

**BOARD OF COUNTY COMMISSIONERS**

**GULF COUNTY, FLORIDA**

**INFORMATION**

**JULY 9, 2013**

**PAGE NO.**

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Rick Scott  
GOVERNOR



Jesse Panuccio  
EXECUTIVE DIRECTOR

1

June 25, 2013

Mr. David Richardson, Planner  
Gulf County Planning Department  
1000 Cecil G. Costin Sr. Blvd.  
Room 312  
Port St. Joe, Florida 32456

Dear Mr. Richardson:

Thank you for submitting copies of the Small Scale Development Plan Amendment for GULF CO adopted by Ordinance No(s). 2013-03 on June 11, 2013 for our records. The reference number for this amendment package is 13S01.

The Department of Economic Opportunity **will not** conduct a compliance review or issue a Notice of Intent regarding the adopted small scale development plan amendment in accordance with procedures contained in Section 163.3187(1), Florida Statutes.

If you have any questions, please feel free to contact Donna Harris of my staff by phone at 850.717.8491 or by e-mail at [donna.harris@deo.myflorida.com](mailto:donna.harris@deo.myflorida.com).

Sincerely,

D. Ray Eubanks, Administrator  
Plan and DRI Processing Unit

DRE/dh

FILED FOR RECORD  
REBECCA L. NORRIS  
CLERK OF CIRCUIT COURT  
GULF COUNTY, FLORIDA  
2013 JUL -2 AM 10:48

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**FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION**

160 W GOVERNMENT ST., SUITE 308  
PENSACOLA, FL 32502-5740

RICK SCOTT  
GOVERNOR

HERSCHEL T. VINYARD JR.  
SECRETARY

June 27, 2013

**BY ELECTRONIC MAIL**  
portstjoe@genchemcorp.com

In the Matter of an  
Application for Permit by:

General Chemical LLC  
Donnie Kelly  
281 Chemical Drive  
Port Saint Joe, Florida 32456-5235

File Number FLA010102-005-IW1N/NR  
Gulf County  
General Chemical LLC - Port St Joe

FILED FOR RECORD  
REBECCA L. MORRIS  
CLERK OF CIRCUIT COURT  
GULF COUNTY, FLORIDA  
2013 JUL -2 AM 10:48

**NOTICE OF PERMIT ISSUANCE**

Enclosed is Permit Number FLA010102 to continue to operate the General Chemical LLC aluminum sulfate manufacturing facility's Industrial Wastewater System located at 281 Chemical Drive in Port St. Joe, Florida. This permit is issued under Section 403, Florida Statutes.

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

The Department's proposed agency action shall become final unless a timely petition for an administrative hearing is filed under Sections 120.569 and 120.57, Florida Statutes, within fourteen days of receipt of notice. The procedures for petitioning for a hearing are set forth below.

A person whose substantial interests are affected by the Department's proposed permitting decision may petition for an administrative proceeding (hearing) under Sections 120.569 and 120.57, Florida Statutes. The petition must contain the information set forth below and must be filed (received by the Clerk) in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000.

Under Rule 62-110.106(4), Florida Administrative Code, a person may request an extension of the time for filing a petition for an administrative hearing. The request must be filed (received by the Clerk) in the Office of General Counsel before the end of the time period for filing a petition for an administrative hearing.

Petitions by the applicant or any of the persons listed below must be filed within fourteen days of receipt of this written notice. Petitions filed by any persons other than those entitled to written notice under Section 120.60(3), Florida Statutes, must be filed within fourteen days of publication of the notice or within fourteen days of receipt of the written notice, whichever occurs first. Section 120.60(3), Florida Statutes, however, also allows that any person who has asked the Department for notice of agency action may file a petition within fourteen days of receipt of such notice, regardless of the date of publication.

