FLORIDA DEPARTMENT OF Environmental Protection

Division of Water Resource Management, Phosphate Management Program
13051 N Telecom Parkway, Suite 101
Temple Terrace, Florida 33637-926

Ron DeSantis
Governor

Jeanette Nuñez
Lt. Governor

Shawn Hamilton
Secretary

September 5, 2024

In the Matter of an
Application for Permit by:

Donica Receivership Services, LLC
Mr. Herbert R. Donica
Receiver, Piney Point Facility
238 East Davis Boulevard, Suite 209
Tampa, Florida 33606
Herb@Donicalaw.com

File Number FL0000124-006-IW1S
Manatee County
Piney Point Phosphogypsum Stack System

Enclosed is Permit Number FL0000124 to operate the Piney Point Phosphogypsum Stack System, issued under Chapter 403, Florida Statutes (F.S.).

Monitoring requirements under this permit are effective on the first day of the second month following the effective date of the permit. Until such time, the permittee shall continue to monitor and report in accordance with previously effective permit requirements, if any.

NOTICE OF RIGHTS

Judicial Review
Upon issuance of this final permit, any party to this order has the right to seek judicial review of it under Section 120.68, F.S., by the filing of a notice of appeal under Florida Rules of Appellate Procedure 9.110 and 9.190 with the Clerk of the Department of Environmental Protection in the Office of General Counsel (Mail Station #35, 3900 Commonwealth Boulevard, Tallahassee, Florida 32399-3000) and by filing a copy of the notice of appeal accompanied by the applicable filing fees with the appropriate district court of appeal. The notice must be filed within 30 days after this order is filed with the Clerk of the Department.

EXECUTION AND CLERKING
Executed in Temple Terrace, Florida.
STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION

John A. Coates
Director-Water Resource Management

Attachment(s):

1. Final Permit No. FL0000124
2. Attachments to Final Permit
3. Final (Interim Period) Discharge Monitoring Reports (DMRs)

CERTIFICATE OF SERVICE

The undersigned duly designated deputy clerk hereby certifies that this document and all attachments were sent on the filing date below to the following listed persons:

NPDES Permit Review, USEPA-Region 4/ATL (r4npdespermits@epa.gov) [SIC Code - 2874]
Jeff Barath, Piney Point (jbarath@pineypoint.org)
Scott Martin, Piney Point (smartin@pineypoint.org)
Gary Uebelhoer, ECT (guebelhoer@ectinc.com)
Phong Vo, P.E., Ardaman & Associates (pvo@ardaman.com)
Reinaldo Rolo, Ph.D., P.E., Ardaman & Associates (RRolo@ardaman.com)
Alissa Powers, Manatee County (alissa.powers@mymanatee.org)
Evan Pilachowski, Manatee County (evan.pilachowski@mymanatee.org)
John A. Coates, P.E., FDEP/TLH (John.Coates@FloridaDEP.gov)
Lance Kautz, FDEP (Lance.Kautz@FloridaDEP.gov)
Monica Sudano, FDEP/TLH (Monica.Sudan@FloridaDEP.gov)
Center for Biological Diversity (Jaclyn Lopez, jlopez@biologicaldiversity.org)
Manasota 88 (Glenn Compton, manasota88@comcast.net)
Suncoast Waterkeeper (Justin Bloom, jbloom@suncoastwaterkeeper.org)
Tampa Bay Waterkeeper (Justin Bloom, JBloom@tampabaywaterkeeper.org)
Children's Earth Foundation (Annie Beaman, annie@ocefoundation.org)

FILING AND ACKNOWLEDGMENT

FILED, on this date, pursuant to Section 120.52, F. S., with the designated Department Clerk, receipt of which is hereby acknowledged.

Clerk

September 5, 2024
Date

FLORIDA DEPARTMENT OF Environmental Protection

Division of Water Resource Management,
Phosphate Management Program
13051 N Telecom Parkway, Suite 101
Temple Terrace, Florida 33637-0926

STATE OF FLORIDA
INDUSTRIAL WASTEWATER FACILITY PERMIT

PERMITTEE:
Donica Receivership Services, LLC

RESPONSIBLE OFFICIAL:
Mr. Herbert R. Donica
Manager for Donica Receivership Services, LLC
Receiver, Piney Point Facility
238 East Davis Boulevard, Suite 209
Tampa, Florida 33606
Herb@Donicalaw.com

PERMIT NUMBER: FL0000124 (Major)
FILE NUMBER: FL0000124-006-IW1S/NR
ISSUANCE DATE: September 5, 2024
EFFECTIVE DATE: September 5, 2024
EXPIRATION DATE: September 4, 2029

FACILITY:
Piney Point Phosphogypsum Stack System
13051 Scale Avenue
Palmetto, FL 34221
Manatee County
Latitude: 27°37' 45.8924" N Longitude: 82°31' 51.1401" W

This permit is issued under the provisions of Chapter 403, Florida Statutes (F.S.), and applicable rules of the Florida Administrative Code (F.A.C.) and constitutes authorization to discharge to waters of the state under the Department's federally approved National Pollutant Discharge Elimination System (NPDES). This permit does not constitute authorization to discharge wastewater to waters of the state other than as expressly stated in this permit. This permit is accompanied by an Administrative Order, issued pursuant to paragraphs 403.088(2)(e) and (f), Florida Statutes. The Permittee's compliance with the Administrative Order, AO-001SWPM23, is a specific requirement of this permit. The Permittee is hereby authorized to operate the facilities in accordance with the documents attached hereto and specifically described as follows:

FACILITY DESCRIPTION:

Piney Point Phosphogypsum Stack System Facilities: This permit includes the long-term care of the inactive phosphogypsum stack system. The 393-acre phosphogypsum stack system includes the former south and north cooling pond systems, which were historically closed as lined cap areas, and lined stormwater ponds associated with the non-contact stormwater management system for closed portions of the Facility's phosphogypsum stack system. Wastewater at this facility consists of an existing volume of stored process water that was generated and used in the former fertilizer production process and the storage of Port Manatee dredge material and transport water. The top of the inactive stack system is configured with four 80-mil lined compartments designated as: New Gypsum Stack-North (NGSN); New Gypsum Stack-South (NGSS); Old Gypsum Stack-North (OGSN); and Old Gypsum Stack-South (OGSS). Reclosure of the OGSS was completed during 2023. Process water is stored in the NGSN, NGSS, and OGSN compartments, as needed during the pendency of ongoing closure operations by the Receiver. All four lined compartments are required to be closed, and will generate non-contact stormwater runoff, pursuant to the Order Approving Conceptual Closure Plan (OGC File No. 22-0468).

Additionally, process wastewater is collected by below-grade seepage collection systems installed around the perimeter of the inactive phosphogypsum stack system and former southeast portion of the inactive south cooling pond. The lined process water sump (LPWS), a 10-acre lined pond located in the southeast corner of the former south cooling pond, is used for collection of seepage and impacted groundwaters. The prior closure of the phosphogypsum stack system included construction of a slurry wall to inhibit both the on-site movement of off-site groundwater as well as phosphogypsum stack seepage from impacting off-site areas. All stormwater from the Thatcher and Mayo properties is collected in drains and ditches, and then routed into the lined stormwater detention pond for eventual discharge through Outfall D-002.

WASTEWATER TREATMENT:
The wastewater at this facility consists of process wastewater and non-contact stormwater from industrial activities and an inactive phosphogypsum stack system. The process wastewater and groundwater seepage waters collected at the facility are transferred for: (a) disposal via a Class I Underground Injection Control well owned and operated by the Manatee County Utilities Department as authorized under UIC Permit Number: 0322708-002-UC/1I) (b) pre-treatment and disposal into the Manatee County Utilities Department's municipal sewer collection system.

Attachment "A" shows the location of the Manatee County sewer meter for collection of treated process water from the facility.

Non-contact stormwater[1] is managed onsite and then discharged through Outfall D-001, D-002 or D-003. The lined stormwater detention pond is designated for discharge of a 25-year/24-hour event storm and then multi-day drawdown from the pond's underdrain system. Outfall D-002, shall be used to monitor the discharge of excess stormwater from the lined detention pond serving northern portions of the facility property.

REUSE OR DISPOSAL:

Surface Water Discharge D-001: An existing outfall authorized to only discharge non-contact stormwater and stormwater from the Allied property, which is approximately 3-feet in length and discharges at a height of approximately 1-foot, to Buckeye Road Ditch Class III Fresh Waters, then Bishops Harbor, Class II Marine Waters (WBID# 1797B), and ultimately to Tampa Bay, Class II Marine Waters (WBID# 1558BZ). The point of discharge is located approximately at latitude 27°37' 25" N, longitude 82°32' 19" W.

Surface Water Discharge D-002: An existing outfall authorized to only discharge non-contact stormwater and stormwater from the Thatcher and Mayo properties, which is approximately 2.5-feet in length and discharges at a height of approximately 1-foot, to Scale Avenue Ditch Class III Fresh Waters, and then Piney Point Creek, Class III Marine Waters (WBID # 1789), and ultimately to Tampa Bay, Class II Marine Waters, (WBID# 1558B). The point of discharge is located approximately at latitude 27°38' 5" N, longitude 82°32' 2" W.

Surface Water Discharge D-003: An existing outfall authorized to only discharge non-contact stormwater, which is approximately 2-feet in length and discharges at a height of approximately 2-feet, to Buckeye Road Ditch Class III Fresh Waters, and then Bishops Harbor, Class II Marine Waters (WBID# 1797B), and ultimately to Tampa Bay, Class II Marine Waters (WBID# 1558BZ). The point of discharge is located approximately at latitude 27°37' 25" N, longitude 82°31' 54" W.

Ground Water Discharge: This facility has the potential for ground water discharges from any uncovered material storage areas, and the lined and unlined areas of the phosphogypsum stack system. This facility is equipped with a ground water monitoring well network to detect and measure impacts that may occur from the material storage areas and the entire phosphogypsum stack system.

Underground Injection U-001: A new Class I UIC well permit issued to Manatee County Utilities Department (Permit Number 0322708-002-UC/1I, WACS No. 101607) discharging to Class G-IV ground water. Underground Injection Well System U-001 is located approximately at latitude 27°37' 16.6" N, longitude 82°31' 42.6" W.

IN ACCORDANCE WITH: The limitations, monitoring requirements and other conditions set forth in this Cover Sheet and Part I through Part IX on pages 3 through 34 of this permit.

[1] Non-contact stormwater means all on-site rainwater run-off that does not contact unclosed areas of the phosphogypsum stack system, or process water collected within the phosphogypsum stack system.

I. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

A. Surface Water Discharges

1. During the period beginning on the effective date and lasting through the expiration date of this permit, the permittee is authorized to only discharge non-contact stormwater from Outfall D-001 to Buckeye Road Ditch. Such discharge shall be limited and monitored by the permittee as specified below and reported in accordance with Permit Condition I.D.3.:

			Effluent Limitations		Monitoring Requirements			
Parameter	Units	Max. /Min	Limit	Statistical Basis	Frequency of Analysis	Sample Type	Monitoring Site Number	Notes
Flow Rate	MGD	Max Max	Report Report	Daily Maximum Monthly Average	Weekly, when discharging	Recording Flow Meter with Totalizer	EFF-001	
pH	s.u.	Max	Report	Daily Maximum	Monthly, when discharging	Grab	SWB-01	
pH	s.u.	Min Max	6.0 8.5	Daily Minimum Daily Maximum	Weekly, when discharging	Grab	EFF-001	
pH	s.u.	Max	Report	Daily Maximum	Monthly, when discharging	Grab	SWD-01	
pH	s.u.	Max	Report	Daily Maximum	Monthly	Grab	SWB-03BR	
Temperature (C), Water	Deg C	Max	Report	Single Readings	Monthly, when discharging	Instantaneous Sample	SWB-01	
Temperature (C), Water	Deg C	Max Max	Report Report	Monthly Average Daily Maximum	Weekly, when discharging	Grab	EFF-001	
Temperature (C), Water	Deg C	Max	Report	Single Sample	Monthly, when discharging	Instantaneous Sample	SWD-01	
Temperature (C), Water	Deg C	Max	Report	Daily Maximum	Monthly	Grab	SWB-03BR	
Oxygen,Dissolved Percent Saturation	percent	Min	Report	Single Sample	Monthly, when discharging	Grab	SWB-01	
Oxygen,Dissolved Percent Saturation)	percent	Min	38	90% of Samples	Daily, when discharging	Calculated	EFF-001	
Oxygen,Dissolved Percent Saturation	percent	Min	Report	Single Sample	Monthly, when discharging	Grab	SWD-01	
Oxygen,Dissolved Percent Saturation	percent	Min	Report	Daily Minimum	Monthly	Grab	SWB-03BR	
Specific Conductance (background)	µmhos/cm	Max	-	Single Sample	Weekly, when discharging	Grab	SWB-03BR	See I.A.14
Specific Conductance	µmhos/cm	Max	-	Single Sample	Weekly, when discharging	Grab	EFF-001	See I.A.14
Specific Conductance (Calculated)	µmhos/cm	Max	Report	Single Sample	Weekly, when discharging	Calculated	EFF-001	See I.A.14
Specific Conductance (effluent minus calculated limit)	µmhos/cm	Max	0.00	Single Sample	Weekly, when discharging	Calculated	EFF-001	See I.A.14
Specific Conductance	µmhos/cm	Max Max	Report Report	Daily Maximum Monthly Average	Weekly, when discharging	Grab	SWD-01	
Turbidity (background)	NTU	Max	-	Single Sample	Weekly, when discharging	Grab	SWB-01	See I.A.13
Turbidity (Effluent)	NTU	Max	-	Single Sample	Weekly, when discharging	Grab	EFF-001	See I.A.13

