANCE NOTIFICATION~~

~~If, for any reason, the licensee does not comply with or will be unable to comply with any limitation specified in this certification, the licensee shall notify the manager of DEP's SW District Office by telephone during the working day in which the licensee becomes aware of said non-compliance and shall confirm this situation in writing within seventy-two hours supplying the following information:~~

~~A. A description and cause of non-compliance; and~~

~~B. The period of non-compliance, including exact dates and times; or, if not corrected, the anticipated time the non-compliance is expected to continue and steps being taken to reduce, eliminate and prevent recurrence of the non-complying event.~~

~~XX. FACILITIES OPERATION~~

~~A. General Operation~~

~~The licensee shall at all times properly operate and maintain the facility and related appurtenances, and systems of treatment and control that are installed and used to achieve compliance with the conditions of this certification, and are required by Department rules. This provision includes the operation of backup or auxiliary facilities or similar systems when necessary to achieve compliance with the conditions of the approval and when required by Department rules.~~

~~B. Malfunction or Shutdown~~

~~In the event of a prolonged [thirty (30) days or more] equipment malfunction or shutdown of pollution control equipment, facility operation may be allowed to resume and continue to take place under an appropriate Department order, provided that the licensee demonstrates that such operation will be in compliance with all applicable ambient air quality standards and PSD increments, water quality standards and rules, solid waste rules, domestic wastewater rules and industrial wastewater rules. During such malfunction or shutdown, the operation of the facility shall comply with all other requirements of this certification and all applicable state and federal emission and effluent standards not affected by the malfunction or shutdown.~~

~~C. Records Maintained at the Facility~~

~~1. These Conditions of Certification or a copy thereof shall be kept at the work site of the approved activity.~~

~~2. The licensee shall hold at the facility, or other location designated by this approval, records of all monitoring information, including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation required by this approval, copies of all reports required by this approval, and records of all data used to complete the application for this approval. These materials shall be retained at least three (3) years from the date of the sample, measurement, report, or application unless otherwise specified by Department rule. The licensee shall provide copies of these records to the Department upon~~

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request. If the licensee becomes aware of relevant facts that were not submitted or were incorrect in any report to the Department, such facts or information shall be promptly submitted or corrected.

~~D. Change in Discharge~~

~~All discharges or emissions authorized herein shall be consistent with the terms and conditions of this certification. The discharge of any pollutant not identified in the application, or more frequently than, or at a level in excess of that authorized herein, shall constitute a violation of the certification. Any anticipated facility expansions, production increases, or process modifications which may result in new, different or increased discharges or pollutants, change in fuel, or expansion in steam generating capacity must be reported by submission of a new application for amendment or modification pursuant to Chapter 403.516, F.S.~~

~~E. Noncompliance Notification~~

~~If, for any reason, the licensee does not comply with or is unable to comply with any limitation specified in this certification, the licensee shall notify the Southwest District Office of the Department by telephone during the working day that said noncompliance occurs. After normal business hours, the licensee shall report any condition that poses a public health threat to the State Warning Point at telephone number (850) 413-9911 or (850) 413-9912. The licensee shall confirm this situation to the DEP District Office in writing within seventy-two (72) hours of becoming aware of such conditions and shall supply the following information:~~

- ~~1. A description of the discharge and cause of noncompliance; and,~~
- ~~2. The period of noncompliance, including exact dates and times; or, if not corrected, the anticipated time the noncompliance is expected to continue; and,~~
- ~~3. Steps being taken to reduce, eliminate and prevent recurrence of the noncomplying event.~~

~~F. Enforcement~~

~~1. The terms, conditions, requirements, limitations and restrictions set forth in these Conditions of Certification are the same as "Permit Conditions" and are binding and enforceable pursuant to Sections 403.141, 403.161, and 403.514, F.S. Any noncompliance with a Condition of Certification or condition of a federally delegated or approved permit constitutes a violation of chapter 403, F.S., and is grounds for enforcement action, permit termination, permit revocation, or permit revision. The licensee is placed on notice that the Department will review this approval periodically and may initiate enforcement action for any violation of these conditions.~~

~~2. All records, notes, monitoring data and other information relating to the construction or operation of this certified source which are submitted to the Department may be used by the Department as evidence in any enforcement case involving the certified source arising under the Florida Statutes or Department rules, except where such evidence shall only be used to the extent it is consistent with the Florida Rules of Civil Procedure and appropriate evidentiary rules.~~

SECTION D: CEMENT PLANT SPECIFIC CONDITIONS

~~C. Mining Operations~~

The licensee shall obtain all necessary Environmental Resource Permits (ERPs) from the Department prior to the initiation of mining in any new area within the certified site.