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The petitioner shall mail a copy of the petition to the applicant at the address indicated above at the time of filing. The failure of any person to file a petition or request for an extension of time within fourteen days of receipt of notice shall constitute a waiver of that person's right to request an administrative determination (hearing) under Sections 120.569 and 120.57, Florida Statutes. Any subsequent intervention (in a proceeding initiated by another party) will be only at the discretion of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205, Florida Administrative Code.

A petition that disputes the material facts on which the Department's action is based must contain the following information, as indicated in Rule 28-106.201, Florida Administrative Code:

- (a) The name and address of each agency affected and each agency's file or identification number, if known;
- (b) The name, address, and telephone number of the petitioner; the name, address, and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how the petitioner's substantial interests will be affected by the determination;
- (c) A statement of when and how the petitioner received notice of the Department's decision;
- (d) A statement of all disputed issues of material fact. If there are none, the petition must so indicate;
- (e) A concise statement of the ultimate facts alleged, including the specific facts the petitioner contends warrant reversal or modification of the Department's proposed action;
- (f) A statement of the specific rules or statutes the petitioner contends require reversal or modification of the Department's proposed action; and
- (g) A statement of the relief sought by the petitioner, stating precisely the action petitioner wishes the Department to take with respect to the Department's proposed action.

Because the administrative hearing process is designed to formulate final agency action, the filing of a petition means that the Department's final action may be different from the position taken by it in this notice. Persons whose substantial interests will be affected by any such final decision of the Department have the right to petition to become a party to the proceeding, in accordance with the requirements set forth above.

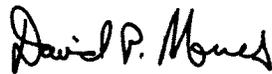
Mediation under Section 120.573, Florida Statutes, is not available for this proceeding.

This permit action is final and effective on the date filed with the Clerk of the Department unless a petition (or request for an extension of time) is filed in accordance with the above. Upon the timely filing of a petition (or request for an extension of time), this permit will not be effective until further order of the Department.

Any party to the permit has the right to seek judicial review of the permit action under Section 120.68, Florida Statutes, by the filing of a notice of appeal under Rules 9.110 and 9.190, Florida Rules of Appellate Procedure, with the Clerk of the Department in the Office of General Counsel, 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida, 32399-3000, and by filing a copy of the notice of appeal accompanied by the applicable filing fees with the appropriate district court of appeal. The notice of appeal must be filed within 30 days from the date when this permit action is filed with the Clerk of the Department.

Executed in Pensacola, Florida.

STATE OF FLORIDA DEPARTMENT  
OF ENVIRONMENTAL PROTECTION



David P. Morres, P.E.  
Program Administrator  
Water Facilities

FILING AND ACKNOWLEDGMENT

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

CERTIFICATE OF SERVICE

The undersigned hereby certifies that this NOTICE OF PERMIT ISSUANCE and all copies  
were mailed electronically before the close of business.

  
Name

June 27, 2013  
Date

Attachment:

Permit FLA010102-005-IW1N/NR  
Statement of Basis FLA010102-005-IW1N/NR

c:

Lawrence E. Mills, Mills & Associates (larry.m@millsandassoc.com)  
Don Butler, Gulf County (gulfoadm@gtcom.net) (bocc@gulfcountry-fl.gov)  
Chair, Gulf County Commissioners, Nathan Peters, Jr. (commissioner4@gulfcountry-fl.gov)  
Gulf County Public Health, Zachary Hodges (zachary\_hodges@doh.state.fl.us)  
Brittany Smith, DEP NWD  
Alex Webster, DEP NWD  
FDEP NWD Panama City Office



**FLORIDA DEPARTMENT OF  
ENVIRONMENTAL PROTECTION**  
160 W GOVERNMENT ST., SUITE 308  
PENSACOLA, FL 32502-5740

**5**

RICK SCOTT  
GOVERNOR  
HERSCHELL T. VINYARD JR.  
SECRETARY

**STATE OF FLORIDA  
INDUSTRIAL WASTEWATER FACILITY PERMIT**

**PERMITTEE:**  
General Chemical

**PERMIT NUMBER:** FLA010102-005  
**FILE NUMBER:** FLA010102-005-IW1N/NR  
**ISSUANCE DATE:** June 27, 2013  
**EXPIRATION DATE:** June 26, 2015 (2 year permit)