			Effluent Limitations		Monitoring Requirements			
Parameter	Units	Max. /Min	Limit	Statistical Basis	Frequency of Analysis	Sample Type	Monitoring Site Number	Notes
Turbidity (Calculated)	NTU	Max	Report	Single Sample	Weekly, when discharging	Calculated	EFF-001	See I.A.13
Turbidity (effluent minus calculated limit)	NTU	Max	0.00	Single Sample	Weekly, when discharging	Calculated	EFF-001	See I.A.13
Turbidity	NTU	Max	Report	Daily Maximum	Weekly, when discharging	Grab	SWD-01	See I.A.13
Turbidity	NTU	Max	Report	Daily Maximum	Monthly	Grab	SWB-03BR	See I.A.13
Solids, Total Suspended	mg/L	Max Max	150 50	Daily Maximum Monthly Average	Weekly, when discharging	Grab	EFF-001	
Nitrogen, Total	mg/L	Max	Report	Single Sample	Monthly, when discharging	Grab	SWB-01	
Nitrogen, Total (Final)**	mg/L	Max Max	Report Report	Daily Maximum Monthly Average	Weekly, when discharging	Grab	EFF-001	
Nitrogen, Total	mg/L	Max	Report	Single Sample	Monthly, when discharging	Grab	SWD-01	
Nitrogen, Total	mg/L	Max	Report	Daily Maximum	Monthly	Grab	SWB-03BR	
Nitrogen, Total	lb/day	Max Max	Report Report	Daily Maximum Monthly Average	Weekly, when discharging	Calculated	EFF-001	
Nitrogen, Total	ton/mth	Max	Report	Monthly Loading	Monthly	Calculated	EFF-001	See I.A.16.
Nitrogen, Total	ton/yr	Max	Report	Annual Total	Monthly	Calculated	EFF-001	See I.A.16.
Nitrogen, Total***	ton/yr	Max	Report	5 Year Average	Monthly	Calculated	EFF-001	See I.A.16. and I.A.7.
Phosphorus, Total (as P)	mg/L	Max	Report	Single Sample	Monthly, when discharging	Grab	SWB-01	
Phosphorus, Total (as P) (Final)**	mg/L	Max Max	Report Report	Daily Maximum Monthly Average	Weekly, when discharging	Grab	EFF-001	
Phosphorus, Total (as P)	mg/L	Max	Report	Daily Maximum	Monthly, when discharging	Grab	SWD-01	
Phosphorus, Total (as P)	mg/L	Max	Report	Daily Maximum	Monthly	Grab	SWB-03BR	
Phosphorus, Total (as P)	lb/day	Max	Report	Daily Maximum	Weekly, when discharging	Calculated	EFF-001	
Phosphorus, Total (as P)	lb/mth	Max	Report	Monthly Total	Monthly	Calculated	EFF-001	
Phosphorus, Total (as P)	ton/yr	Max	Report	Annual Total	Monthly	Calculated	EFF-001	See I.A.16.
Phosphorus, Total (as P) (Final)**	ton/yr	Max	Report	5 Year Rolling Average	Monthly	Calculated	EFF-001	See I.A.16.
Chlorophyll a	ug/L	Max	Report	Single Sample	Monthly, when discharging	Grab	SWD-01	
Nitrogen, Ammonia, Total (as N) (Effluent)	mg/L	Max	Report	Monthly Average	Monthly, when discharging	Calculated	EFF-001	See I.A.10., I.A.11., and I.A.12.
Nitrogen, Ammonia, Total (as N) (calculated limit)	mg/L	Max	Report	Monthly Average	Monthly, when discharging	Calculated	EFF-001	See I.A.10., I.A.11., and I.A.12.
Nitrogen, Ammonia, Total (as N) (effluent minus calculated limit)	mg/L	Max	0.00	Monthly Average	Monthly, when discharging	Calculated	EFF-001	See I.A.10., I.A.11., and I.A.12.

			Effluent Limitations		Monitoring Requirements			
Parameter	Units	Max. /Min	Limit	Statistical Basis	Frequency of Analysis	Sample Type	Monitoring Site Number	Notes
Nitrogen, Ammonia, Total (as N)	Ratio	Max	2.5	Single Sample	Monthly, when discharging	Calculated	EFF-001	See I.A.10., I.A.11., and I.A.12.
Fluoride, Total (as F)	mg/L	Max	Report	Single Sample	Monthly, when discharging	Grab	SWB-01	
Fluoride, Total (as F)	mg/L	Max Max	10.0 Report	Daily Maximum Monthly Average	Weekly, when discharging	Grab	EFF-001	
Fluoride, Total (as F)	mg/L	Max	Report	Single Sample	Monthly, when discharging	Grab	SWD-01	
Fluoride, Total (as F)	mg/L	Max	Report	Daily Maximum	Monthly	Grab	SWB-03BR	
Fluoride, Total (as F)	mg/L	Max	Report	Daily Maximum	Monthly, when discharging	Grab	SWD-03AR	
Beryllium, Total Recoverable*	ug/L	Max Max	Report 0.13	Daily Maximum Annual Average	Weekly, when discharging	Grab	EFF-001	
Iron, Total Recoverable	mg/L	Max Max	1.0 Report	Daily Maximum Monthly Average	Weekly, when discharging	Grab	EFF-001	
Alpha, Gross Particle Activity	pCi/L	Max	15.0	Daily Maximum	Quarterly, when discharging	Grab	EFF-001	See I.A.17.
Radium 226 + Radium 228, Total	pCi/L	Max	5.0	Daily Maximum	Quarterly, when discharging	Grab	EFF-001	See I.A.17.
Acute Whole Effluent Toxicity, 96 Hour LC50 (Ceriodaphnia dubia)	percent	Min	100	Single Sample	Quarterly	Grab	EFF-001	See I.A.15.
Acute Whole Effluent Toxicity, 96 Hour LC50 (Cyprinella leedsi)	percent	Min	100	Single Sample	Quarterly	Grab	EFF-001	See I.A.15.

* If Beryllium, Total Recoverable is not detected at or above the MDL for the test method used, the permittee shall report "BDL" on the DMR. A value of one-half the effluent limit shall be used for that sample when necessary to calculate an average for the parameter. Test methods used shall be in accordance with applicable Department rules, including Rule 62-4.246 and Chapter 62-160, F.A.C., and Permit Condition I.D.1. For all other parameters not detected at or above the MDL for the test method used, the DMR shall be completed following the directions in the "Instructions for Completing the Wastewater Discharge Monitoring Report" attached to the DMR.
** Denotes parameters' final limits to be established by the Department upon completion of the compliance schedule in the administrative order AO-001SWPM23.
*** Annual TN loading is calculated cumulatively for D-001, D-002, and D-003 as described in permit condition I.A.7. The cumulative load allocation is a rolling 5-year annual average with an interim limit of 4.5 tons/yr and final effluent limit of 0.9 tons/yr, as required by administrative order A0-001SWPM23 and the Tampa Bay RAP allocation.

2. Effluent samples shall be taken at the monitoring site locations listed in Permit ConditionI.A.1. and as described below:

Monitoring Site Number	Description of Monitoring Site
EFF-001	Discharges non-contact storm water Tampa Bay, (WBID# 1558BZ), via Buckeye Road Ditch, and Bishops Harbor, (WBID# 1797B)
SWB-01	Located at ditch upstream of Outfall D-003 at intersection of Bud Rhoden/Buckeye Road ditch
SWD-01	W. BER/41. West side of US 41 at Buckeye Rd.
SWB-03BR	BER/41. Located upstream/east of entrance of culvert under US 41; **to be sampled when Outfall D-001 and D-003 are not discharging**

Monitoring Site Number	Description of Monitoring Site
SWD-03AR	Armstrong Road

3. During the period beginning on the effective date and lasting through the expiration date of this permit, the permittee is authorized to only discharge non-contact stormwater from Outfall D-002 to the Scale Avenue Ditch. Such discharge shall be limited and monitored by the permittee as specified below and reported in accordance with Permit Condition I.D.3.:

			Effluent Limitations		Monitoring Requirements			
Parameter	Units	Max. /Min	Limit	Statistical Basis	Frequency of Analysis	Sample Type	Monitoring Site Number	Notes
Flow	MGD	Max Max	Report Report	Monthly Average Daily Maximum	Continuous	Measured	EFF-002	
pH	s.u.	Min Max	6.0 8.5	Daily Minimum Daily Maximum	Weekly, when discharging	Grab	EFF-002	
pH	s.u.	Max	Report	Daily Maximum	Monthly, when discharging	Grab	SWB-02	
pH	s.u.	Max	Report	Daily Maximum	Monthly, when discharging	Grab	SWD-02	
Temperature (C), Water	Deg C	Max	Report	Daily Maximum	Monthly, when discharging	Grab	SWB-02	
Temperature (C), Water	Deg C	Max	Report	Daily Maximum	Weekly, when discharging	Grab	EFF-002	
Temperature (C), Water	Deg C	Max	Report	Daily Maximum	Monthly, when discharging	Grab	SWB-02	
Oxygen,Dissolved Percent Saturation	percent	Min	Report	Daily Minimum	Monthly, when discharging	Grab	SWB-02	
Oxygen,Dissolved Percent Saturation	percent	Min	38	90% of Samples	Daily, when discharging	Calculated	EFF-002	
Oxygen,Dissolved Percent Saturation	percent	Min	Report	Daily Minimum	Monthly, when discharging	Grab	SWD-02	
Specific Conductance (background)	µmhos/cm	Max	-	Single Sample	Weekly, when discharging	Grab	SWB-02	See I.A.14
Specific Conductance (Effluent)	µmhos/cm	Max	-	Single Sample	Weekly, when discharging	Grab	EFF-002	See I.A.14
Specific Conductance (Calculated)	µmhos/cm	Max	Report	Single Sample	Weekly, when discharging	Calculated	EFF-002	See I.A.14
Specific Conductance (effluent minus calculated limit)	µmhos/cm	Max	0.00	Single Sample	Weekly, when discharging	Calculated	EFF-002	See I.A.14
Specific Conductance	µmhos/cm	Max	Report	Daily Maximum	Weekly, when discharging	Grab	SWD-02	
Turbidity (background)	NTU	Max	-	Single Sample	Monthly, when discharging	Grab	SWB-02	See I.A.13
Turbidity (Effluent)	NTU	Max	-	Single Sample	Weekly, when discharging	Grab	EFF-002	See I.A.13
Turbidity (Calculated)	NTU	Max	Report	Single Sample	Weekly, when discharging	Calculated	EFF-002	See I.A.13
Turbidity (effluent minus calculated limit)	NTU	Max	0.00	Single Sample	Weekly, when discharging	Calculated	EFF-002	See I.A.13
Turbidity	NTU	Max	Report	Daily Maximum	Weekly, when discharging	Grab	SWD-02	See I.A.13

			Effluent Limitations		Monitoring Requirements			
Parameter	Units	Max. /Min	Limit	Statistical Basis	Frequency of Analysis	Sample Type	Monitoring Site Number	Notes
Solids, Total Suspended	mg/L	Max Max	150 50	Daily Maximum Monthly Average	Weekly, when discharging	Grab	EFF-002	
Nitrogen, Total	mg/L	Max	Report	Daily Maximum	Monthly, when discharging	Grab	SWB-02	
Nitrogen, Total (Final)**	mg/L	Max Max	Report Report	Daily Maximum Monthly Average	Weekly, when discharging	Grab	EFF-002	
Nitrogen, Total	mg/L	Max	Report	Daily Maximum	Monthly, when discharging	Grab	SWD-02	
Nitrogen, Total	lb/day	Max Max	Report Report	Monthly Average Daily Maximum	Weekly, when discharging	Calculated	EFF-002	
Nitrogen, Total	ton/mth	Max	Report	Monthly Total	Monthly	Calculated	EFF-002	See I.A.16.
Nitrogen, Total	ton/yr	Max	Report	Annual Total	Monthly	Calculated	EFF-002	See I.A.16.
Nitrogen, Total***	ton/yr	Max	Report	5 Year Average	Monthly	Calculated	EFF-002	See I.A.16. and I.A.7.
Phosphorus, Total (as P)	mg/L	Max	Report	Daily Maximum	Monthly, when discharging	Grab	SWB-02	
Phosphorus, Total (as P) (Final)**	mg/L	Max Max	Report Report	Monthly Average Daily Maximum	Weekly, when discharging	Grab	EFF-002	
Phosphorus, Total (as P)	mg/L	Max	Report	Daily Maximum	Monthly, when discharging	Grab	SWD-02	
Phosphorus, Total (as P)	lb/day	Max Max	Report Report	Daily Maximum Monthly Average	Weekly, when discharging	Calculated	EFF-002	
Phosphorus, Total (as P)	lb/mth	Max	Report	Monthly Total	Monthly, when discharging	Calculated	EFF-002	
Phosphorus, Total (as P)	ton/yr	Max	Report	Annual Total	Monthly	Calculated	EFF-002	See I.A.16.
Phosphorus, Total (as P) (Final)**	ton/yr	Max	Report	5 Year Rolling Average	Monthly	Calculated	EFF-002	See I.A.16.
Chlorophyll a	mg/L	Max	Report	Daily Maximum	Monthly, when discharging	Grab	SWD-02	
Nitrogen, Ammonia, Total (as N) (Effluent)	mg/L	Max	Report	Monthly Average	Monthly, when discharging	Calculated	EFF-002	See I.A.10., I.A.11., and I.A.12.
Nitrogen, Ammonia, Total (as N) (calculated limit)	mg/L	Max	Report	Monthly Average	Monthly, when discharging	Calculated	EFF-002	See I.A.10., I.A.11., and I.A.12.
Nitrogen, Ammonia, Total (as N) (effluent minus calculated limit)	mg/L	Max	0.00	Monthly Average	Monthly, when discharging	Calculated	EFF-002	See I.A.10., I.A.11., and I.A.12.
Nitrogen, Ammonia, Total (as N)	Ratio	Max	2.5	Single Sample	Monthly, when discharging	Calculated	EFF-002	See I.A.10., I.A.11., and I.A.12.
Fluoride, Total (as F)	mg/L	Max	Report	Daily Maximum	Monthly, when discharging	Grab	SWB-02	
Fluoride, Total (as F)	mg/L	Max Max	10.0 Report	Daily Maximum Monthly Average	Weekly, when discharging	Grab	EFF-002	
Fluoride, Total (as F)	mg/L	Max	Report	Daily Maximum	Monthly, when discharging	Grab	SWD-02	
Beryllium, Total Recoverable*	ug/L	Max Max	Report 0.13	Daily Maximum Annual Average	Weekly, when discharging	Grab	EFF-002	
Iron, Total Recoverable	mg/L	Max Max	1.0 Report	Daily Maximum Monthly Average	Weekly, when discharging	Grab	EFF-002	

			Effluent Limitations		Monitoring Requirements			
Parameter	Units	Max. /Min	Limit	Statistical Basis	Frequency of Analysis	Sample Type	Monitoring Site Number	Notes
Alpha, Gross Particle Activity	pCi/L	Max	15.0	Daily Maximum	Quarterly, when discharging	Grab	EFF-002	See I.A.17.
Radium 226 + Radium 228, Total	pCi/L	Max	5.0	Daily Maximum	Quarterly, when discharging	Grab	EFF-002	See I.A.17.
Acute Whole Effluent Toxicity, 96 Hour LC50 (Ceriodaphnia dubia)	percent	Min	100	Single Sample	Quarterly	Grab	EFF-002	See I.A.15.
Acute Whole Effluent Toxicity, 96 Hour LC50 (Cyprinella leedsi)	percent	Min	100	Single Sample	Quarterly	Grab	EFF-002	See I.A.15.