~~XXI. ADVERSE IMPACT~~

~~The licensee shall take all reasonable steps to minimize any adverse impacts resulting from non-compliance with any limitation specified in this certification, including, but not limited to, such accelerated or additional monitoring as necessary to determine the nature and impact of the non-complying event.~~

~~XXII. RIGHT OF ENTRY~~

~~The licensee shall allow authorized Department personnel, including authorized representatives of the Florida Department of Environmental Protection, Southwest Florida Water Management District and/or United States Environmental Protection Agency, 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:~~

~~A. To enter upon the licensee's premises where an effluent source is located or in which records are required to be kept under the terms and conditions of this permit; and~~

~~B. To have access to and to make copies of all records required to be kept under the conditions of this certification; and~~

~~C. To inspect and test any monitoring equipment or monitoring method required in this certification and to sample any discharge or pollutants; and~~

~~D. To assess any damage to the environment or violation of ambient standards, and to sample or monitor any substances or parameters at any location necessary to assure compliance with these Conditions or Department rules.~~

~~XXIII. REVOCATION OR SUSPENSION~~

~~This certification may be suspended or revoked pursuant to Section 403.512, F.S., or for violations of any Condition of Certification.~~

~~XXIV. CIVIL AND CRIMINAL LIABILITY~~

~~This certification does not relieve the licensee from civil or criminal responsibility or liability for non-compliance with any conditions of this certification, applicable rules or regulations of the Department, or Chapter 403, F.S., or regulations thereunder.~~

~~Subject to Section 403.511, F.S., this certification shall not preclude the institution of any legal action or relieve the licensee from any responsibilities or penalties established pursuant to any other applicable state statutes or regulations.~~

~~XXV. PROPERTY RIGHTS~~

~~The Issuance of this certification does not convey any property rights in either real or personal property, tangible or intangible, nor any exclusive privileges, nor 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. The applicant will obtain title, lease or right of use to~~

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~~any sovereign submerged lands occupied by the plant, transmission line structures, or appurtenant facilities from the State of Florida.~~

~~XXVI. SEVERABILITY~~

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

~~XXVII. DEFINITIONS~~

~~The meaning of terms used herein shall be governed by the definitions contained in Chapter 403, F.S., and any regulation adopted pursuant thereto. In the event of any dispute over the meaning of a term used in these general or special conditions which is not defined in such statutes or regulations, such dispute shall be resolved by reference to the most relevant definitions contained in any other state or federal statute or regulation or, in the alternative, by the use of the commonly accepted meaning as determined by the Department. As used herein:~~

~~A. "DCA" shall mean the Florida Department of Community Affairs.~~

~~B. "DEP" or "Department" shall mean the Florida Department of Environmental Protection.~~

~~C. "DHR" shall mean the Florida Department of State, Division of Historical Resources.~~

~~D. "Feasible" or "practicable" shall mean reasonably achievable considering a balance of land use impacts, environmental impacts, engineering constraints, and costs.~~

~~E. "FFWCC" shall mean the Florida Fish and Wildlife Conservation Commission.~~

~~F. "Licensee/permittee" shall mean an applicant which has obtained a certification order for the subject electrical power plant.~~

~~G. "NPDES permit" shall mean the federal National Pollutant Discharge Permit System permit issued in accordance with the federal Clean Water Act.~~

~~H. "Power plant", "facility", or "project" shall mean the electrical power generating plant as defined in Section 403.503(12), F.S.~~

~~I. "PSD permit" shall mean the federal Prevention of Significant Deterioration air emissions permit issued in accordance with the federal Clean Air Act.~~

~~J. "Title V permit" shall mean the federal permit issued in accordance with Title V of the federal Clean Air Act.~~

~~K. "SWFWMD" shall mean the Southwest Florida Water Management District.~~

~~XXVIII. REVIEW OF SITE CERTIFICATION~~

~~The certification shall be final unless revised, revoked or suspended pursuant to law. At least every five years from the date of issuance of this certification, the Department shall review all monitoring data that has been submitted to it during the preceding five year period for the purpose of determining the extent of the licensee's compliance with the conditions of this~~

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~~certification of the environmental impact of this facility. The Department shall submit results of its review and recommendations to the licensee. Such review will be repeated at least every five years thereafter.~~

~~XXIX. — MODIFICATION OF CONDITIONS~~

~~The conditions of this Certification may be modified in the following manner:~~

