



Florida Department of
Environmental Protection
Southwest District Office
13051 North Telecom Parkway
Temple Terrace, Florida 33637-0926

Rick Scott
Governor

Jennifer Carroll
Lt. Governor

Herschel T. Vinyard Jr.
Secretary

June 16, 2011

Thomas L. Hernandez
Vice President Energy Supply
Tampa Electric Company
702 North Franklin Street
Tampa, Florida 33602-0111
tlhernandez@tecoenergy.com

FDEP File No. 0281232
Class V, Group 9, Exploratory Well IW-2
TECO Polk Power Station
Polk County

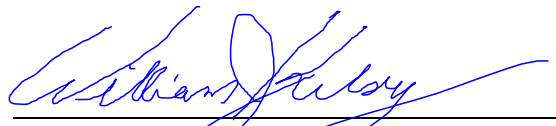
NOTICE OF PERMIT

Enclosed is Permit No. 0281232-004-UC/5X to construct one Class V, Group 9, Exploratory Well and one Monitor Well, issued pursuant to Section 403.087(1), Florida Statutes. Any party to this Order (permit) has the right to seek judicial review of the permit pursuant to Section 120.68, Florida Statutes, by the filing of a Notice of Appeal pursuant to Rule 9.110, Florida Rules of Appellate Procedure, with the Clerk of the Department in the Office of General Counsel, 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000, and by filing a copy of the Notice of Appeal accompanied by the applicable filing fees with the appropriate District Court of Appeal. The Notice of Appeal must be filed within 30 days from the date this Notice is filed with the Clerk of the Department.

Executed in Hillsborough County, Florida.

STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION

UNDERGROUND INJECTION CONTROL PROGRAM

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

CERTIFICATE OF SERVICE

The undersigned duly designated deputy clerk hereby certifies that this Notice of Permit and all copies were mailed before the close of business on June 16, 2011 to the persons listed below.

Clerk Stamp

FILED AND ACKNOWLEDGMENT

FILED on this date, pursuant to § 120.52(11), Florida Statutes, with the designated Department clerk, receipt of which is hereby acknowledged.



Clerk

6/16/11

Date

Copies Furnished To:

Joe Haberfeld, FDEP-Tallahassee, joe.haberfeld@dep.state.fl.us
James Alexander, FDEP-Tallahassee, james.alexander@dep.state.fl.us
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**STATE OF FLORIDA
UNDERGROUND INJECTION CONTROL
CLASS V, GROUP 9, EXPLORATORY WELL
CONSTRUCTION PERMIT**

PERMITTEE

Thomas L. Hernandez
Vice President Energy Supply
Tampa Electric Company
702 North Franklin Street
Tampa, Florida 33602-0111
tlhernandez@tecoenergy.com

PERMIT/CERTIFICATION

Permit File No.: 0281232-004-UC/5X
WACSID: 98664
Date of Issuance: June 16, 2011
Expiration Date: June 15, 2016
County: Polk
Project: Class V, Group 9,
Exploratory Well IW-2
Permit Processor: Bill Kelsey, P.G.

FACILITY

TECO Polk Power Station
Highway 37
Brewster, Florida

PROJECT LOCATION

Section/Township/Range: Sec. 3/ T32S / R23E
Latitude: 27° 43' 44.71" N
Longitude: 81° 59' 27.2" W

This permit is issued under the provisions of Chapter 403, Florida Statutes, and Rules 62-4 and 62-528 of the Florida Administrative Code. The above-named permittee is hereby authorized to perform the work or operate the facility shown on the application and other documents attached hereto or on file with the Department and made a part hereof specifically described as follows:

TO CONSTRUCT: One Class V, Group 9, Exploratory Well (IW-2) and one Monitor Well DZMW-2, in order to obtain hydrologic and geologic information to determine the feasibility of a Class I industrial wastewater injection well into the Lower Lawson Limestone Formation, approximately 5,000 feet below land surface (bls). The well will be constructed with a 54-inch diameter surface casing to ± 300 feet bls; a 42-inch diameter steel casing to ± 1200 feet bls; a 28-inch diameter steel intermediate casing to $\pm 3,400$ feet bls; an 18-inch diameter steel casing to $\pm 4,400$ feet bls; an open hole to $\pm 5,800$ feet bls; and a 9.94-inch diameter fiberglass reinforced tubing to $\pm 4,400$ feet bls with packer and fluid-filled annulus. Monitor Well DZMW-2 will be installed 150 feet from IW-2, with material specifications in below Permit Specific Condition 5.d. The above specifications for IW-2 may be in need of further review and alteration upon completion of activities allowed under previously issued TECO Polk Power Station Permit No.

0281232-001-UC. If that need is determined, an alternate design plan will be submitted to the Department for approval.

IN ACCORDANCE WITH: The Application to Construct DEP Form No. 62-528.900(1) submitted by the Tampa Electric Company (TECO) with sufficient fee on June 17, 2010, with accompanying supporting documentation and additional information submitted through February 22, 2011.

TO SERVE: The TECO Polk Power Station.

1. General Requirements

- a. This permit is valid only for the specific processes and operations applied for and indicated in the approved drawings or exhibits. Any unauthorized deviation from the approved drawings, exhibits, specifications, or conditions of this permit may constitute grounds for revocation and enforcement action.
- b. This permit does not relieve the permittee from liability for harm to human health or welfare, animal, or plant life, or property caused by the construction or operation of this permitted source, or from penalties therefrom; nor does it allow the permittee to cause pollution in contravention of Florida Statutes and Department rules, unless specifically authorized by an order from the Department.
- c. If, for any reason, the permittee does not comply with or will be unable to comply with any condition or limitation specified in this permit, the permittee shall immediately provide the Department with the following information:
 - 1) A description of and cause of noncompliance; and
 - 2) The period of noncompliance, including dates and times; or, if not corrected the anticipated time the noncompliance is expected to continue, and steps being taken to reduce, eliminate, and prevent the recurrence of the noncompliance. The permittee shall be responsible for any and all damages which may result and may be subject to enforcement action by the Department for penalties or for revocation of this permit.
- d. All reports and other submittals required to comply with this permit shall be signed by a person authorized under Rules 62-528.340(1) or (2), F.A.C. All reports shall contain the certification required in Rule 62-528.340(4), F.A.C.
- e. Proper operation and maintenance includes effective performance, adequate funding, adequate operator staffing and training, and adequate laboratory and process controls, including appropriate quality assurance procedures.
- f. No underground injection is allowed that causes or allows movement of fluid into an underground source of drinking water if such fluid movement may cause a violation of

any primary drinking water standard or may otherwise adversely affect the health of persons.

- g. If historical or archaeological artifacts, such as Indian canoes, are discovered at any time within the project site, the permittee shall notify the Department's Southwest District Office and the Bureau of Historic Preservation, Division of Archives, History and Records Management, R.A. Gray Building, Tallahassee, Florida 32301, telephone (850) 487-2073.
- h. The permittee is reminded of the necessity to comply with the pertinent regulations of any other regulatory agency, as well as any county, municipal, and federal regulations applicable to the project. This permit should not be construed to imply compliance with the rules and regulations of other regulatory agencies.
- i. An exploratory well may be converted to a monitor well or a test injection well if the permit has been obtained. If the permittee intends to apply for a permit to convert the exploratory to a test injection well, the exploratory well shall be constructed to meet all the applicable well construction standards contained in Chapter 62-528, F.A.C.