*If Beryllium, Total Recoverable is not detected at or above the MDL for the test method used, the permittee shall report "BDL" on the DMR. A value of one-half the effluent limit shall be used for that sample when necessary to calculate an average for the parameter. Test methods used shall be in accordance with applicable Department rules, including Rule 62-4.246 and Chapter 62-160, F.A.C., and Permit Condition I.D.1. For all other parameters not detected at or above the MDL for the test method used, the DMR shall be completed following the directions in the "Instructions for Completing the Wastewater Discharge Monitoring Report" attached to the DMR.
** Denotes parameters' final limits to be established by the Department upon completion of the compliance schedule in the administrative order AO-001SWPM23.
*** Annual TN loading is calculated cumulatively for D-001, D-002, and D-003 as described in permit condition I.A.7. The cumulative load allocation is a rolling 5-year annual average with an interim limit of 4.5 tons/yr and final effluent limit of 0.9 tons/yr, as required by administrative order A0-001SWPM23 and the Tampa Bay RAP allocation.

4. Effluent samples shall be taken at the monitoring site locations listed in Permit Condition I.A.3. and as described below:

Monitoring Site Number	Description of Monitoring Site
EFF-002	Discharges non-contact stormwater to Tampa Bay, (WBID# 1558B), via Scale Avenue Ditch, and Piney Point Creek (WBID # 1789).
SWB-02	Located Piney Point Creek upstream of the discharge ditch
SWD-02	Piney Point Creek at structure east of US 41

5. During the period beginning on the effective date and lasting through the expiration date of this permit, the permittee is authorized to discharge only non-contact stormwater from Outfall D-003 to Buckeye Road Ditch. Such discharge shall be limited and monitored by the permittee as specified below and reported in accordance with Permit Condition I.D.3.:

			Effluent Limitations		Monitoring Requirements			
Parameter	Units	Max. /Min	Limit	Statistical Basis	Frequency of Analysis	Sample Type	Monitoring Site Number	Notes
Flow	MGD	Max Max	Report Report	Daily Maximum Monthly Average	Continuous	Recording Flow Meter with Totalizer	EFF-003	
pH	s.u.	Max	Report	Daily Maximum	Monthly, when discharging	Grab	SWB-03	
pH	s.u.	Min Max	6.0 8.5	Daily Minimum Daily Maximum	Weekly, when discharging	Grab	EFF-003	

			Effluent Limitations		Monitoring Requirements			
Parameter	Units	Max. /Min	Limit	Statistical Basis	Frequency of Analysis	Sample Type	Monitoring Site Number	Notes
pH	s.u.	Max	Report	Daily Maximum	Monthly, when discharging	Grab	SWD-03	
pH	s.u.	Max	Report	Daily Maximum	Monthly	Grab	SWB-03BR	
Temperature (C), Water	Deg C	Max	Report	Daily Maximum	Monthly, when discharging	Grab	SWB-03	
Temperature (C), Water	Deg C	Max	Report	Daily Maximum	Weekly, when discharging	Instantaneous Sample	EFF-003	
Temperature (C), Water	Deg C	Max	Report	Daily Maximum	Monthly, when discharging	Grab	SWD-03	
Temperature (C), Water	Deg C	Max	Report	Daily Maximum	Monthly	Grab	SWB-03BR	
Oxygen, Dissolved Percent Saturation	percent	Min	Report	Daily Minimum	Monthly, when discharging	Grab	SWB-03	
Oxygen, Dissolved Percent Saturation	percent	Min	38	90% of Samples	Daily, when discharging	Calculated	EFF-003	
Oxygen, Dissolved Percent Saturation	percent	Min	Report	Daily Minimum	Monthly	Grab	SWB-03BR	
Oxygen, Dissolved Percent Saturation	percent	Min	Report	Daily Minimum	Monthly, when discharging	Grab	SWD-03	
Specific Conductance (background)	µmhos/cm	Max	-	Single Sample	Weekly, when discharging	Grab	SWB-03BR	See I.A.14
Specific Conductance (Effluent)	µmhos/cm	Max	-	Single Sample	Weekly, when discharging	Grab	EFF-003	See I.A.14
Specific Conductance (Calculated)	µmhos/cm	Max	Report	Single Sample	Weekly, when discharging	Calculated	EFF-003	See I.A.14
Specific Conductance (effluent minus calculated limit)	µmhos/cm	Max	0.00	Single Sample	Weekly, when discharging	Calculated	EFF-003	See I.A.14
Specific Conductance	µmhos/cm	Max	Report	Daily Maximum	Weekly, when discharging	Grab	SWD-03	
Turbidity (background)	NTU	Max	-	Single Sample	Monthly, when discharging	Grab	SWB-03	See I.A.13
Turbidity (Effluent)	NTU	Max	-	Single Sample	Weekly, when discharging	Grab	EFF-003	See I.A.13
Turbidity (Calculated)	NTU	Max	Report	Single Sample	Weekly, when discharging	Calculated	EFF-003	See I.A.13
Turbidity (effluent minus calculated limit)	NTU	Max	0.00	Single Sample	Weekly, when discharging	Calculated	EFF-003	See I.A.13
Turbidity	NTU	Max Max	Report Report	Monthly Average Daily Maximum	Monthly, when discharging	Grab	SWD-03	See I.A.13
Turbidity	NTU	Max	Report	Daily Maximum	Monthly	Grab	SWB-03BR	See I.A.13
Solids, Total Suspended	mg/L	Max Max	150 50	Daily Maximum Monthly Average	Weekly, when discharging	Grab	EFF-003	

			Effluent Limitations		Monitoring Requirements			
Parameter	Units	Max. /Min	Limit	Statistical Basis	Frequency of Analysis	Sample Type	Monitoring Site Number	Notes
Nitrogen, Total	mg/L	Max	Report	Daily Maximum	Monthly, when discharging	Grab	SWB-03	
Nitrogen, Total (Final)**	mg/L	Max Max	Report Report	Daily Maximum Monthly Average	Weekly, when discharging	Grab	EFF-003	
Nitrogen, Total	mg/L	Max	Report	Daily Maximum	Monthly, when discharging	Grab	SWD-03	
Nitrogen, Total	mg/L	Max	Report	Daily Maximum	Monthly	Grab	SWB-03BR	
Nitrogen, Total	mg/L	Max	Report	Daily Maximum	Monthly, when discharging	Grab	SWD-03AR	
Nitrogen, Total	lb/day	Max Max	Report Report	Monthly Average Daily Maximum	Weekly	Calculated	EFF-003	
Nitrogen, Total	ton/mth	Max	Report	Monthly Total	Monthly	Calculated	EFF-003	See I.A.16.
Nitrogen, Total	ton/yr	Max	Report	Annual Total	Monthly	Calculated	EFF-003	See I.A.16.
Nitrogen, Total***	ton/yr	Max	Report	5 Year Average	Monthly	Calculated	EFF-003	See I.A.16. and I.A.7.
Phosphorus, Total (as P)	mg/L	Max	Report	Daily Maximum	Monthly, when discharging	Grab	SWB-03	
Phosphorus, Total (as P) (Final)**	mg/L	Max Max	Report Report	Daily Maximum Monthly Average	Weekly, when discharging	Grab	EFF-003	
Phosphorus, Total (as P)	mg/L	Max	Report	Daily Maximum	Monthly, when discharging	Grab	SWD-03	
Phosphorus, Total (as P)	mg/L	Max	Report	Daily Maximum	Monthly	Grab	SWB-03BR	
Phosphorus, Total (as P)	mg/L	Max	Report	Daily Maximum	Monthly, when discharging	Grab	SWD-03AR	
Phosphorus, Total (as P)	lb/day	Max Max	Report Report	Daily Maximum Monthly Average	Weekly	Calculated	EFF-003	
Phosphorus, Total (as P)	lb/mth	Max	Report	Monthly Total	Monthly	Calculated	EFF-003	
Phosphorus, Total (as P)	ton/yr	Max	Report	Annual Total	Monthly	Calculated	EFF-003	See I.A.16.
Phosphorus, Total (as P) (Final)**	ton/yr	Max	Report	5 Year Rolling Average	Monthly	Calculated	EFF-003	See I.A.16.
Chlorophyll a	ug/L	Max	Report	Daily Maximum	Monthly, when discharging	Grab	SWD-03	
Nitrogen, Ammonia, Total (as N) (Effluent)	mg/L	Max	Report	Monthly Average	Monthly, when discharging	Calculated	EFF-003	See I.A.10., I.A.11., and I.A.12.
Nitrogen, Ammonia, Total (as N) (calculated limit)	mg/L	Max	Report	Monthly Average	Monthly, when discharging	Calculated	EFF-003	See I.A.10., I.A.11., and I.A.12.
Nitrogen, Ammonia, Total (as N) (effluent minus calculated limit)	mg/L	Max	0.00	Monthly Average	Monthly, when discharging	Calculated	EFF-003	See I.A.10., I.A.11., and I.A.12.
Nitrogen, Ammonia, Total (as N)	Ratio	Max	2.5	Single Sample	Monthly, when discharging	Calculated	EFF-003	See I.A.10., I.A.11., and I.A.12.

			Effluent Limitations		Monitoring Requirements			
Parameter	Units	Max. /Min	Limit	Statistical Basis	Frequency of Analysis	Sample Type	Monitoring Site Number	Notes
Sulfate, Total	mg/L	Max	Report	Single Sample	Weekly, when discharging	Grab	EFF-003	
Fluoride, Total (as F)	mg/L	Max Max	10.0 Report	Daily Maximum Monthly Average	Weekly, when discharging	Grab	EFF-003	
Fluoride, Total (as F)	mg/L	Max	Report	Daily Maximum	Monthly	Grab	SWB-03BR	
Fluoride, Total (as F)	mg/L	Max	Report	Daily Maximum	Monthly, when discharging	Grab	SWD-03	
Fluoride, Total (as F)	mg/L	Max	Report	Daily Maximum	Monthly, when discharging	Grab	SWD-03AR	
Beryllium, Total Recoverable*	ug/L	Max Max	Report 0.13	Daily Maximum Annual Average	Weekly, when discharging	Grab	EFF-003	
Iron, Total Recoverable	mg/L	Max Max	1.0 Report	Daily Maximum Monthly Average	Weekly, when discharging	Grab	EFF-003	
Alpha, Gross Particle Activity	pCi/L	Max	15.0	Daily Maximum	Quarterly, when discharging	Grab	EFF-003	See I.A.17.
Radium 226 + Radium 228, Total	pCi/L	Max	5.0	Daily Maximum	Quarterly, when discharging	Grab	EFF-003	See I.A.17.
Acute Whole Effluent Toxicity, 96 Hour LC50 (Ceriodaphnia dubia)	percent	Min	100	Single Sample	Quarterly	Grab	EFF-003	See I.A.15.
Acute Whole Effluent Toxicity, 96 Hour LC50 (Cyprinella leedsi)	percent	Min	100	Single Sample	Quarterly	Grab	EFF-003	See I.A.15.

*If Beryllium, Total Recoverable is not detected at or above the MDL for the test method used, the permittee shall report "BDL" on the DMR. A value of one-half the effluent limit shall be used for that sample when necessary to calculate an average for the parameter. Test methods used shall be in accordance with applicable Department rules, including Rule 62-4.246 and Chapter 62-160, F.A.C., and Permit Condition I.D.1. For all other parameters not detected at or above the MDL for the test method used, the DMR shall be completed following the directions in the "Instructions for Completing the Wastewater Discharge Monitoring Report" attached to the DMR.
** Denotes parameters' final limits to be established by the Department upon completion of the compliance schedule in the administrative order AO-001SWPM23.
*** Annual TN loading is calculated cumulatively for D-001, D-002, and D-003 as described in permit condition I.A.7. The cumulative load allocation is a rolling 5-year annual average with an interim limit of 4.5 tons/yr and final effluent limit of 0.9 tons/yr, as required by administrative order A0-001SWPM23 and the Tampa Bay RAP allocation.

6. Effluent samples shall be taken at the monitoring site locations listed in Permit Condition I.A.5. and as described below:

Monitoring Site Number	Description of Monitoring Site
EFF-003	Discharges contact and non-contact storm water Tampa Bay, (WBID# 1558BZ), via Buckeye Road Ditch, and Bishops Harbor, (WBID# 1797B).
SWB-03	Located at ditch upstream of Outfall D-003 at intersection of Bud Rhoden/Buckeye Road ditch
SWD-03	W. BER/41.West side of US 41 @ Buckeye Rd.