**RESPONSIBLE OFFICIAL:**  
Mr. Donnie Kelly  
281 Chemical Dr  
Port Saint Joe, Florida 32456-5235  
(850) 229-8278

**FACILITY:**

General Chemical LLC - Port St Joe  
281 Chemical Dr  
Port Saint Joe, FL 32456-5235  
Gulf County  
Latitude: 29°48' 48" N Longitude: 85°17' 4" 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.). This permit does not constitute authorization to discharge wastewater other than as expressly stated in this permit. The above named permittee is hereby authorized to operate the facilities in accordance with the documents attached hereto and specifically described as follows:

**FACILITY DESCRIPTION:**

The facility manufactures liquid aluminum sulfate (alum) from clay or bauxite, sulfuric acid and water. The process water is made up of treated recovered ground water, deep well water and rainwater. The constituents are mixed in above ground tanks for processing after completion of the chemical reactions the liquid alum is drawn off. The residue from the process, alum process residue (APR), is pumped to a tank for washing and treatment prior to transfer to the settling ponds. The facility has a design production capacity of 150 tons per day of aluminum sulfate.

**WASTEWATER TREATMENT:**

Residue from the production of aluminum sulfate (APR) is pumped to a tank where it is washed and then treated with a lime slurry to adjust the pH to above 8.5 s.u. After a reaction period the neutralized APR is routed to two settling/percolation ponds. The water in the ponds is disposed of by percolation and evaporation; the solids are periodically removed and disposed of at approved Class I or II landfills or reused as approved by the Department. The two settling ponds are 1.0 and 1.5 acres in surface area (approximately 2.2 and 4.7 million gallons each) and have a design capacity of 14,400 gallons per day.

**REUSE OR DISPOSAL:**

**Land Application G-001:** An existing 0.0144 MGD Daily Maximum Flow permitted capacity land application system consisting of Settling Ponds located approximately at latitude 29°48' 48" N, longitude 85°17' 4" 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 1 through 10 of this permit.

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**I. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS**

**A. Land Application Systems**

1. During the period beginning on the issuance date and lasting through the expiration date of this permit, the permittee is authorized to discharge process wastewater and stormwater to Land Application System G-001. Such discharge shall be limited and monitored by the permittee as specified below and reported in accordance with Permit Condition I.B.3.:

Parameter	Units	Max/ Min	Effluent Limitations		Monitoring Requirements			Notes
			Limit	Statistical Basis	Frequency of Analysis	Sample Type	Monitoring Site Number	
Flow, Total Volume	Mgal/mth	Max	Report	Monthly Total	Monthly	Calculated	EFF-001	
pH	s.u.	Min Max	6.5 8.5	Daily Minimum Daily Maximum	Monthly	Grab	EFF-001	
Solids, Total Dissolved (TDS)	mg/L	Max	Report	Daily Maximum	Monthly	Grab	EFF-001	
Sulfate, Total	mg/L	Max	Report	Daily Maximum	Monthly	Grab	EFF-001	
Aluminum, Total Recoverable	mg/L	Max	Report	Daily Maximum	Monthly	Grab	EFF-001	
Iron, Total Recoverable	mg/L	Max	Report	Daily Maximum	Monthly	Grab	EFF-001	
Manganese, Total Recoverable	mg/L	Max	Report	Daily Maximum	Monthly	Grab	EFF-001	