2. Site Requirements

- a. A drilling pad shall be provided to collect spillage of contaminants and to support the heaviest load that will be encountered during drilling.
- b. The disposal of drilling fluids, cuttings, formation water or waste shall be in a sound environmental manner that avoids violation of surface and ground water quality standards. The disposal method shall be approved by the Department prior to start of construction.
- c. Provide specific temporary drilling pad dimensions and design drawings for Department record prior to commencing construction and shortly after selection of the drilling contractor.
- d. Hurricane Preparedness - Upon the issuance of a "Hurricane Watch" by the National Weather Service, the preparations to be made include, but are not necessarily limited to, the following:
 - 1) Secure all on-site salt and other stockpiled additive materials to prevent surface and/or ground water contamination.
 - 2) Properly secure drilling equipment and rig(s) to prevent damage to well(s) and on-site treatment process equipment.
- e. The water table monitoring wells surrounding the exploratory well pad shall be sampled and analyzed prior to drilling the exploratory well and then weekly thereafter. Sampling shall include specific conductance, pH, chloride temperature, and water level.

3. Quality Assurance/Quality Control Requirements

- a. This permit approval is based upon evaluation of the data contained in the permit application and the plans and/or specifications submitted in support of the application. Any changes in the plans and/or technical specifications, except as provided elsewhere in this permit, must be approved by the Department before being implemented.
- b. A professional engineer registered pursuant to Chapter 471, Florida Statutes, shall be retained throughout the construction period to be responsible for the construction operation and to certify the application, specifications, completion report and other related documents. The Department shall be notified immediately of any change of engineer.
- c. Where required by Chapter 471 (P.E.) or Chapter 492 (P.G.), Florida Statutes, applicable portions of permit applications and supporting documents that are submitted to the Department for public record shall be signed and sealed by the professional(s) who approved or prepared them.
- d. The Department shall be notified immediately of any problems that may seriously hinder compliance with this permit, construction progress, or good construction practice. The Department may require a detailed written report describing the problem, remedial measures taken to assure compliance and measures taken to prevent recurrence of the problem.
- e. Continuous on-site supervision by qualified personnel (engineer and/or geologist, as applicable) is required during all testing and geophysical logging operations.
- f. The issuance of this Class V Exploratory well permit does not obligate the Department to authorize operational testing of the injection well, unless the well qualifies for a construction and testing permit applied for by the permittee and issued by the Department.

4. Construction and Testing Requirements

- a. Prior to the commencement of any work, the name of the Florida-licensed driller(s) supervising the drilling operations and the driller's registration number shall be submitted to the Department. The permittee or the engineer of record shall provide the Department with copies of all required federal, state or local permits prior to spudding the well.
- b. If any problem develops that may seriously hinder compliance with this permit, construction progress or good construction practice, the Department shall be notified immediately. The Department may require a detailed written report describing what problems have occurred, the remedial measures applied to assure compliance and the measures taken to prevent recurrence of the problem.

- c. Department review and approval is required prior to the intermediate and final casing seat selection. Annotated copies of geophysical logs, lithologic descriptions and logs and water quality data (from drilling and packer tests) must be submitted to the Department in support of the proposed intermediate and final casing seat selection.
- d. The cementing program, as required in Rule 62-528.410(5), F.A.C., shall be submitted to the Department and the Southwest Florida Water Management District for review. Cementing operations shall not commence prior to approval being granted.
- e. A natural background ground-water quality sample shall be obtained from the exploratory well for primary and secondary standards (Rules 62-550.310 and .320, F.A.C.), excluding asbestos, dioxin, acrylamide and epichlorohydrin. The sample shall also be tested for minimum criteria for municipal effluent. "Natural background" means the condition of waters in the absence of man-induced alterations based on the best scientific information available to the Department (Rule 62-520.200(12), F.A.C.). The samples shall be taken after final completion and clearance of drilling fluids from the well.
- f. All dual induction, sonic, and caliper geophysical logs run on the pilot holes of the exploratory well shall be submitted with scales of one inch equals one hundred feet (1"=100'), two inches equals hundred feet (2"=100'), and five inches equals one hundred feet (5"=100').