Monitoring Site Number	Description of Monitoring Site
SWB-03BR	BER/41. Located upstream/east of entrance of culvert under US 41; **to be sampled when Outfall D-001 and D-003 are not discharging**
SWD-03AR	Armstrong Road

7. **Interim & Final Period:** During the period beginning on the effective date and lasting through the compliance schedule period granted by the administrative order AO-001SWPM23, the permittee shall be subject to the interim limit for total nitrogen for the discharge of non-contact stormwater from Outfalls D-001, D-002 and D-003 to Tampa Bay. Such discharges shall otherwise be limited and monitored by the permittee as specified below and reported in accordance with Permit Condition I.D.3.:

			Effluent Limitations		Monitoring Requirements			
Parameter	Units	Max. /Min	Limit	Statistical Basis	Frequency of Analysis	Sample Type	Monitoring Site Number	Notes
5-Year Cumulative Flow (Interim & Final)	MGD	Max	Report	5 Year Cumulative total	Monthly	Calculated	EFF-TotalN	
Nitrogen, Total (Interim)	ton/yr	Max	4.5	5 Year Average	Monthly	Calculated	EFF-TotalN	See I.A.16
Nitrogen, Total (Final)	ton/yr	Max	0.9	5 Year Average	Monthly	Calculated	EFF-TotalN	See I.A.16

8. Effluent samples shall be taken at the monitoring site locations listed in Permit Condition I.A.7. and as described below:

Monitoring Site Number	Description of Monitoring Site
EFF-TotalN (D-TN)	Summation of Total Annual Nitrogen Loading from all of the Outfalls

9. The discharge shall not contain components that, alone or in combination with other substances or in combination with other components of the discharge:
   a. Settle to form putrescent deposits or otherwise create a nuisance; or
   b. Float as debris, scum, oil, or other matter in such amounts as to form nuisances; or
   c. Produce color, odor, taste, turbidity, or other conditions in such degree as to create a nuisance; or
   d. Are acutely toxic; or
   e. Are present in concentrations which are carcinogenic, mutagenic, or teratogenic to human beings or to significant, locally occurring, wildlife or aquatic species, unless specific standards are established for such components in subsection 62-302.500(2) or Rule 62-302.530, F.A.C.; or
   f. Pose a serious danger to the public health, safety, or welfare.

   [62-302.500(1)(a)1-6]

10. Effluent shall be monitored for pH and temperature at the same time and location as total ammonia nitrogen (TAN). The 30-day average TAN value shall not exceed the average of the values calculated from the following equation, with no single value exceeding 2.5 times the value from the equation:

    30 - day Average =
    $$0.8876((0.0278/1+10^{7.688\text{-pH}})+(1.1994/1+10^{\text{pH-}7.688}))\ \text{x}\ (2.126\ \text{x}\ 10^{0.028(20\text{-MAX}(T,\,7))})$$

    Where:

    • T and pH are the paired temperature (°C) and pH associated with the TAN sample.

- For purposes of total ammonia nitrogen criterion calculations, pH is subject to the range of 6.5 to 9.0. The pH shall be set to 6.5 if the measured pH is < 6.5 and set to 9.0 if the measured pH is > 9.0.

For convenience, a calculator that may be used to determine monthly average and single sample TAN criterion values is located at: **https://floridadep.gov/dear/water-quality-standards-program/documents/total-ammonia-nitrogen-calculator%C2%A0**

a. Determine compliance with the monthly average TAN criterion as follows:
   (1) Calculate the TAN criterion value using pH and temperature measurements associated with each total ammonia sample. Then calculate the average of the resulting TAN criterion values (i.e. add together all the values calculated with the equation and divide by the total number of samples).
   (2) Calculate the average of all effluent total ammonia concentrations measured.
   (3) Effluent is in compliance if the average effluent total ammonia concentration is less than or equal to the calculated average TAN criterion.

b. Determine compliance with the single sample maximum TAN criterion as follows:
   (1) Calculate the TAN criterion value using pH and temperature measurements associated with each total ammonia sample. Multiply each resulting TAN criterion value by 2.5.
   (2) Effluent is in compliance with the single sample TAN criterion if all effluent total ammonia concentrations are less than or equal to 2.5 times their corresponding calculated TAN criterion.

[62-302.530]

11. The total ammonia nitrogen (TAN) monthly average effluent value shall be recorded on the DMR in the parameter row for "(effluent)." The calculated effluent limit shall be recorded on the DMR in the parameter row for "(calculated limit)." Compliance with the effluent limitation is determined by calculating the difference between the measured effluent value and the calculated. The compliance value shall be recorded on the DMR in the parameter row for "(effluent minus calculated limit)." The compliance value shall not exceed 0.00. *[62-302.530]*

12. To determine compliance with the total ammonia nitrogen (TAN) single sample effluent limitation, divide each TAN effluent sample value by the calculated TAN criterion value for that sample (calculated using the equation in permit condition I.A.10.) and compare to 2.5. On the DMR, report the greatest ratio of effluent sample value to TAN criterion value calculated for that sample. The compliance value shall not exceed 2.5. *[62-302.530]*

13. The limit for "Turbidity" shall be calculated as follows:

    Limit = Background Turbidity + 29 NTU

    The measured effluent value shall be recorded on the DMR in the parameter row for "Turbidity (effluent)." The measured background value shall be recorded on the DMR in the parameter row for "Turbidity (background)" The calculated effluent limit shall be recorded on the DMR in the parameter row for "Turbidity (calculated limit)." Compliance with the effluent limitation is determined by calculating the difference between the measured effluent value and the calculated. The compliance value shall be recorded on the DMR in the parameter row for "Turbidity (effluent minus calculated limit)." The compliance value shall not exceed 0.00. *[62-302.530(70)]*

14. The limit for "Specific Conductance" shall be 1.5 times the background value or 1275 µmhos/cm, whichever is greater.

    The measured effluent value shall be recorded on the DMR in the parameter row for "Specific Conductance (effluent)." The measured background value shall be recorded on the DMR in the parameter row for "Specific Conductance (background)." The calculated effluent limit shall be recorded on the DMR in the parameter row for "Specific Conductance (calculated limit)." Compliance with the effluent limitation is determined by calculating the difference between the measured effluent value and the calculated. The compliance value shall be recorded on the DMR in the parameter row for "Specific Conductance (effluent minus calculated limit)." The compliance value shall not exceed 0.00. *[62-302.530(22)]*

15. The permittee shall comply with the following requirements to evaluate acute whole effluent toxicity of the discharge from outfall D-001, D-002 and D-003.

    a. Effluent Limitation

        (1) In any routine or additional follow-up test for acute whole effluent toxicity, the 96-hour LC50 shall not be less than 100% effluent. [Rules 62-302.200(1), 62-302.500(1)(a)4., 62-4.244(3)(a), and 62-4.241, F.A.C.]

    b. Monitoring Frequency

        (1) Routine toxicity tests shall be conducted once every six months, the first starting within 60 days of the effective date of this permit and lasting for the duration of this permit.

    c. Sampling Requirements

        (1) All tests shall be conducted on a single grab sample of final effluent.

    d. Test Requirements

        (1) Routine Tests: All routine tests shall be conducted using a control (0% effluent) and a minimum of five dilutions: **100%, 75%, 50%, 25%**, and **12.5%** effluent.

        (2) The permittee shall conduct 96-hour acute static renewal multi-concentration toxicity tests using the daphnid, **Ceriodaphnia dubia**, and the bannerfin shiner, **Cyprinella leedsi**, concurrently.

        (3) All test species, procedures and quality assurance criteria used shall be in accordance with **Methods for Measuring Acute Toxicity of Effluents and Receiving Waters to Freshwater and Marine Organisms**, 5th Edition, EPA-821-R-02-012. Any deviation of the bioassay procedures outlined herein shall be submitted in writing to the Department for review and approval prior to use. In the event the above method is revised, the permittee shall conduct acute toxicity testing in accordance with the revised method.

        (4) The control water and dilution water shall be moderately hard water as described in EPA-821-R-02-012, Table 7.

    e. Quality Assurance Requirements

        (1) A standard reference toxicant (SRT) quality assurance (QA) acute toxicity test shall be conducted with each species used in the required toxicity tests either concurrently or initiated no more than 30 days before the date of each routine or additional follow-up test conducted. Additionally, the SRT test must be conducted concurrently if the test organisms are obtained from outside the test laboratory unless the test organism supplier provides control chart data from at least the last five monthly acute toxicity tests using the same reference toxicant and test conditions. If the organism supplier provides the required SRT data, the organism supplier's SRT data and the test laboratory's monthly SRT-QA data shall be included in the reports for each companion routine or additional follow-up test required.

        (2) If the mortality in the control (0% effluent) exceeds 10% for either species in any test, the test for that species (including the control) shall be invalidated and the test repeated. The repeat test shall begin within 14 days after the last day of the invalid test.

        (3) If 100% mortality occurs in all effluent concentrations for either species prior to the end of any test and the control mortality is less than 10% at that time, the test (including the control) for that species shall be terminated with the conclusion that the test fails and constitutes non-compliance.

        (4) Routine and additional follow-up tests shall be evaluated for acceptability based on the concentration-response relationship, as required by EPA-821-R-02-012, Section 12.2.6.2., and included with the bioassay laboratory reports.

    f. Reporting Requirements

        (1) Results from all required tests shall be reported on the Discharge Monitoring Report (DMR) as follows:

            (a) Routine Test Results: If an LC50 >100% effluent occurs in the test for the test species, ">100%" shall be entered on the DMR for that test species. If an LC50 <100% effluent occurs, the calculated LC50 effluent concentration shall be entered on the DMR for that test species.

            (b) Additional Follow-up Test Results: For each additional test required, the calculated LC50 value shall be entered on the DMR for that test species.

(2) A bioassay laboratory report for the routine test shall be prepared according to EPA-821-R-02-012, Section 12, Report Preparation and Test Review, and mailed to the Department at the address below within 30 days after the last day of the test.

(3) For additional follow-up tests, a single bioassay laboratory report shall be prepared according to EPA-821-R-02-012, Section 12, and mailed within 30 days after the last day of the second valid additional follow-up test.

(4) Data for invalid tests shall be included in the bioassay laboratory report for the repeat test.

(5) The same bioassay data shall not be reported as the results of more than one test.

(6) All bioassay laboratory reports shall be sent by electronic mail to **DWRMIW.PM@dep.state.fl.us** or on digital format by U.S. Mail to::

Florida Department of Environmental Protection
Division of Water Resource Management,
Phosphate Management Program
13051 N Telecom Parkway, Suite 101
Temple Terrace, Florida 33637-0926 [No paper copies are required]

g. Test Failures

(1) A test fails when the test results do not meet the limits in 16.a.(1).

(2) Additional Follow-up Tests:

(a) If a routine test does not meet the acute toxicity limitation in 16.a.(1) above, the permittee shall notify the Department at the address above within 21 days after the last day of the failed routine test and conduct two additional follow-up tests on each species that failed the test in accordance with 16.d.

(b) The first test shall be initiated within 28 days after the last day of the failed routine test. The remaining additional follow-up tests shall be conducted weekly thereafter until a total of two valid additional follow-up tests are completed.

(c) The first additional follow-up test shall be conducted using a control (0% effluent) and a minimum of five dilutions: 100%, 75%, 50%, 25%, and 12.5% effluent. The permittee may modify the dilution series in the second additional follow-up test to more accurately bracket the toxicity such that at least two dilutions above and two dilutions below the target concentration and a control (0% effluent) are run. All test results shall be statistically analyzed according to the procedures in EPA-821-R-02-012.

(3) In the event of three valid test failures (whether routine or additional follow-up tests) within a 12-month period, the permittee shall notify the Department within 21 days after the last day of the third test failure.

(a) The permittee shall submit a plan for correction of the effluent toxicity within 60 days after the last day of the third test failure.

(b) The Department shall review and approve the plan before initiation.

(c) The plan shall be initiated within 30 days following the Department's written approval of the plan.

(d) Progress reports shall be submitted quarterly to the Department at the address above.

(e) During the implementation of the plan, the permittee shall conduct quarterly routine whole effluent toxicity tests in accordance with 16.d. Additional follow-up tests are not required while the plan is in progress. Following completion or termination of the plan, the frequency of monitoring for routine and additional follow-up tests shall return to the schedule established in 16.b.(1). If a routine test is invalid according to the acceptance criteria in EPA-821-R-02-012, a repeat test shall be initiated within 14 days after the last day of the invalid routine test.

(f) Upon completion of four consecutive quarterly valid routine tests that demonstrate compliance with the effluent limitation in 16.a.(1) above, the permittee may submit a written request to the Department to terminate the plan. The plan shall be terminated upon written verification by the Department that the facility has passed at least four consecutive quarterly valid routine whole effluent toxicity tests. If a test within the sequence of the four is deemed invalid, but is replaced by a repeat valid test initiated within 14 days after the last day of the invalid test, the invalid test will not be counted against the requirement for four consecutive quarterly valid routine tests for the purpose of terminating the plan.

(4) The additional follow-up testing and the plan do not preclude the Department taking enforcement action for whole effluent toxicity failures.

[62-4.241, 62-620.620(3)]

16. The Total Maximum Daily Load for Total Nitrogen and Total Phosphorous shall be calculated from the monthly average Total Nitrogen and Total Phosphorous concentrations.

Monthly Total (Mt)
$Mt = \frac{\text{(Monthly Average Total Nitrogen } \mathbf{OR} \text{ Phosphorous Concentration, mg/l) (Total Monthly Flow, MG) (8.3454)}}{\text{2,000 lbs}}$
Mt = Tons/Month

The Annual Total shall be calculated as a 12-month rolling total based on the cumulative total tonnage discharged during the reporting month plus the total tonnage discharged during the preceding 11 consecutive months.

Annual Total (At)
Annual Total at the end of the n^{th} Month: $At_n = Mt_{n-11} + Mt_{n-10} \ldots Mt_n$

The 5-year rolling average for total nitrogen and total phosphorous shall be calculated as the cumulative total tonnage discharged during the reporting month plus the total tonnage discharged during the preceding 59 consecutive months, divided by 5, for total discharges from the Facility.

5 Year Rolling Average of the Yearly Totals (5yr)
$5yr_n = (Mt_{n-59} + Mt_{n-58} \ldots Mt_n) / 5$

17. The concentration of combined radium (Ra226 & Ra228), as well as gross alpha particle activity in the discharge shall be limited in accordance with Rules 62-302.530(57)(a), and 62-302.530(57)(b), F.A.C., respectively. During any sampling event performed in accordance with the monitoring requirements of Parts I.A.1., I.A.3, and I.A.5. above, a properly preserved sample must be taken for the determination of gross alpha particle activity as well as combined radium (Ra226 & Ra228). The sample must be first analyzed for gross alpha particle activity. If the value of the gross alpha particle activity exceeds the MCL of 15 pCi/l, the same sample shall also be analyzed for total combined radium.