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

Monitoring Site Number	Description of Monitoring Site
EFF-001	APR wash tank

**B. 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 62-601, F.A.C., and 40 CFR 136, as appropriate. The list of Department established analytical methods, and corresponding MDLs (method detection limits) and PQLs (practical quantitation limits), which is titled "FAC 62-4 MDL/PQL Table (April 26, 2006)" is available at <http://www.dep.state.fl.us/labs/library/index.htm>. The MDLs and PQLs as described in this list shall constitute the minimum acceptable MDL/PQL values and the Department shall not accept results for which the laboratory's MDLs or PQLs are greater than those described above unless alternate MDLs and/or PQLs have been specifically approved by the Department for this 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 permit issuance. Until such time, the permittee shall continue to monitor and report in accordance with previously effective permit requirements, if any. During the period of operation authorized by this permit, the permittee shall complete and submit to the Department Discharge Monitoring Reports (DMRs) in accordance with the frequencies specified by the REPORT type (i.e. monthly, toxicity, quarterly, semiannual, annual, etc.) indicated on the DMR forms attached to this permit. 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	Mail or Electronically Submit by
Monthly or Toxicity	first day of month - last day of month	28 <sup>th</sup> day of following month
Quarterly	January 1 - March 31	April 28
	April 1 - June 30	July 28
	July 1 - September 30	October 28
	October 1 - December 31	January 28
Semiannual	January 1 - June 30	July 28
	July 1 - December 30	January 28
Annual	January 1 - December 31	January 28

The permittee may submit either paper or electronic DMR forms. If submitting paper DMR forms, the permittee shall make copies of the attached DMR forms, without altering the original format or content unless approved by the Department, and shall mail the completed DMR forms to the Department by the twenty-eighth (28th) of the month following the month of operation at the address specified below:

Florida Department of Environmental Protection  
 Wastewater Compliance Evaluation Section, Mail Station 3551  
 Bob Martinez Center  
 2600 Blair Stone Road  
 Tallahassee, Florida 32399-2400

If submitting electronic DMR forms, the permittee shall use the electronic DMR system(s) approved in writing by the Department and shall electronically submit the completed DMR forms to the Department by the twenty-eighth (28th) of the month following the month of operation. Data submitted in electronic format is equivalent to data submitted on signed and certified paper DMR forms. [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 Northwest District Office at the address specified below:

Florida Department of Environmental Protection Northwest District  
 160 Government Street  
 Suite 308  
 Pensacola, Florida 32502-5740

Phone Number - (850)595-8300  
 FAX Number - (850)595-8393  
 (All FAX copies and e-mails shall be followed by original copies.)

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. The method of sludge use or disposal by this facility is Class I solid waste landfill.
2. The permittee shall be responsible for proper treatment, management, use, and land application or disposal of its sludges. [62-620.320(6)]
3. Storage, transportation, and disposal of sludge/solids characterized as hazardous waste shall be in accordance with requirements of Chapter 62-730, F.A.C. [62-730]
4. The permittee shall maintain records available for inspection by the Department at the permitted facility, as follows:
  - a. Quantity of sludge generated;
  - b. Quantity of sludge transported for treatment and/or disposal;
  - c. Name and location of the site(s) to which sludge is transported;
  - d. If a person other than the permittee is responsible for sludge transportation, treatment, and/or disposal, the permittee shall also keep records of the name and address of each transporter, and copies of all shipping manifests. [62-620.320(6)]

## III. GROUND WATER REQUIREMENTS

### A. Operational Requirements

1. A zone of discharge is established for G-001 and extends horizontally along the ground surface to the property line, and vertically from the surface to the top of first significant confining unit.
2. Ground water monitoring will be in accordance with Consent Order 85-0035 and the approved Remedial Action Plan until the remedial activities are completed. When remedial activities have been completed the permittee shall submit a ground water monitoring plan that assures compliance with applicable state water quality standards and the conditions of this permit.
3. The permittee's discharge to ground water shall not cause a violation of water quality standards for ground waters at the boundary of the zone of discharge in accordance with Rules 62-520.400 and 62-520.420, F.A.C.
4. The permittee's discharge to ground water shall not cause a violation of the minimum criteria for ground water specified in Rule 62-520.400, F.A.C. and 62-520.420, F.A.C.
  - a. The permittee shall meet primary drinking water standards outside of the zone of discharge per 62-520.420(1) F.A.C.
  - b. The permittee is exempt from meeting the secondary drinking water standards outside of the zone of discharge per 62-520.520(1), F.A.C. to the extent allowed by Consent Order 85-0035.