5. Reporting Requirements

- a. This project shall be monitored by the Department with the assistance of the Technical Advisory Committee (TAC). All reports and surveys required by this permit must be submitted concurrently to all the members of the TAC. The TAC consists of representatives from these agencies:

Florida Department of Environmental Protection
Southwest District - UIC Program
13051 North Telecom Parkway
Temple Terrace, Florida 33637-0926

Florida Department of Environmental Protection
Underground Injection Control Program
2600 Blair Stone Road, MS 3530
Tallahassee, Florida 32399-2400

Southwest Florida Water Management District
Well Construction Permitting
2379 Broad Street
Brooksville, Florida 34604-6899

- b. During the construction period allowed by this permit, daily progress reports shall be submitted to the Department and the Technical Advisory Committee each week. The reporting period shall run for seven (7) days and reports shall be mailed or emailed within 48 hours of the last day of the reporting period. The report shall include, but is not limited to, the following:
- 1) A cover letter summarizing each week's activities and a projection of activities for the next reporting period;
 - 2) Description of daily footage drilled by diameter of bit or size of hole opener or reamer being used;
 - 3) Description of work during installation and cementing of casing, including amounts of casing and cement used, amount of salt, and depth used;
 - 4) Lithologic log with cuttings description, formation, and depth encountered;
 - 5) Collection of drilling cuttings every 10 feet and at every formation change;
 - 6) Water quality analyses;
 - 7) Description of work and type of testing accomplished, including geophysical logging and pumping tests;
 - 8) Description of any construction problems that developed during the reporting period and current status;
 - 9) Copies of the driller's log are to be submitted with the weekly summary;
 - 10) Description of any deviation survey conducted; and
 - 11) Details of any packer tests, pump tests, and core analyses.
- c. The Department must be notified seventy-two (72) hours prior to all testing for mechanical integrity on the exploratory well. Testing should begin during daylight hours, Monday through Friday.
- d. Exploratory Well IW-2 Construction Details:

O.D. Inches / Type	Depth ft (bls)	Aquifer
54" / Steel	± 300'	Surficial and Upper FL Aquifer
42" / Steel	± 1,200'	Upper Floridan
28" / Steel	± 3,400'	Mid-Confining Layer & Lower Floridan
18" / Steel	± 4,400'	Lower Confining Layer & Cedar Keys Formation
9.94" OD/ Fiberglass	± 4,400'	Lower Confining Layer & Cedar Keys Formation
16" Open Hole	± 5,300'	Lawson Limestone
12.25" Open Hole	± 5,800'	Taylor Limestone

Monitor Well DZMW-2

O.D. Inches / Type	Depth ft (bls)	Aquifer
28" / Steel	± 300'	Surficial and Upper FL Aquifer
16" / Steel	± 1,1 00'	Upper Floridan
6"/Fiberglass	± 3,200'	Lower Floridan
6" Open Hole	± 3,400'	Lawson Limestone

- e. Upon completion of construction of the exploratory well, detailed in this permit, a complete set of as-built engineering drawings (Florida-licensed Professional Engineer. signed and sealed) shall be submitted to the Department.
- f. Within thirty (30) days of well completion of the exploratory well, the permittee or the authorized representative shall submit to the Department the following information:
 - 1) Certification of Class V Well Construction Completion, DEP Form 62-528.900(4);
 - 2) A copy of the Southwest Florida Water Management District (SWFWMD) Application to Construct, Repair, Modify or Abandon a Well (Form 41.10-410(1) Rev. 4/95); and
 - 3) A copy of the SWFWMD Well Completion Report (Form 41.10-410(2) Rev. 6/95).
- g. The permittee shall provide copies of all correspondence relative to this permit to each member of the TAC. Such correspondence includes but is not limited to reports, schedules, analyses and geophysical logs required by the Department under the terms of this permit. The permittee is not required to provide specific correspondence to any TAC member who submits to the permittee a written request to be omitted as a recipient of specific correspondence.
- h. After completion of construction and testing, a final engineering report shall be submitted to the Department and the TAC. The report shall include, but not be limited to, all information and data collected under Rules 62-528.605, 62-528.615, and 62-528.635, F.A.C., with appropriate interpretations. Mill certificates for the casings shall be included in the report. To the extent possible, the transmissivity of the injection zone and the maximum capacity within safe pressure limits shall be estimated.
- i. After completion of construction and testing, the following items shall be submitted to the State Geologist at the Florida Geological Survey, 903 West Tennessee Street, Tallahassee, Florida 32304-7707:
 - 1) Cuttings obtained during well construction;
 - 2) Any cores obtained during well construction when no longer needed by the permittee;
 - 3) Any geophysical logs run during well construction; and
 - 4) A copy of the final engineering report described in Specific Condition 5.h. above.