B. Underground Injection Control Systems

1. During the period beginning on the effective date and lasting through the expiration date of this permit, the permittee may transfer Process Wastewater to Underground Well Injection System U-001. Such transfer shall be monitored by the permittee as specified below and reported in accordance with Permit Condition I.D.3.:

			Effluent Limitations		Monitoring Requirements			
Parameter	Units	Max. /Min	Limit	Statistical Basis	Frequency of Analysis	Sample Type	Monitoring Site Number	Notes
Flow, Total Volume	MGD	Max Max	Report Report	Daily Maximum Monthly Average	Monthly	Calculated	FLW-03	
Flow to U-001	MGD	Max	Report	Monthly Average	Continuous	Recording Flow Meter with Totalizer	FLW-01	

			Effluent Limitations		Monitoring Requirements			
Parameter	Units	Max. /Min	Limit	Statistical Basis	Frequency of Analysis	Sample Type	Monitoring Site Number	Notes
Flow from U-001	MGD	Max	Report	Monthly Average	Continuous	Recording Flow Meter with Totalizer	FLW-02	
pH	s.u.	Max Min	Report Report	Single Sample Single Sample	Continuous	Meter	INJ-001	
Temperature (C), Water	Deg C	Max	Report	Single Sample	Daily, when discharging	Instantaneous Sample	INJ-001	
Specific Conductance	umhos/cm	Max	Report	Single Sample	Daily, when discharging	Grab	INJ-001	
Oxygen, Dissolved (DO)	mg/L	Max	Report	Single Sample	Daily, when discharging	Grab	INJ-001	
Solids, Total Dissolved (TDS)	mg/L	Max	Report	Single Sample	Monthly	Grab	INJ-001	
Turbidity	NTU	Max	Report	Single Sample	Daily, when discharging	Meter	INJ-001	
Sulfate, Total	mg/L	Max	Report	Single Sample	Monthly	Grab	INJ-001	
Nitrogen, Ammonia, Total (as N)	mg/L	Max	Report	Single Sample	Monthly	Grab	INJ-001	
Nitrogen, Kjeldahl, Total (as N)	mg/L	Max	Report	Single Sample	Monthly	Grab	INJ-001	
Nitrogen, Nitrate, Total (as N)	mg/L	Max	Report	Single Sample	Monthly	Grab	INJ-001	

2. Effluent samples shall be taken at the monitoring site locations listed in Permit Condition I.A.14.1. and as described below:

Monitoring Site Number	Description of Monitoring Site
FLW-01	Flow to U-001
FLW-02	Return flow from U-001
FLW-03	Total flow to U-001 (FLW-01 – FLW-02)
INJ-001	Monitoring site number for U-001 sample location

3. Requirements for discharge to U-001 are established under Department UIC permit numbers 0322708-002-UC/1I (WACS ID 101607). *[62-620.610(3)]*

C. Land Application Systems

1. This section is not applicable to this facility.

D. Other Limitations and Monitoring and Reporting Requirements

1. The sample collection, analytical test methods, and method detection limits (MDLs) applicable to this permit shall be conducted using a sufficiently sensitive method to ensure compliance with applicable water quality standards and effluent limitations and shall be in accordance with Rule 62-4.246, Chapters 62-160 and 62-600, F.A.C., and 40 CFR 136, as appropriate. The list of Department established analytical methods, and corresponding MDLs (method detection limits) and PQLs (practical quantitation limits), which is titled "FAC 62-4 MDL/PQL Table

(November 10, 2020)" is available at **https://floridadep.gov/dear/quality-assurance/content/quality-assurance-resources**. The MDLs and PQLs as described in this list shall constitute the minimum acceptable MDL/PQL values and the Department shall not accept results for which the laboratory's MDLs or PQLs are greater than those described above unless alternate MDLs and/or PQLs have been specifically approved by the Department for this permit. Any method included in the list may be used for reporting as long as it meets the following requirements:

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

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

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

When the analytical results are below method detection or practical quantitation limits, the permittee shall report the actual laboratory MDL and/or PQL values for the analyses that were performed following the instructions on the applicable discharge monitoring report.

Where necessary, the permittee may request approval of alternate methods or for alternative MDLs or PQLs for any approved analytical method. Approval of alternate laboratory MDLs or PQLs are not necessary if the laboratory reported MDLs and PQLs are less than or equal to the permit limit or the applicable water quality criteria, if any, stated in Chapter 62-302, F.A.C. Approval of an analytical method not included in the above-referenced list is not necessary if the analytical method is approved in accordance with 40 CFR 136 or deemed acceptable by the Department. *[62-4.246, 62-160]*

2. The permittee shall provide safe access points for obtaining representative influent and effluent samples which are required by this permit. *[62-620.320(6)]*

3. Monitoring requirements under this permit are effective on the first day of the second month following the effective date of the permit. Until such time, the permittee shall continue to monitor and report in accordance with previously effective permit requirements, if any. During the period of operation authorized by this permit, the permittee shall complete and submit to the Department Discharge Monitoring Reports (DMRs) in accordance with the frequencies specified by the REPORT type (i.e. monthly, quarterly, semiannual, annual, etc.) indicated on the DMR forms attached to this permit. Unless specified otherwise in this permit, monitoring results for each monitoring period shall be submitted in accordance with the associated DMR due dates below. DMRs shall be submitted for each required monitoring period including periods of no discharge.

REPORT Type on DMR	Monitoring Period	Submit by
Monthly	first day of month - last day of month	28th day of following month
Once Every Two Months	January 1 - February 28/29 March 1 - April 30 May 1 - June 30 July 1 - August 31 September 1 - October 31 November 1 - December 31	March 28 May 28 July 28 September 28 November 28 January 28
Quarterly	January 1 - March 31 April 1 - June 30 July 1 - September 30 October 1 - December 31	April 28 July 28 October 28 January 28
Semiannual	January 1 - June 30 July 1 - December 31	July 28 January 28
Annual	January 1 - December 31	January 28

The permittee shall use the electronic DMR system approved by the Department (EzDMR) and shall electronically submit the completed DMR forms using the DEP Business Portal at

https://www.fldepportal.com/go/, unless the permittee has a waiver from the Department in accordance with 40 CFR 127.15. Reports shall be submitted to the Department by the twenty-eighth (28th) of the month following the month of operation.
[62-620.610(18)]

4. Unless specified otherwise in this permit, all reports and other information required by this permit, including 24-hour notifications, shall be submitted to or reported to, as appropriate, the Department's Division of Water Resource Management, Phosphate Management Office at the address specified below:

   Florida Department of Environmental Protection
   Division of Water Resource Management, Phosphate Management
   13051 N Telecom Parkway, Suite 101
   Temple Terrace, Florida 33637-0926
   Phone Number - (813) 470-5913 (All e-mails (electronic communication) shall be followed by original copies.)
   E-mail: **DWRMIW.PM@dep.state.fl.us**
   [62-620.305]

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

6. If there is no discharge from the facility on a day when the facility would normally sample, the sample shall be collected on the day of the next discharge. *[62-620.320(6)]*

II. SLUDGE MANAGEMENT REQUIREMENTS

1. This section is not applicable to this facility.

III. GROUND WATER REQUIREMENTS

A. Construction Requirements

1. The permittee shall give at least 72-hour notice to the Department's Division of Water Resource Management, Phosphate Management Office, prior to the installation of any monitoring wells. *[62-520.600(6)(h)]*

2. Before construction of new ground water monitoring wells, a soil boring shall be made at each new monitoring well location to properly determine monitoring well specifications such as well depth, screen interval, screen slot, and filter pack. *[62-520.600(6)(g)]*

3. Within 30 days after installation of a monitoring well, the permittee shall submit to the Department's Division of Water Resource Management, Phosphate Management Program well completion reports and soil boring/lithologic logs on the attached DEP Form(s) 62-520.900(3), Monitoring Well Completion Report. *[62-520.600(6)(j) and .900(3)]*

4. All piezometers and monitoring wells not part of the approved ground water monitoring plan shall be plugged and abandoned in accordance with Rule 62-532.500(5), F.A.C., unless future use is intended. *[62-532.500(5)]*

5. The permittee shall sample the following monitoring well(s): null for the primary and secondary drinking water parameters included in Rules 62-550.310 and 62-550.320, F.A.C., (except for asbestos and all parameters in Table 5 of Chapter 62-550, F.A.C., other than Di(2-ethylhexyl) adipate and Di(2-ethylhexyl) phthalate). Results of this sampling shall be submitted to the Department's Division of Water Resource Management, Phosphate Management Program within 60 days after sampling at the email address specified in I.D.4 above. *[62-520.600(5)(a)]*

B. Operational Requirements

1. The ground water minimum criteria specified in Rule 62-520.400 F.A.C., shall be met within the zone of discharge. The vertical zone of discharge (VZOD) for all parameters besides sodium extends to the base of the intermediate aquifer within the Undifferentiated Arcadia Formation no deeper than minus 25feet NGVD, and the VZOD for sodium extends to the base of the intermediate aquifer within the Undifferentiated Arcadia Formation no deeper than minus 90 feet NGVD. *[62-520.400,62-520.420(4), 62-522.410, and 62-673.500(1)]*

2. If the concentration for any constituent listed in Permit Condition III.B.7. in the natural background quality of the ground water is greater than the stated maximum, or in the case of pH is also less than the minimum, the representative background quality shall be the prevailing standard. *[62-520.420(2)]*

3. The permittee shall begin sampling ground water at the new monitoring wells identified in Permit Condition III.B.4., and III.B.6. below in accordance with this permit and the approved ground water monitoring plan prepared in accordance with Rule 62-520.600, F.A.C. *[62-520.600]*

4. The following background and intermediate monitoring wells shall be sampled as part of the Groundwater Monitoring Plan:

Monitoring Well ID	Alternate Well Name and/or Description of Monitoring Location	Latitude	Longitude	Depth (Feet)	Aquifer Monitored	Well Type	New or Existing
MWB-07	MW-7 MONITOR WELL #7	27°31' 24.979"	82°31' 9.686"	90	Intermediate	Background	Existing
MWB-10B	MW-10A	27°31' 50.822"	82°31' 8.946"	15	Surficial	Background	New
MWB-01	MW -1 MONITOR WELL #1	27°31' 24.92"	82°31' 9.773"	12	Surficial	Background	Existing
MWI-3	MW-3 MONITOR WELL #3	27°31' 49.588"	82°31' 58.916"	20	Surficial	Intermediate	Existing
MWI-04B	MW-4B	27°32' 44.756"	82°32' 12.738"	20	Surficial	Intermediate	Existing
MWI-24R†	West of former aeration pond	TBD	TBD	TBD	Surficial	Intermediate	New
MWI-25R†	SW of closed plant area	TBD	TBD	TBD	Surficial	Intermediate	New
MWI-26R†	East of closed plant area	TBD	TBD	TBD	Surficial	Intermediate	New
MWI-27R†	North of closed plant area	TBD	TBD	TBD	Surficial	Intermediate	New
MWI-28R†	North of plant office	TBD	TBD	TBD	Surficial	Intermediate	New

Note: TBD- To be determined.
†Monitoring Wells to be Re-established**.**
[62-520.600]

5. The following parameters shall be analyzed for each monitoring well identified in Permit Condition III.B.4.

Parameter	Compliance Well Limit	Units	Sample Type	Monitoring Frequency
Water Level Relative to NGVD	Report	ft	In Situ	Quarterly
Temperature (C), Water	Report	Deg C	In Situ	Quarterly
Specific Conductance	Report	µmhos/cm	In Situ	Quarterly
pH	Report	s.u.	In Situ	Quarterly
Turbidity	Report	NTU	Grab	Quarterly
Sodium, Total Recoverable	Report	mg/L	Grab	Quarterly
Fluoride, Total (as F)	Report	mg/L	Grab	Quarterly
Sulfate, Total	Report	mg/L	Grab	Quarterly
Nitrite plus Nitrate, Total 1 det. (as N)	Report	mg/L	Grab	Quarterly
Phosphate, Ortho (as P)	Report	mg/L	Grab	Quarterly
Solids, Total Dissolved (TDS)	Report	mg/L	Grab	Quarterly
Alpha, Gross Particle Activity	Report	pCi/L	Grab	Quarterly
Radium 226 + Radium 228, Total	Report	pCi/L	Grab	Quarterly
Arsenic, Total Recoverable	Report	ug/L	Grab	Quarterly
Cadmium, Total Recoverable	Report	ug/L	Grab	Quarterly
Chromium, Total Recoverable	Report	ug/L	Grab	Quarterly

Parameter	Compliance Well Limit	Units	Sample Type	Monitoring Frequency
Lead, Total Recoverable	Report	ug/L	Grab	Quarterly

[62-520.600(11)(b)]

6. The following compliance monitoring wells shall be sampled as part of the Groundwater Monitoring Plan:

Monitoring Well ID	Alternate Well Name and/or Description of Monitoring Location	Latitude	Longitude	Depth (Feet)	Aquifer Monitored	Well Type	New or Existing
MWC-22	MWC-22	27°31' 21.967"	82°31' 41.389"	15	Surficial	Compliance	Existing
MWC-23	MWC-23	27°31' 23.568"	82°31' 42.36"	15	Surficial	Compliance	Existing
MWC-08	MW-8 Surficial Well at west property boundary	27°32' 44.961"	82°32' 21.703"	18	Surficial	Compliance	Existing
MWC-09R	MW-9R Surficial compliance well at North property boundary	TBD	TBD	TBD	Surficial	Compliance	Existing
MWC-13	MW-13	27°32' 25.822"	82°32' 21.358"	15	Surficial	Compliance	Existing
MWC-17R	MW-17R	TBD	TBD	TBD	Surficial	Compliance	Existing
MWC-18	MW-18	27°31' 3.802"	82°31' 8.596"	18	Surficial	Compliance	Existing
MWC-19	MW-19	27°31' 3.944"	82°31' 50.807"	15	Surficial	Compliance	Existing
MWC-20R†	FSU-9	TBD	TBD	TBD	Surficial	Compliance	Existing
MWC-6AR†	MW-6A MONITOR WELL #6	TBD	TBD	TBD	Intermediate	Compliance	Existing
MWC-5R†	MW-5R MONITOR WELL #5	27°32' 22.828"	82°32' 8.445"	20	Surficial	Compliance	Existing
MWC-02R†	MW-2R MONITOR WELL #2	TBD	TBD	TBD	Surficial	Compliance	Existing

Note: TBD- To be determined.
†Monitoring Wells to be Re-established**.**
[62-520.600(11)(b)]