## 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 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 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. Section VII is not applicable to this facility.

## 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 Northwest District 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 Northwest District 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)]*

#### 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, 62-601, 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's Northwest District any noncompliance which may endanger health or the environment. Any information shall be provided orally within 24 hours from the time the permittee becomes aware of the circumstances. A written submission shall also be provided within five days of the time the permittee becomes aware of the circumstances. The written submission shall contain: a description of the noncompliance and its cause; the period of noncompliance including exact dates and time, and if the noncompliance has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent recurrence of the noncompliance.
  - a. The following shall be included as information which must be reported within 24 hours under this condition:
    - (1) Any unanticipated bypass which causes any reclaimed water or effluent to exceed any permit limitation or results in an unpermitted discharge,
    - (2) Any upset which causes any reclaimed water or the effluent to exceed any limitation in the permit,
    - (3) Violation of a maximum daily discharge limitation for any of the pollutants specifically listed in the permit for such notice, and
    - (4) Any unauthorized discharge to surface or ground waters.

- b. Oral reports as required by this subsection shall be provided as follows:
- (1) For unauthorized releases or spills of 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 STATE WARNING POINT TOLL FREE NUMBER (800) 320-0519, as soon as practical, but no later than 24 hours from the time the permittee becomes aware of the discharge. The permittee, to the extent known, shall provide the following information to the State Warning Point:
    - (a) Name, address, and telephone number of person reporting;
    - (b) Name, address, and telephone number of permittee or responsible person for the discharge;
    - (c) Date and time of the discharge and status of discharge (ongoing or ceased);
    - (d) Characteristics of the wastewater spilled or released (untreated or treated, industrial or domestic wastewater);
    - (e) Estimated amount of the discharge;
    - (f) Location or address of the discharge;
    - (g) Source and cause of the discharge;
    - (h) Whether the discharge was contained on-site, and cleanup actions taken to date;
    - (i) Description of area affected by the discharge, including name of water body affected, if any; and
    - (j) Other persons or agencies contacted.
  - (2) Oral reports, not otherwise required to be provided pursuant to subparagraph b.1 above, shall be provided to the Department's Northwest District within 24 hours from the time the permittee becomes aware of the circumstances.
- c. If the oral report has been received within 24 hours, the noncompliance has been corrected, and the noncompliance did not endanger health or the environment, the Department's Northwest District shall waive the written report.

[62-620.610(20)]

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.5. 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 Pensacola, Florida.

STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION



David P. Morres, P.E.  
Program Administrator, Water Facilities

DATE: June 27, 2013

Attachments:  
DMR Part A G-001  
DMR Part B Daily  
DMR Instructions

**DEPARTMENT OF ENVIRONMENTAL PROTECTION DISCHARGE MONITORING REPORT - PART A**

**When Completed mail this report to:** Department of Environmental Protection, Wastewater Compliance Evaluation Section, MS 3551, 2600 Blair Stone Road, Tallahassee, FL 32399-2400

PERMITTEE NAME: General Chemical  
 MAILING ADDRESS: 281 Chemical Dr  
 Port Saint Joe, Florida 32456-5235

FACILITY: General Chemical LLC - Port St Joe  
 LOCATION: 281 Chemical Dr  
 Port Saint Joe, FL 32456-5235