6. Signatories and Certification Requirements

- a. All reports and other submittals required to comply with this permit shall be signed by a person authorized under Rules 62-528.340(1) or (2), F.A.C.
- b. In accordance with Rule 62-528.340(4), F.A.C., all reports shall contain the following certification:

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

7. General Conditions

The permittee shall be aware of and operate under General Conditions Rule 62-528.307(1)(a) through (x), F.A.C. General Conditions are binding upon the permittee and enforceable pursuant to Chapter 403, Florida Statutes.

STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION


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

Attachment: Rules 62-528.307(1)(a) through (x)

62-528.307 Underground Injection Control: General Conditions for Permits.

The following general conditions shall be included in each of the respective types of underground injection control permits.

(1) All UIC Permits.

(a) The terms, conditions, requirements, limitations and restrictions set forth in this permit are “permit conditions” and are binding and enforceable pursuant to Section 403.141, F.S.

(b) This permit is valid only for the specific processes and operations applied for and indicated in the approved drawings or exhibits. Any unauthorized deviation from the approved drawings, exhibits, specifications, or conditions of this permit may constitute grounds for revocation and enforcement action.

(c) As provided in Section 403.087(7), F.S., the issuance of this permit does not convey any vested rights or exclusive privileges. Neither does it authorize any injury to public or private property or any invasion of personal rights, nor infringement of federal, state, or local laws or regulations. This permit is not a waiver of or approval of any other Department permit that may be required for other aspects of the total project which are not addressed in this permit.

(d) This permit conveys no title to land, water, does not constitute State recognition or acknowledgment of title, and does not constitute authority for the use of submerged lands unless herein provided and the necessary title or leasehold interests have been obtained from the State. Only the Trustees of the Internal Improvement Trust Fund may express State opinion as to title.

(e) This permit does not relieve the permittee from liability for harm to human health or welfare, animal, or plant life, or property caused by the construction or operation of this permitted source, or from penalties therefrom; nor does it allow the permittee to cause pollution in contravention of Florida Statutes and Department rules, unless specifically authorized by an order from the Department.

(f) The permittee shall properly operate and maintain the facility and systems of treatment and control (and related appurtenances) that are installed and used by the permittee to achieve compliance with the conditions of this permit, or 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 permit and when required by Department rules.

(g) The permittee, by accepting this permit, specifically agrees to allow authorized Department personnel, upon presentation of credentials or other documents as may be required by law and at reasonable times, access to the premises where the permitted activity is located or conducted to:

1. Have access to and copy any records that must be kept under conditions of this permit;
2. Inspect the facility, equipment, practices, or operations regulated or required under this permit; and
3. Sample or monitor any substances or parameters at any location reasonably necessary to assure compliance with this permit or Department rules. Reasonable time will depend on the nature of the concern being investigated.

(h) If, for any reason, the permittee does not comply with or will be unable to comply with any condition or limitation specified in this permit, the permittee shall immediately provide the Department with the following information:

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

(i) In accepting this permit, the permittee understands and agrees that all records, notes, monitoring data and other information relating to the construction or operation of this permitted source which are submitted to the Department may be used by the Department as evidence in any enforcement case involving the permitted source arising under the Florida Statutes or Department rules, except where such use is proscribed by Sections 403.111 and 403.73, F.S. Such evidence shall only be used to the extent it is consistent with the Florida Rules of Civil Procedure and appropriate evidentiary rules.