7. The following parameters shall be analyzed for each monitoring well identified in Permit Condition III.B.6.

Parameter	Compliance Well Limit	Units	Sample Type	Monitoring Frequency
Water Level Relative to NGVD	Report	ft	In Situ	Quarterly
Temperature (C), Water	Report	Deg C	In Situ	Quarterly
Specific Conductance	Report	µmhos/cm	In Situ	Quarterly
pH	Report	s.u.	In Situ	Quarterly
Turbidity	Report	NTU	Grab	Quarterly
Sodium, Total Recoverable	160	mg/L	Grab	Quarterly
Fluoride, Total (as F)	4.0	mg/L	Grab	Quarterly
Sulfate, Total	Report	mg/L	Grab	Quarterly
Nitrite plus Nitrate, Total 1 det. (as N)	Report	mg/L	Grab	Quarterly
Phosphate, Ortho (as P)	Report	mg/L	Grab	Quarterly
Solids, Total Dissolved (TDS)	Report	mg/L	Grab	Quarterly
Alpha, Gross Particle Activity	15	pCi/L	Grab	Quarterly
Radium 226 + Radium 228, Total	5	pCi/L	Grab	Quarterly
Arsenic, Total Recoverable	50	ug/L	Grab	Quarterly
Cadmium, Total Recoverable	5	ug/L	Grab	Quarterly
Chromium, Total Recoverable	100	ug/L	Grab	Quarterly
Lead, Total Recoverable	15	ug/L	Grab	Quarterly

[62-520.600(11)(b)]

8. The following piezometers shall be monitored to determine the performance of the soil bentonite cut-off wall (slurry wall):

Monitoring Well ID	Alternate Well Name and/or Description of Monitoring Location	Latitude	Longitude	Depth (Feet)	Aquifer Monitored	Well Type	New or Existing
MWP-PD3A	West side of NGSN Subgrade	27°31' 55.384"	82°31' 38.693"	TBD	Surficial	Piezometer	Existing
MWP-PD1A	Southeast side of OGSS Subgrade	27°31' 28.357"	82°31' 29.167"	77	Surficial	Piezometer	Existing
MWP-PD1B	Southeast side of OGSS Gypsum	27°31' 28.367"	82°31' 29.218"	61	Surficial	Piezometer	Existing
MWP-PD3B	West side of NGSN Gypsum	27°31' 55.446"	82°31' 38.693"	TBD	Surficial	Piezometer	Existing
MWP-BD3A	Northwest side of NGSN Subgrade	27°31' 0.359"	82°31' 33.323"	59	Surficial	Piezometer	Existing
MWP-BD3B	Northwest side of NGSN Gypsum	27°31' 0.357"	82°31' 33.274"	44	Surficial	Piezometer	Existing
MWP-PD4A	Northeast side of NGSN Subgrade	27°31' 0.068"	82°31' 19.261"	TBD	Surficial	Piezometer	Existing
MWP-PD4B	Northeast side of NGSN Gypsum	27°31' 0.06"	82°31' 19.21"	TBD	Surficial	Piezometer	Existing
MWP-BD1A	East-north side of NGSS Subgrade	27°31' 45.977"	82°31' 12.598"	60	Surficial	Piezometer	Existing
MWP-BD1B	East-north side of NGSS Gypsum	27°31' 45.925"	82°31' 12.597"	45	Surficial	Piezometer	Existing
MWP-BMG1A	East-south side of NGSS Subgrade	27°31' 35.828"	82°31' 12.742"	59	Surficial	Piezometer	Existing
MWP-BMG1B	East-south side of NGSS Gypsum	27°31' 35.828"	82°31' 12.741"	44	Surficial	Piezometer	Existing
MWP-BMG4A	South side of NGSS Subgrade	27°31' 28.308"	82°31' 21.94"	58	Surficial	Piezometer	Existing
MWP-BMG4B	South side of NGSS Gypsum	27°31' 28.307"	82°31' 21.885"	44	Surficial	Piezometer	Existing
MWP-PD2A	Southwest side of OGSS Subgrade	27°31' 28.575"	82°31' 39.329"	82	Surficial	Piezometer	Existing
MWP-PD2B	Southwest side of OGSS Gypsum	27°31' 28.576"	82°31' 39.282"	65	Surficial	Piezometer	Existing

Note: TBD-To be determined.
[62-520.600]

9. The following parameters shall be analyzed for each monitoring well identified in Permit Condition III.B.8.

Parameter	Compliance Well Limit	Units	Sample Type	Monitoring Frequency
Water Level Relative to NGVD	Report	ft	In Situ	Quarterly

Note: For piezometers, monitoring and reporting is required only for water level information.

[62-520.600(11)(b)]

10. Water levels shall be recorded before evacuating each well for sample collection. Elevation references shall include the top of the well casing and land surface at each well site (NAVD allowable) at a precision of plus or minus 0.01 foot. *[62-520.600(11)(c)]*

11. Ground water monitoring wells shall be purged prior to sampling to obtain representative samples. *[62-160.210]*

12. Analyses shall be conducted on unfiltered samples, unless filtered samples have been approved by the Department's Division of Water Resource Management, Phosphate Management Office as being more representative of ground water conditions. *[62-520.310(5)]*

13. Ground water monitoring test results shall be submitted on Part D of Form 62-620.910(10) in accordance with Permit Condition I.D.3. *[62-520.600(11)(b)]*

14. If any monitoring well becomes inoperable or damaged to the extent that the sampling or well integrity may be affected, the permittee shall notify the Department's Division of Water Resource Management, Phosphate Management Office within two business days from discovery, and a detailed written report shall follow within ten days after notification to the Department. The written report shall detail what problem has occurred and remedial measures that have been taken to prevent recurrence or request approval for replacement of the monitoring well. All monitoring well design and replacement shall be approved by the Department's Division of Water Resource Management, Phosphate Management Office before installation. *[62-520.600(6)(l)]*

15. The permittee shall sample each of the monitoring well(s) in Permit Condition III.B.4. and III.B.6.: null for the primary and secondary drinking water parameters included in Rules 62-550.310 and 62-550.320, F.A.C., (except for asbestos and all parameters in Table 5 of Chapter 62-550, F.A.C., other than Di(2-ethylhexyl) adipate and Di(2-ethylhexyl) phthalate). Results of this sampling shall be submitted to the Department's Division of Water Resource Management, Phosphate Management Program with the application for permit renewal application. ampling shall occur no sooner than 180 days before submittal of the renewal application. *[62-520.600(5)(b)]*

IV. ADDITIONAL LAND APPLICATION REQUIREMENTS

1. Section IV is not applicable to this facility.

V. OPERATION AND MAINTENANCE REQUIREMENTS

1. During the period of operation authorized by this permit, the wastewater facilities shall be operated under the supervision of a person who is qualified by formal training and/or practical experience in the field of water pollution control. *[62-620.320(6)]*

2. The permittee shall maintain the following records and make them available for inspection at the following address: on the site of the permitted facility.

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

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

   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;

   d. A copy of the current permit;

   e. A copy of any required record drawings; and

   f. Copies of the logs and schedules showing plant operations and equipment maintenance for three years from the date of the logs or schedules.

   [62-620.350]

VI. SCHEDULES

1. The following improvement actions shall be completed according to the following schedule:

Improvement Action	Completion Date
1. Submittal of the updated Water Balance of the Facility	Annually, no later than February 1st of the following year
2. Provide confirmation that the soft sediment management of Lined Process Water Pond (LPWS) has been completed	No later than 180 days prior to permit expiration

Improvement Action	Completion Date
3. Submit a plan for installation of a flow meter at the present location of Outfall D-002	Within 180 days of effective date of permit
4. Submittal of the Annual Report of the performance of Soil bentonite Slurry Wall Cut-off wall	Annually, no later than April 30th of the following year
5. Submit Annual Stack Inspection Report	Annually, no later than April 30th of the following year.
6. Submit Aerial Photographs and surveyed elevations of the stack system compartments, including the lowest elevation of any crest containing impounded water, as determined by a licensed surveyor.	Annually, no later than April 30th of the following year.
7. Submit an updated flow diagram with the flow meter locations (FLW-01 & FLW-02) and sample collection point (INJ-001) for U-001 indicated.	Within 60 days of permit issuance.
8. Submit an Operation Plan for the Site, during closure and a Closure Operation Plan for the time following closure.	Within 1 year of effective date of the permit
9. Submit results of at least three effluent samples collected and analyzed for Nonylphenol using analytical method ASTM D7065-06 to verify that the facility discharge is not causing or contributing to violations of the nonylphenol criterion.	Within 1 year of effective date of the permit
10. Submit a Contingency Plan for the site prior to closure and after closure	Within 18 months of effective date of the permit
11. Submit a financial assurance plan for the site that covers before and after closure	No later than the effective date of permit plus 2 years
12. Submittal of monitoring well Data (Tabular and Graphical) Trend Analysis	No later than 180 days prior to permit expiration

[62-620.320(6)]

2. In accordance with section 403.088(2)(e) and (f), Florida Statutes, a compliance schedule for this facility is contained in Administrative Order AO-001SWPM23 which is hereby adopted and incorporated by reference. *[62-620.320(6)]*

3. The following actions shall be completed according to the following schedule. The Best Management Practices/Pollution Prevention (BMP3) Plan shall be prepared and implemented in accordance with Part VII of this permit:

Improvement Action	Completion Date
1. Develop a BMP3 Plan.	Within 6 months of the effective date of the permit
2. Implement a BMP3 Plan.	Within 18 months of the effective date of the permit
3. Develop a BMP3 Plan summary.	No later than the effective date of permit plus 2 years
4. Submittal of annual BMP3 plan progress reports.	Within 3 years of the effective date of the permit and then annually thereafter, no later than February 1st of the following year

[62-620.320(6)]

4. The permittee is not authorized to discharge to waters of the state after the expiration date of this permit, unless:

   a. The permittee has applied for renewal of this permit at least 180 days before the expiration date of this permit using the appropriate forms listed in Rule 62-620.910, F.A.C., and in the manner established in the Department of Environmental Protection Guide to Permitting Wastewater Facilities or Activities Under

Chapter 62-620, F.A.C., including submittal of the appropriate processing fee set forth in Rule 62-4.050, F.A.C.; or

b. The permittee has made complete the application for renewal of this permit before the permit expiration date.

[62-620.335(1)-(4)]

VII. BEST MANAGEMENT PRACTICES/STORMWATER POLLUTION PREVENTION PLANS

1. The permittee shall develop and implement a Best Management Practices/Pollution Prevention (BMP3) which achieves the objectives and the specific requirements listed below. The permittee shall maintain the Plan at the facility and shall make the plan available to the Division of Water Resource Management, Phosphate Management upon request. The Plan shall be developed and implemented in accordance with the schedule contained in Part VI of this permit. *[62-620.100(3)(m)]*

2. Through implementation of the Best Management Practices/Pollution Prevention (BMP3), the permittee shall prevent or minimize the generation and the potential for the release of pollutants from the facility to the waters of the State through normal operations and ancillary activities. *[62-620.100(3)(m)]*

3. The permittee shall develop and amend the BMP3 consistent with the following objectives for the control of pollutants.

   a. The number and quantity of pollutants and the toxicity of effluent generated, discharged or potentially discharged at the facility shall be minimized by the permittee to the extent feasible by managing each influent waste stream in the most appropriate manner.

   b. Under the BMP3, and any Standard Operating Procedures (SOPs) included in the Plan, the permittee shall ensure proper operation and maintenance of the treatment facility.

   c. The permittee shall establish specific objectives for the control of pollutants by conducting the following evaluations.

      (1) Each facility component or system shall be examined for its waste minimization opportunities and its potential for causing a release of significant amounts of pollutants to waters of the United States due to equipment failure, improper operation, and natural phenomena such as rain or adverse weather, etc. The examination shall include all normal operations and ancillary activities including but not limited to material storage areas, plant site runoff, in-plant transfer, process and material handling areas, loading or unloading operations, spillage or leaks, sludge and waste disposal, or drainage from raw material storage, as applicable.

      (2) Where experience indicates a reasonable potential for equipment failure (e.g., a tank overflow or leakage), natural condition (e.g., precipitation), or other circumstances to result in significant amounts of pollutants reaching surface waters, the program should include a prediction of the direction, rate of flow and total quantity of pollutants which could be discharged from the facility as a result of each condition or circumstance.

   [62-620.100(3)(m)]

4. The BMP3 shall be consistent with the objectives in Part 3 above and the general guidance contained in the publication entitled Guidance Manual for Developing Best Management Practices (BMPs) (USEPA, 1993) or any subsequent revisions to the guidance document. The BMP3 shall:

   a. Be documented in narrative form, shall include any necessary plot plans, drawings or maps, and shall be developed in accordance with good engineering practices. The BMP3 shall be organized and written with the following structure:

      (1) Name and location of the facility.

      (2) Statement of BMP3 policy.

      (3) Structure, functions, and procedures of the BMP3 committee.

      (4) Specific management practices and standard operating procedures to achieve the above objectives, including, but not limited to, the following:

(a) modification of equipment, facilities, technology, processes, and procedures,

(b) reformulation or redesign of products,

(c) substitution of materials, and

(d) improvement in management, inventory control, materials handling or general operational phases of the facility.

(5) Risk identification and assessment.

(6) Reporting of BMP3 incidents.

(7) Materials compatibility.

(8) Good housekeeping.

(9) Preventative maintenance.

(10) Inspections and records.

(11) Security.

(12) Employee training.

(13) Description of a waste minimization assessment performed in accordance with the conditions outlined in condition b. below, results of the assessment, and a schedule for implementation of specific waste reduction practices.

b. Include a waste minimization assessment (WMA) for this facility to determine actions that could be taken to reduce waste loadings and chemical losses to all wastewater and/or storm water streams as described in Part VII.5. of this permit. It shall address both short term and long term opportunities for minimizing waste generation at this facility, utilizing at a minimum, applicable criteria selected from Part VII.5.: Required Components of a Waste Minimization Assessment, particularly for high volume and/or high toxicity components of wastewater and storm water streams. Initially, the WMA should focus primarily on actions that could be implemented quickly, thereby realizing tangible benefits to surface water quality. Long term goals and actions pertaining to waste reduction shall include investigation of the feasibility of eliminating toxic chemical use, instituting process changes, raw material replacements, etc.

The permittee shall implement each waste reduction practice recommended by the WMA as soon as practicable. Any waste reduction practices which are identified but will not be implemented shall be described in the required pollution prevention plan summary or progress/update reports, along with the factors inhibiting their adoption. Any waste reduction practices which cannot be implemented immediately shall be described in the pollution prevention plan and included in a schedule of implementation.
The permit issuing authority does not herein establish a time limit for completion of the WMA; the study may be conducted throughout the term of this permit. However, a suggested target completion date is six months after the effective date of the permit, so that the WMA results and recommended waste reduction practices may be incorporated into the BMP3 plan. Continual studies toward minimizing waste are encouraged.