~~A. — Pursuant to Section 403.516(1)(a), F.S., Section 120.569(2)(n), F.S., and Rule 62-211, F.A.C., the Siting Board hereby delegates the authority to the Department of Environmental Protection to modify, after notice and receipt of no objection by a party or other substantially affected person, any conditions which would not otherwise require approval by the Siting Board.~~

~~B. — This certification shall be automatically modified to conform to any subsequent amendments, modifications, or renewals made by DEP under a federally delegated or approved program to any separately issued Prevention of Significant Deterioration (PSD) permit, Title V Air Permit, or National Pollutant Discharge Elimination System (NPDES) permit for the certified facility. The licensee shall send each party to the original certification proceedings (at the party's last known address as shown in the record of such proceeding) notice of requests for modifications or renewals of the above listed permits if the request involves a relief mechanism (e.g., mixing zone, variance, etc.) from standards, a relaxation of conditions included in the permit due to state permitting requirements, or the inclusion of less restrictive air emission limitations in the air permits. DEP shall notify all parties to the certification proceeding of any intent to modify conditions under this section prior to taking final agency action.~~

~~C. — All other modifications shall be made in accordance with Sections 403.516, F.S.,~~

~~XXX. — EFFECTS OF CERTIFICATION~~

~~Certification and conditions of certification are predicated upon design and performance criteria indicated in the application. Thus, conformance to those criteria, unless specifically amended, modified, or as the Department and parties are otherwise notified, is binding upon the applicant in the preparation, construction, and maintenance of the certified project. In those instances where a conflict occurs between the application's design criteria and the conditions of certification, the conditions shall prevail.~~

~~XXXI. — NOISE~~

~~To mitigate the effects of noise produced by the steam blowout of steam boiler tubes the licensee shall conduct public awareness campaigns prior to such activities to forewarn the public of the estimated time and duration of the noise.~~

~~XXXII. — 5. Waste Tire Processing Facility~~

~~Aa. Classification~~

Portions of this site, as identified in the PA 82-17 Supplemental Plans shall be classified as a waste tire processing facility and shall be operated and closed in accordance with all applicable requirements of Chapters 62-4 and 62-711, Florida Administrative Code (F.A.C.).

SECTION D: CEMENT PLANT SPECIFIC CONDITIONS

~~Bb.~~ Documentation

These Conditions are valid for operation of the waste tire processing facility in accordance with the reports, plans and other information as follows:

~~1i.~~ Comprehensive Operations Plan including emergency preparedness manual dated October 21, 1999 received on October 25, 1999;

~~2ii.~~ Supporting information dated November 16, 2000 received on November 21, 2000;

~~3iii.~~ Revised application form dated November 28, 2000, received on November 30, 2000;

~~Cc.~~ Modifications

Any construction or operation activities not previously approved as part of these Conditions of Certification shall require modification of these conditions, or unless otherwise approved in writing by the Department. Conditions shall be modified in accordance with the requirements of 62-17.211, F.A.C. A modification which is reasonably expected to lead to substantially different environmental impacts which require a detailed review by the Department is considered a substantial modification.

~~Dd.~~ Prohibitions

The prohibitions of Rule 62-711.400, F.A.C., shall not be violated.

~~Ee.~~ Financial Assurance

The licensee shall provide financial assurance for the facility in accordance with 62-711.500(3), F.A.C.

~~1i.~~ All costs for closure shall be adjusted and submitted annually to: Solid Waste Manager, Solid Waste Section, Department of Environmental Protection, 13051 North Telecom Parkway, Temple Terrace, Florida 33637.

~~2ii.~~ Proof that the financial mechanism has been adequately funded shall be submitted annually by September 1st to: Financial Coordinator, Solid Waste Section, Department of Environmental Protection, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400.

~~Ff.~~ Storage Requirements

All waste tires shall be stored in accordance with sections 62-711.530, and 62-711.540, F.A.C. and the operations plan.

~~1i.~~ Storage at the facility is limited to 205 tons of waste tires.

~~2ii.~~ If the facility has reached its permitted storage capacity, the Licensee shall not accept additional waste tires until sufficient capacity has been restored.

~~3iii.~~ At least 75 percent of the whole tires, used tires, and processed tires that are delivered to or are contained on the site of the waste tire facility at the beginning of each calendar year shall be removed for disposal or recycling from the facility during the year, or disposed of at a permitted solid waste management facility.

SECTION D: CEMENT PLANT SPECIFIC CONDITIONS

Gg. Operation Plan and Operating Record

A copy of the Department approved Conditions of Certification, operational plan, record drawings, and supporting information shall be kept at the facility at all times for reference and inspections.