COUNTY: Gulf  
 OFFICE: Northwest District

PERMIT NUMBER: FLA010102-005-1WIN  
 LIMIT: Final  
 CLASS SIZE: N/A  
 MONITORING GROUP NUMBER: G-001  
 MONITORING GROUP DESCRIPTION: APR Wash Tank Water  
 RE-SUBMITTED DMR:   
 NO DISCHARGE FROM SITE:   
 MONITORING PERIOD From: \_\_\_\_\_ To: \_\_\_\_\_

REPORT FREQUENCY: Monthly  
 PROGRAM: Industrial

Parameter	Quantity or Loading	Units	Quality or Concentration	Units	No. Ex.	Frequency of Analysis	Sample Type
Flow, Total Volume	Sample Measurement						
PARM Code 82220 1 Mon. Site No. EFF-001	Permit Requirement	Mgal/mth	Report (Mo. Total)			Monthly	Calculated
pH	Sample Measurement						
PARM Code 00400 1 Mon. Site No. EFF-001	Permit Requirement		6.5 (Day.Min.)	8.5 (Day.Max.)		Monthly	Grab
Solids, Total Dissolved (TDS)	Sample Measurement						
PARM Code 70295 1 Mon. Site No. EFF-001	Permit Requirement			Report (Day.Max.)		Monthly	Grab
Sulfate, Total	Sample Measurement						
PARM Code 00945 1 Mon. Site No. EFF-001	Permit Requirement			Report (Day.Max.)		Monthly	Grab
Aluminum, Total Recoverable	Sample Measurement						
PARM Code 01104 1 Mon. Site No. EFF-001	Permit Requirement			Report (Day.Max.)		Monthly	Grab
Iron, Total Recoverable	Sample Measurement						
PARM Code 00980 1 Mon. Site No. EFF-001	Permit Requirement			Report (Day.Max.)		Monthly	Grab
Manganese, Total Recoverable	Sample Measurement						
PARM Code 11123 1 Mon. Site No. EFF-001	Permit Requirement			Report (Day.Max.)		Monthly	Grab

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

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

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

# DAILY SAMPLE RESULTS - PART B

Permit Number:  
Monitoring Period

FLA010102-005-IWIN  
From: \_\_\_\_\_

To: \_\_\_\_\_

Facility: General Chemical LLC - Port St Joe

	Aluminum, Total Recoverable mg/L	Iron, Total Recoverable mg/L	Manganese, Total Recoverable mg/L	Solids, Total Dissolved (TDS) mg/L	Sulfate, Total mg/L	pH s.u.				
Code	01104	00980	11123	70295	00945	00400				
Mon. Site	EFF-001	EFF-001	EFF-001	EFF-001	EFF-001	EFF-001				
1										
2										
3										
4										
5										
6										
7										
8										
9										
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24										
25										
26										
27										
28										
29										
30										
31										
Total										
Mo. Avg.										

## INSTRUCTIONS FOR COMPLETING THE WASTEWATER DISCHARGE MONITORING REPORT

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

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

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

CODE	DESCRIPTION/INSTRUCTIONS	CODE	DESCRIPTION/INSTRUCTIONS
ANC	Analysis not conducted.	NOD	No discharge from/to site.
DRY	Dry Well	OPS	Operations were shutdown so no sample could be taken.
FLD	Flood disaster.	OTH	Other. Please enter an explanation of why monitoring data were not available.
IFS	Insufficient flow for sampling.	SEF	Sampling equipment failure.
LS	Lost sample.		
MINR	Monitoring not required this period.		

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

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

### PART A -DISCHARGE MONITORING REPORT (DMR)

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

**Resubmitted DMR:** Check this box if this DMR is being re-submitted because there was information missing from or information that needed correction on a previously submitted DMR. The information that is being revised should be clearly noted on the re-submitted DMR (e.g. highlight, circle, etc.)