Practices which reduce pollutant loading in wastewater or storm water discharges with a consequent increase in solid hazardous waste generation, decrease in air quality, or adverse affect to groundwater shall not be considered waste reduction for the purposes of this assessment.

c. Establish specific best management practices to meet the objectives identified in Part 3 of this section, addressing each component or system capable of generating or causing a release of significant amounts of pollutants, and identifying specific preventative or remedial measures to be implemented.

[62-620.100(3)(m)]

5. Required Components of a Waste Minimization Assessment

a. The WMA shall include an overall plant water balance, as well as internal water balances, as necessary. This information shall be used to determine any opportunities for water conservation or reuse/recycling and to determine if and where leakages might occur.

b. A materials and risk assessment shall be developed and shall include the following:

(1) Identification of the types and quantities of materials used or manufactured (including by products produced) at the facility;

(2) Identification of the location and types of materials management activities which occur at the facility;

(3) An evaluation of the following aspects of materials compatibility: containment and storage practices for chemicals, container compatibility, chemical mixing procedures; potential mixing or compatibility problems; and specific prohibitions regarding mixing of chemicals;

(4) Technical information on human health and ecological effects of toxic or hazardous chemicals presently used or manufactured (including by products produced) or planned for future use or production; and

(5) Analyses of chemical use and waste generation, including overall plant material balances and as necessary, internal process balances, for all pollutants. (When actual measurements of the quantity of a chemical entering a wastewater or storm water stream are not readily available, reasonable estimates should be made based on best engineering judgment.) The analyses shall address reasons for using particular chemicals, and measures or estimates of the actual and potential chemical discharges via wastewater, wastewater sludge, storm water, air, solid waste or hazardous waste media.

c. The WMA shall include, at a minimum, the following means of reducing pollutant discharges in wastewater streams or of otherwise minimizing wastes:

(1) Process related source reduction measures, including any or all of the following, as appropriate:

(a) Production process changes;

(b) Improved process controls;

(c) Reduction of off spec materials;

(d) Reduction in use of toxic or hazardous materials;

(e) Chemical modifications and/or material purification;

(f) Chemical substitution employing non toxic or less toxic alternatives; and

(g) Equipment upgrades or modifications or changes in equipment use.

(2) Housekeeping/operational changes, including waste stream segregation, inventory control, spill and leak prevention, equipment maintenance; and employee training in areas of pollution prevention, good housekeeping, and spill prevention and response;

(3) In process recycling, on site recycling and/or off site recycling of materials;

(4) Following all source reduction and recycling practices, wastewater treatment process changes, including the use of new or improved treatment methods, such that treatment by products are less toxic to aquatic or human life; and

(5) Other means as agreed upon by the permit issuing authority and the permittee.

d. For storm water discharges and instances where storm water enters the wastewater treatment/disposal system or is otherwise commingled with wastewater, the WMA shall evaluate the following potential sources of storm water contamination, at a minimum:

(1) Loading, unloading and transfer areas for dry bulk materials or liquids;

(2) Outdoor storage of raw materials or products;

(3) Outdoor manufacturing or processing activities;

(4) Dust or particulate generating processes; and

(5) On site waste and/or sludge disposal practices.

The likelihood of storm water contact in these areas and the potential for spills from these areas shall be considered in the evaluation. The history of significant leaks or spills of toxic or hazardous pollutants shall also be considered. Recommendations for changes to current practices which would reduce the potential for storm water contamination from these areas shall be made, as necessary.

[62-620.100(3)(m)]

6. The BMP3 shall be signed by the permittee or their duly authorized representative in accordance with Rule 62-620.305(2)(a) and (b), F.A.C. The Plan shall be reviewed by appropriate facility staff and management. Where required by Chapter 471 (P.E.) or Chapter 492 (P.G.) Florida Statutes, applicable portions of the Plan shall be signed and sealed by the professional(s) who prepared them.

The BMP3 shall contain a written statement from corporate or facility management indicating management's commitment to the goals of the BMP3 program. Such statements shall be publicized or made known to all facility employees. Management shall also provide training for the individuals responsible for implementing the BMP3. *[62-620.100(3)(m)]*

7. Submission of Plan Summary and Progress/Update Reports

   a. A summary of the BMP3 Plan shall be developed and maintained at the facility and made available to the Division of Water Resource Management, Phosphate Management upon request. The summary should include the following: a brief description of the Plan, its implementation process, schedules for implementing identified waste reduction practices, and a list of all waste reduction practices being employed at the facility. The results of WMA studies already completed as well as any that are scheduled or ongoing shall be discussed.

   b. Progress/update reports documenting implementation of the Plan shall be maintained at the facility and made available to the Division of Water Resource Management, Phosphate Management upon request. The reports shall discuss whether or not implementation schedules were met and revise any schedules, as necessary. The Plan shall also be updated as necessary and the attainment or progress made toward specific pollutant reduction targets documented. Results of any ongoing WMA studies as well as any additional schedules for implementation of waste reduction practices shall be included.

   c. A timetable for the various BMP3 Plan requirements is included in the schedule contained in Part VI. of this permit. The permittee shall maintain the Plan and subsequent reports at the facility and shall make the plan available to the Division of Water Resource Management, Phosphate Management upon request.

   [62-620.100(3)(m)]

8. The permittee shall maintain a copy of the BMP3 at the facility and shall make the plan available to the Division of Water Resource Management, Phosphate Management upon request. All offices of the permittee which are required to maintain a copy of the NPDES permit shall also maintain a copy of the BMP3. *[62-620.100(3)(m)]*

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

   The permittee shall amend the BMP3 whenever there is a change in the facility or in the operation of the facility which materially increases the generation of pollutants or their release or potential release to the receiving waters. The permittee shall also amend the Plan, as appropriate, when plant operations covered by the BMP3 change. Any such changes to the Plan shall be consistent with the objectives and specific requirements listed above. All changes in the BMP3 shall be reported to the Division of Water Resource Management, Phosphate Management in writing. *[62-620.100(3)(m)]*

10. At any time, if the BMP3 proves to be ineffective in achieving the general objective of preventing and minimizing the generation of pollutants and their release and potential release to the receiving waters and/or the specific requirements above, the permit and/or the BMP3 shall be subject to modification to incorporate revised BMP3 requirements. *[62-620.100(3)(m)]*

VIII. OTHER SPECIFIC CONDITIONS

1. Where required by Chapter 471 or Chapter 492, F.S., applicable portions of reports that must be submitted under this permit shall be signed and sealed by a professional engineer or a professional geologist, as appropriate. *[62-620.310(4)]*

2. The permittee shall provide verbal notice to the Department's Division of Water Resource Management, Phosphate Management Office as soon as practical after discovery of a sinkhole or other karst feature within an area for the management or application of wastewater, or wastewater sludges. The Permittee shall immediately implement measures appropriate to control the entry of contaminants, and shall detail these measures to the Department's Division of Water Resource Management, Phosphate Management Office in a written report within 7 days of the sinkhole discovery. *[62-620.320(6)]*

3. Existing manufacturing, commercial, mining, and silvicultural wastewater facilities or activities that discharge into surface waters shall notify the Department as soon as they know or have reason to believe:

   a. That any activity has occurred or will occur which would result in the discharge, on a routine or frequent basis, of any toxic pollutant which is not limited in the permit, if that discharge will exceed the highest of the following levels;

      (1) One hundred micrograms per liter,

      (2) Two hundred micrograms per liter for acrolein and acrylonitrile; five hundred micrograms per liter for 2, 4-dinitrophenol and for 2-methyl-4, 6-dinitrophenol; and one milligram per liter for antimony, or

      (3) Five times the maximum concentration value reported for that pollutant in the permit application; or

   b. That any activity has occurred or will occur which would result in any discharge, on a non-routine or infrequent basis, of a toxic pollutant which is not limited in the permit, if that discharge will exceed the highest of the following levels;

      (1) Five hundred micrograms per liter,

      (2) One milligram per liter for antimony, or

      (3) Ten times the maximum concentration value reported for that pollutant in the permit application.

   [62-620.625(1)]

4. The permittee shall comply with all of the applicable financial responsibility requirements of Chapter 62-673, Florida Administrative Code, and the applicable conditions of 40 CFR 264, Subpart H, to the extent consistent with the permittee's order of appointment and establishment of the receivership by the Manatee County Circuit Court, pursuant to Manatee County Circuit Court Case No. 2020-CA-00459-AX.

5. Any transfer of this permit during the effective term shall require the party or parties obtaining a transfer to demonstrate that all the financial responsibility requirements be met prior to transfer, if necessary. *[62-620.340(3), F.A.C.]*

6. The permittee shall notify the Department's Bureau of Mining and Minerals Regulation Phosphate Management Program, by certified mail, of commencement of a voluntary or involuntary proceeding under Title 11 (Bankruptcy), U.S. Code, naming the permittee as debtor, within ten (10) days after the commencement of the proceeding. *[40 CFR 264.148(a)]*

IX. GENERAL CONDITIONS

1. The terms, conditions, requirements, limitations and restrictions set forth in this permit are binding and enforceable pursuant to Chapter 403, Florida Statutes. Any permit noncompliance constitutes a violation of Chapter 403, Florida Statutes, and is grounds for enforcement action, permit termination, permit revocation and reissuance, or permit revision. *[62-620.610(1)]*

2. This permit is valid only for the specific processes and operations applied for and indicated in the approved drawings or exhibits. Any unauthorized deviations from the approved drawings, exhibits, specifications or conditions of this permit constitutes grounds for revocation and enforcement action by the Department. *[62-620.610(2)]*

3. As provided in subsection 403.087(7), F.S., the issuance of this permit does not convey any vested rights or any exclusive privileges. Neither does it authorize any injury to public or private property or any invasion of personal

rights, nor authorize any infringement of federal, state, or local laws or regulations. This permit is not a waiver of or approval of any other Department permit or authorization that may be required for other aspects of the total project which are not addressed in this permit. *[62-620.610(3)]*

4. This permit conveys no title to land or water, does not constitute state recognition or acknowledgment of title, and does not constitute authority for the use of submerged lands unless herein provided and the necessary title or leasehold interests have been obtained from the State. Only the Trustees of the Internal Improvement Trust Fund may express State opinion as to title. *[62-620.610(4)]*

5. This permit does not relieve the permittee from liability and penalties for harm or injury to human health or welfare, animal or plant life, or property caused by the construction or operation of this permitted source; nor does it allow the permittee to cause pollution in contravention of Florida Statutes and Department rules, unless specifically authorized by an order from the Department. The permittee shall take all reasonable steps to minimize or prevent any discharge, reuse of reclaimed water, or residuals use or disposal in violation of this permit which has a reasonable likelihood of adversely affecting human health or the environment. It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit. *[62-620.610(5)]*

6. If the permittee wishes to continue an activity regulated by this permit after its expiration date, the permittee shall apply for and obtain a new permit. *[62-620.610(6)]*

7. The permittee shall at all times properly operate and maintain the facility and systems of treatment and control, and related appurtenances, that are installed and used by the permittee to achieve compliance with the conditions of this permit. This provision includes the operation of backup or auxiliary facilities or similar systems when necessary to maintain or achieve compliance with the conditions of the permit. *[62-620.610(7)]*

8. This permit may be modified, revoked and reissued, or terminated for cause. The filing of a request by the permittee for a permit revision, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance does not stay any permit condition. *[62-620.610(8)]*

9. The permittee, by accepting this permit, specifically agrees to allow authorized Department personnel, including an authorized representative of the Department and authorized EPA personnel, when applicable, upon presentation of credentials or other documents as may be required by law, and at reasonable times, depending upon the nature of the concern being investigated, to:

   a. Enter upon the permittee's premises where a regulated facility, system, or activity is located or conducted, or where records shall be kept under the conditions of this permit;

   b. Have access to and copy any records that shall be kept under the conditions of this permit;

   c. Inspect the facilities, equipment, practices, or operations regulated or required under this permit; and

   d. Sample or monitor any substances or parameters at any location necessary to assure compliance with this permit or Department rules.

   [62-620.610(9)]

10. In accepting this permit, the permittee understands and agrees that all records, notes, monitoring data, and other information relating to the construction or operation of this permitted source which are submitted to the Department may be used by the Department as evidence in any enforcement case involving the permitted source arising under the Florida Statutes or Department rules, except as such use is proscribed by Section 403.111, F.S., or Rule 62-620.302, F.A.C. Such evidence shall only be used to the extent that it is consistent with the Florida Rules of Civil Procedure and applicable evidentiary rules. *[62-620.610(10)]*

11. When requested by the Department, the permittee shall within a reasonable time provide any information required by law which is needed to determine whether there is cause for revising, revoking and reissuing, or terminating this permit, or to determine compliance with the permit. The permittee shall also provide to the Department upon request copies of records required by this permit to be kept. If the permittee becomes aware of relevant facts that

were not submitted or were incorrect in the permit application or in any report to the Department, such facts or information shall be promptly submitted or corrections promptly reported to the Department. *[62-620.610(11)]*

12. Unless specifically stated otherwise in Department rules, the permittee, in accepting this permit, agrees to comply with changes in Department rules and Florida Statutes after a reasonable time for compliance; provided, however, the permittee does not waive any other rights granted by Florida Statutes or Department rules. A reasonable time for compliance with a new or amended surface water quality standard, other than those standards addressed in Rule 62-302.500, F.A.C., shall include a reasonable time to obtain or be denied a mixing zone for the new or amended standard. *[62-620.610(12)]*

13. The permittee, in accepting this permit, agrees to pay the applicable regulatory program and surveillance fee in accordance with Rule 62-4.052, F.A.C. *[62-620.610(13)]*

14. This permit is transferable only upon Department approval in accordance with Rule 62-620.340, F.A.C. The permittee shall be liable for any noncompliance of the permitted activity until the transfer is approved by the Department. *[62-620.610(14)]*

15. The permittee shall give the Department written notice at least 60 days before inactivation or abandonment of a wastewater facility or activity and shall specify what steps will be taken to safeguard public health and safety during and following inactivation or abandonment. *[62-620.610(15)]*

16. The permittee shall apply for a revision to the Department permit in accordance with Rules 62-620.300, F.A.C., and the Department of Environmental Protection Guide to Permitting Wastewater Facilities or Activities Under Chapter 62-620, F.A.C., at least 90 days before construction of any planned substantial modifications to the permitted facility is to commence or with Rule 62-620.325(2), F.A.C., for minor modifications to the permitted facility. A revised permit shall be obtained before construction begins except as provided in Rule 62-620.300, F.A.C. *[62-620.610(16)]*

17. The permittee shall give advance notice to the Department of any planned changes in the permitted facility or activity which may result in noncompliance with permit requirements. The permittee shall be responsible for any and all damages which may result from the changes and may be subject to enforcement action by the Department for penalties or revocation of this permit. The notice shall include the following information:

    a. A description of the anticipated noncompliance;

    b. The period of the anticipated noncompliance, including dates and times; and

    c. Steps being taken to prevent future occurrence of the noncompliance.