Hh. Operating Personnel

A trained supervisor or foreman shall be responsible for maintaining the facility in an orderly, safe, and sanitary manner. Sufficient personnel shall be employed to adequately operate the facility.

Ii. Reporting Requirements

Waste Tire Processing Facility Quarterly Report, Form 62-711.900(4) summarizing facility operations shall be submitted quarterly to the Department by January 20th, April 20th, July 20th, and October 20th, pursuant to Rule 62-711.530(5), F.A.C.

Jj. Fire Safety Survey

A fire safety survey shall be conducted at least annually and the survey report shall be made available to the Department upon request.

Kk. Stormwater System Management

Stormwater shall be managed as required by 62-711.540(3) (a), F.A.C. The site shall be managed to divert stormwater around and away from the storage piles.

Ll. Emergency Preparedness Manual

A copy of the facility's emergency preparedness manual shall be kept at the site and a copy shall be kept at an off-site location.

Mm. Control of Nuisance Conditions

The owner or operator shall control mosquitoes and rodents as so to protect the public health and welfare. The operator shall be responsible for the control of odors and fugitive particulates arising from this operation. Such control shall minimize the creation of nuisance conditions on adjoining property. Complaints received from the general public, and confirmed by Department personnel upon site inspection, shall constitute a nuisance condition, and the Licensee must take immediate corrective action to abate the nuisance.

Nn. Facility Maintenance and Repair

The site shall be properly maintained including minimized grass, underbrush and other flammable vegetation, prevention of ponding, and maintenance of berms and other systems designed to protect water bodies from liquid runoff from a potential waste tire fire. In the event of damage to any portion of the waste tire site, fire, or failure of any portion of the waste tire storage systems, the permittee shall immediately (within 24 hours) notify the Department of Environmental Protection explaining such occurrence and remedial measures to be taken and time needed for repairs. Written detailed notification shall be submitted to the Department within seven (7) days following the occurrence.

Oo. Professional Certification

SECTION D: CEMENT PLANT SPECIFIC CONDITIONS

Where required by Chapter 471 (P.E.) or Chapter 492 (P.G.), Florida Statutes, applicable portions of permit applications 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.

Pp. Closure

The facility shall be closed in accordance with the requirements of Rule 62-711.700, F.A.C. The waste tire facility owner or operator shall notify the Department at least ninety (90) days prior to the date when tires will no longer be accepted for storage, as required by 62-711.700(2), F.A.C.

Qq. The Licensee shall comply with the following:

4i. Upon request, the Licensee shall furnish all records and plans required under Department rules. During enforcement actions, the retention period for all records will be extended automatically unless otherwise stipulated by the Department.

2ii. The Licensee shall hold at the facility or other location designated by this permit records of all monitoring information (including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation) required by the permit, copies of all reports required by these Conditions, and records of all data used to complete the application for this License. These materials shall be retained at least three years from the date of the sample, measurement, report, or application unless otherwise specified by Department rule.

3iii. Records of monitoring information shall include:

- a. the date, exact place, and time of sampling or measurements;
- b. the person responsible for performing the sampling or measurements;
- c. the dates analyses were performed;
- d. the person responsible for performing the analyses;
- e. the analytical techniques or methods used;
- f. the results of such analyses.

Rr. Corrections:

When requested by the Department, the Licensee shall within a reasonable time furnish any information required by law which is needed to determine compliance with these conditions. If the Licensee becomes aware that relevant facts were not submitted or were incorrect in the initial or subsequent applications or in any report to the Department, such facts or information shall be corrected promptly.

LICENSE HISTORY

HISTORY

Certification issued 03/12/84; signed by Governor Graham
Modified 04/18/85; signed by Secretary Tschinkel
Modified 03/24/87; signed by Secretary Twachtman
Modified 07/17/87; signed by Secretary Twachtman
Modified 06/09/94; signed by Secretary Wetherell
Modified 08/01/95; signed by Secretary Wetherell
Modified 12/19/95; signed by Secretary Wetherell
Modified 02/06/96; signed by Secretary Wetherell
Modified 04/18/97; signed by Secretary Wetherell
Modified 11/04/02; signed by Siting Administrator Oven
Modified 07/19/05; signed by Siting Administrator Oven
Modified 09/14/05, signed by Siting Administrator Oven
Modified 03/15/06, signed by Siting Administrator Oven
Modified 03/07/07; signed by Siting Administrator Halpin
Modified 12/04/07; signed by Siting Administrator Halpin
Modified 05/29/09; signed by Siting Administrator Halpin
Modified xx/xx/~~xx~~12; signed by Siting Administrator Mulkey