(j) The permittee agrees to comply with changes in Department Rules and Florida Statutes after a reasonable

time for compliance; provided, however, the permittee does not waive any other rights granted by Florida Statutes or Department Rules.

(k) This permit is transferable only upon Department approval in accordance with Rules 62-4.120 and 62-528.350, F.A.C. The permittee shall be liable for any non-compliance of the permitted activity until the transfer is approved by the Department.

(l) This permit or a copy thereof shall be kept at the work site of the permitted activity.

(m) The permittee shall comply with the following:

1. Upon request, the permittee shall furnish all records and plans required under Department Rules. During enforcement actions, the retention period for all records shall be extended automatically unless the Department determines that the records are no longer required.

2. The permittee shall hold at the facility or other location designated by this permit records of all monitoring information (including calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation) required by the permit, copies of all reports required by this permit, and records of all data used to complete the application for this permit. 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.

3. 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.

4. The permittee shall furnish to the Department, within the time requested in writing, any information which the Department requests to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit, or to determine compliance with this permit.

5. If the permittee becomes aware that relevant facts were not submitted or were incorrect in the permit application or in any report to the Department, such facts or information shall be corrected promptly.

(n) All applications, reports, or information required by the Department shall be certified as being true, accurate, and complete.

(o) Reports of compliance or noncompliance with, or any progress reports on, requirements contained in any compliance schedule of this permit shall be submitted no later than 14 days following each scheduled date.

(p) Any permit noncompliance constitutes a violation of the Safe Drinking Water Act and is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or for denial of a permit renewal application.

(q) It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.

(r) The permittee shall take all reasonable steps to minimize or correct any adverse impact on the environment resulting from noncompliance with this permit.

(s) This permit may be modified, revoked and reissued, or terminated for cause, as provided in 40 C.F.R. Sections 144.39(a), 144.40(a), and 144.41 (1998). The filing of a request by the permittee for a permit modification, revocation or reissuance, or termination, or a notification of planned changes or anticipated noncompliance, does not stay any permit condition.

(t) The permittee shall retain all records of all monitoring information concerning the nature and composition of injected fluid until five years after completion of any plugging and abandonment procedures specified under Rule 62-528.435, F.A.C. The permittee shall deliver the records to the Department office that issued the permit at the conclusion of the retention period unless the permittee elects to continue retention of the records.

(u) All reports and other submittals required to comply with this permit shall be signed by a person authorized under subsection 62-528.340(1) or (2), F.A.C. All reports shall contain the certification required in subsection 62-528.340(4), F.A.C.

(v) The permittee shall notify the Department as soon as possible of any planned physical alterations or additions to the permitted facility. In addition, prior approval is required for activities described in paragraph 62-528.410(1)(h), F.A.C.

(w) The permittee shall give advance notice to the Department of any planned changes in the permitted facility or injection activity which may result in noncompliance with permit requirements.

(x) The permittee shall report any noncompliance which may endanger health or the environment including:

1. Any monitoring or other information which indicates that any contaminant may cause an endangerment to an underground source of drinking water; or

2. Any noncompliance with a permit condition or malfunction of the injection system which may cause fluid migration into or between underground sources of drinking water.

Any information shall be provided orally within 24 hours from the time the permittee becomes aware of the circumstances. A written submission shall also be provided within 5 days of the time the permittee becomes aware of the circumstances. The written submission shall contain a description of the noncompliance and its cause, the period of noncompliance, including exact dates and times, and if the noncompliance has not been corrected, the anticipated time it is expected to continue; and the steps taken or planned to reduce, eliminate, and prevent reoccurrence of the noncompliance.