    [62-620.610(17)]

18. Sampling and monitoring data shall be collected and analyzed in accordance with Rule 62-4.246 and Chapters 62-160, 62-600, and 62-610, F.A.C., and 40 CFR 136, as appropriate.

    a. Monitoring results shall be reported at the intervals specified elsewhere in this permit and shall be reported on a Discharge Monitoring Report (DMR), DEP Form 62-620.910(10), or as specified elsewhere in the permit.

    b. If the permittee monitors any contaminant more frequently than required by the permit, using Department approved test procedures, the results of this monitoring shall be included in the calculation and reporting of the data submitted in the DMR.

    c. Calculations for all limitations which require averaging of measurements shall use an arithmetic mean unless otherwise specified in this permit.

    d. Except as specifically provided in Rule 62-160.300, F.A.C., any laboratory test required by this permit shall be performed by a laboratory that has been certified by the Department of Health Environmental Laboratory Certification Program (DOH ELCP). Such certification shall be for the matrix, test method and analyte(s) being measured to comply with this permit. For domestic wastewater facilities, testing for parameters listed in Rule 62-160.300(4), F.A.C., shall be conducted under the direction of a certified operator.

e. Field activities including on-site tests and sample collection shall follow the applicable standard operating procedures described in DEP-SOP-001/01 adopted by reference in Chapter 62-160, F.A.C.

f. Alternate field procedures and laboratory methods may be used where they have been approved in accordance with Rules 62-160.220, and 62-160.330, F.A.C.

[62-620.610(18)]

19. Reports of compliance or noncompliance with, or any progress reports on, interim and final requirements contained in any compliance schedule detailed elsewhere in this permit shall be submitted no later than 14 days following each schedule date. *[62-620.610(19)]*

20. The permittee shall report to the Department any noncompliance which may endanger health or the environment. Any information shall be provided orally within 24 hours from the time the permittee becomes aware of the circumstances. A written submission shall also be provided within five days of the time the permittee becomes aware of the circumstances. The written submission shall contain a description of the noncompliance and its cause; the period of noncompliance including exact dates and times, and if the noncompliance has not been corrected, the anticipated time it is expected to continue; clean up actions taken and status; and steps taken or planned to reduce, eliminate, and prevent recurrence of the noncompliance. For noncompliance events related to sanitary sewer overflows, bypass events, or unauthorized discharges, these reports must include the data described above (with the exception of time of discovery) as well as the type of event (e.g., sanitary sewer overflow, bypass, unauthorized discharge); type of sanitary sewer overflow structure (e.g., manhole); the discharge location address and latitude/longitude; type of water discharged; discharge volumes and volumes recovered; volume discharged to surface waters and receiving waterbody name; types of human health and environmental impacts of the sanitary sewer overflow, bypass event, or unauthorized discharge (e.g., beach closure); whether the noncompliance was caused by a third party; and whether the noncompliance was related to wet weather. The written submission may be provided electronically using the Department's Business Portal at https://www.fldepportal.com/go/ (via "Submit" followed by "Report" or "Registration/Notification"). Notice required for public notice of pollution under paragraph (d) may be provided together with the written submission using the Business Portal. All noncompliance events related to sanitary sewer overflows or bypass events submitted after September 14, 2021, shall be submitted electronically.

a. The following shall be included as information which must be reported within 24 hours under this condition:
   (1) Any unanticipated bypass which causes any reclaimed water or the effluent to exceed any permit limitation or results in an unpermitted discharge,
   (2) Any upset which causes any reclaimed water or the effluent to exceed any limitation in the permit,
   (3) Violation of a maximum daily discharge limitation for any of the pollutants specifically listed in the permit for such notice; and,
   (4) Any unauthorized discharge to surface or ground waters, except for discharges to ground water of reclaimed water meeting Part III or Part V treatment standards under Chapter 62-610, F.A.C.

b. Oral reports as required by this subsection shall be provided as follows:
   (1) For unauthorized releases or spills of treated or untreated wastewater reported pursuant to subparagraph (a)4., that are in excess of 1,000 gallons per incident, or where information indicates that public health or the environment will be endangered, oral reports shall be provided to the Department by calling the STATE WATCH OFFICE TOLL FREE NUMBER (800)320-0519, as soon as practicable, but no later than 24 hours from the time the permittee becomes aware of the discharge. The permittee, to the extent known, shall provide the following information to the State Watch Office:
      (a) Name, address, and telephone number of person reporting,
      (b) Name, address, and telephone number of permittee or responsible person for the discharge,
      (c) Date and time of the discharge and status of discharge (ongoing or ceased),
      (d) Characteristics of the wastewater spilled or released (untreated or treated, industrial or domestic wastewater),
      (e) Estimated amount of the discharge,

(f) Location or address of the discharge,

(g) Source and cause of the discharge,

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

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

(j) Other persons or agencies contacted.

(2) Oral reports, not otherwise required to be provided pursuant to subparagraph (b)1., above, shall be provided to the Department within 24 hours from the time the permittee becomes aware of the circumstances.

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

d. In accordance with Section 403.077, F.S., unauthorized releases or spills reportable to the State Watch Office pursuant to subparagraph (b)1. above shall also be reported to the Department within 24 hours from the time the permittee becomes aware of the discharge. The permittee shall provide to the Department information reported to the State Watch Office. Notice of unauthorized releases or spills may be provided to the Department through the Department's Public Notice of Pollution web page at https://floridadep.gov/pollutionnotice or by reporting electronically using the Department's Business Portal at https://www.fldepportal.com/go/ (via "Submit" followed by "Report" or "Registration/Notification").

(1) If, after providing notice pursuant to paragraph (d) above, the permittee determines that a reportable unauthorized release or spill did not occur or that an amendment to the notice is warranted, the permittee may submit a letter to the Department documenting such determination at pollution.notice@floridadep.gov.

(2) If, after providing notice pursuant to paragraph (d) above, the permittee discovers that a reportable unauthorized release or spill has migrated outside the property boundaries of the installation, the permittee must provide an additional notice to the Department that the release has migrated outside the property boundaries within 24 hours after its discovery of the migration outside of the property boundaries.

e. Unless discharged to surface waters, a spill, release, discharge, upset or bypass involving reclaimed water meeting Part III or Part V treatment standards under Chapter 62-610, F.A.C., shall not be considered to endanger health or the environment and shall be reported under subsection (21) of this permit.

[62-620.610(20)] [62-620.100(3)]

21. The permittee shall report all instances of noncompliance not reported under Permit Conditions IX. 17, 18 or 19 of this permit at the time monitoring reports are submitted. This report shall contain the same information required by Permit Condition IX.20 of this permit. *[62-620.610(21)]*

22. Bypass Provisions.

a. "Bypass" means the intentional diversion of waste streams from any portion of a treatment works.

b. Bypass is prohibited, and the Department may take enforcement action against a permittee for bypass, unless the permittee affirmatively demonstrates that:

(1) Bypass was unavoidable to prevent loss of life, personal injury, or severe property damage; and

(2) There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate back-up equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass which occurred during normal periods of equipment downtime or preventive maintenance; and

(3) The permittee submitted notices as required under Permit Condition IX. 22. c. of this permit.

c. If the permittee knows in advance of the need for a bypass, it shall submit prior notice to the Department, if possible at least 10 days before the date of the bypass. The permittee shall submit notice of an unanticipated bypass within 24 hours of learning about the bypass as required in Permit Condition IX. 20. of this permit. A notice shall include a description of the bypass and its cause; the period of the bypass, including exact dates

and times; if the bypass has not been corrected, the anticipated time it is expected to continue; and the steps taken or planned to reduce, eliminate, and prevent recurrence of the bypass.

d. The Department shall approve an anticipated bypass, after considering its adverse effect, if the permittee demonstrates that it will meet the three conditions listed in Permit Condition IX. 22. b.(1) through (3) of this permit.

e. A permittee may allow any bypass to occur which does not cause reclaimed water or effluent limitations to be exceeded if it is for essential maintenance to assure efficient operation. These bypasses are not subject to the provisions of Permit Condition IX. 22. b. through d. of this permit.

[62-620.610(22)]

23. Upset Provisions.

a. "Upset" means an exceptional incident in which there is unintentional and temporary noncompliance with technology-based effluent limitations because of factors beyond the reasonable control of the permittee.

(1) An upset does not include noncompliance caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, careless or improper operation.

(2) An upset constitutes an affirmative defense to an action brought for noncompliance with technology based permit effluent limitations if the requirements of upset provisions of Rule 62-620.610, F.A.C., are met.

b. A permittee who wishes to establish the affirmative defense of upset shall demonstrate, through properly signed contemporaneous operating logs, or other relevant evidence that:

(1) An upset occurred and that the permittee can identify the cause(s) of the upset;

(2) The permitted facility was at the time being properly operated;

(3) The permittee submitted notice of the upset as required in Permit Condition IX.20. of this permit; and

(4) The permittee complied with any remedial measures required under Permit Condition IX. 5. of this permit.

c. In any enforcement proceeding, the burden of proof for establishing the occurrence of an upset rests with the permittee.

d. Before an enforcement proceeding is instituted, no representation made during the Department review of a claim that noncompliance was caused by an upset is final agency action subject to judicial review.

[62-620.610(23)]

Executed in Tallahassee, Florida.

STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION

John A. Coates, Director
Division of Water Resource Management

Attachment(s):
Attachment A: Site location map

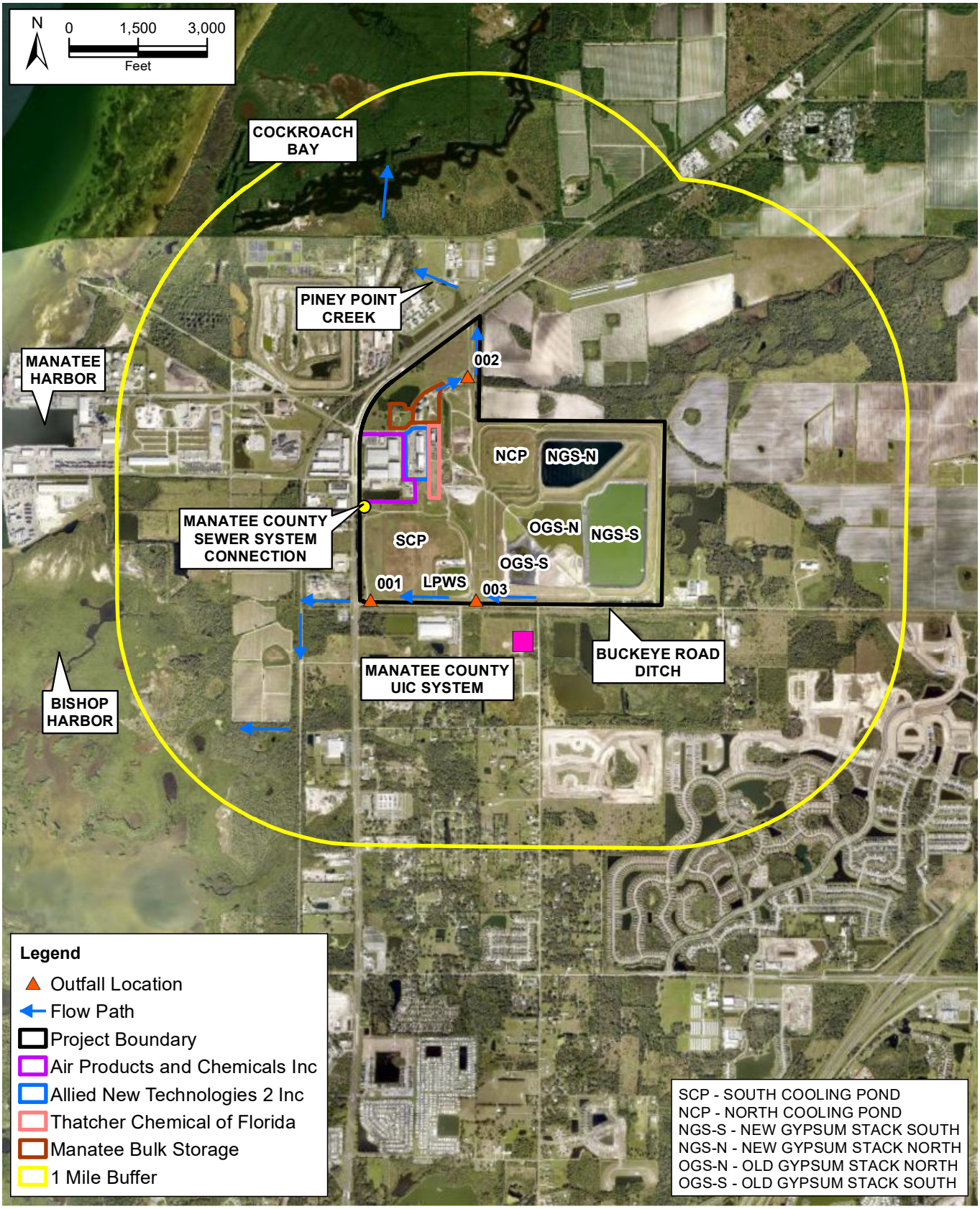

FIGURE 1.
SITE LOCATION MAP
NPDES PERMIT RENEWAL FL 0000124
DONICA RECEIVERSHIP SERVICES, L.L.C.

Sources: Manatee Co. Imagery 2022; ECT, 2024.

ECT

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