**No Discharge From Site:** Check this box if no discharge occurs and, as a result, there are no data or codes to be entered for all of the parameters on the DMR for the entire monitoring group number; however, if the monitoring group includes other monitoring locations (e.g. influent sampling), the "NOD" code should be used to individually denote those parameters for which there was no discharge.

**Monitoring Period:** Enter the month, day, and year for the first and last day of the monitoring period (i.e. the month, the quarter, the year, etc.) during which the data on this report were collected and analyzed.

**Sample Measurement:** Before filling in sample measurements in the table, check to see that the data collected correspond to the limit indicated on the DMR (i.e. interim or final) and that the data correspond to the monitoring group number in the header. Enter the data or calculated results for each parameter on this row in the non-shaded area above the limit. Be sure the result being entered corresponds to the appropriate statistical base code (e.g. annual average, monthly average, single sample maximum, etc.) and units.

**No. Ex.:** Enter the number of sample measurements during the monitoring period that exceeded the permit limit for each parameter in the non-shaded area. If none, enter zero.

**Frequency of Analysis:** The shaded areas in this column contain the minimum number of times the measurement is required to be made according to the permit. Enter the actual number of times the measurement was made in the space above the shaded area.

**Sample Type:** The shaded areas in this column contain the type of sample (e.g. grab, composite, continuous) required by the permit. Enter the actual sample type that was taken in the space above the shaded area.

**Signature:** This report must be signed in accordance with Rule 62-620.305, F.A.C. Type or print the name and title of the signing official. Include the telephone number where the official may be reached in the event there are questions concerning this report. Enter the date when the report is signed.

**Comment and Explanation of Any Violations:** Use this area to explain any exceedances, any upset or by-pass events, or other items which require explanation. If more space is needed, reference all attachments in this area.

**PART B - DAILY SAMPLE RESULTS**

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

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

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

**PART D - GROUND WATER MONITORING REPORT**

**Monitoring Period:** Enter the month, day, and year for the first and last day of the monitoring period (i.e. the month, the quarter, the year, etc.) during which the data on this report were collected and analyzed.  
**Date Sample Obtained:** Enter the date the sample was taken. Also, check whether or not the well was purged before sampling.

**Time Sample Obtained:** Enter the time the sample was taken.

**Sample Measurement:** Record the results of the analysis. If the result was below the minimum detection limit, indicate that.

**Detection Limits:** Record the detection limits of the analytical methods used.

**Analysis Method:** Indicate the analytical method used. Record the method number from Chapter 62-160 or Chapter 62-601, F.A.C., or from other sources.

**Sampling Equipment Used:** Indicate the procedure used to collect the sample (e.g. airlift, bucket/bailer, centrifugal pump, etc.)

**Samples Filtered:** Indicate whether the sample obtained was filtered by laboratory (L), filtered in field (F), or unfiltered (N).

**Signature:** This report must be signed in accordance with Rule 62-620.305, F.A.C. Type or print the name and title of the signing official. Include the telephone number where the official may be reached in the event there are questions concerning this report. Enter the date when the report is signed.

**Comments and Explanation:** Use this space to make any comments on or explanations of results that are unexpected. If more space is needed, reference all attachments in this area.

**SPECIAL INSTRUCTIONS FOR LIMITED WET WEATHER DISCHARGES**

**Flow (Limited Wet Weather Discharge):** Enter the measured average flow rate during the period of discharge or divide gallons discharged by duration of discharge (converted into days). Record in million gallons per day (MGD).

**Flow (Upstream):** Enter the average flow rate in the receiving stream upstream from the point of discharge for the period of discharge. The average flow rate can be calculated based on two measurements; one made at the start and one made at the end of the discharge period. Measurements are to be made at the upstream gauging station described in the permit.

**Actual Stream Dilution Ratio:** To calculate the Actual Stream Dilution Ratio, divide the average upstream flow rate by the average discharge flow rate. Enter the Actual Stream Dilution Ratio accurate to the nearest 0.1.

**No. of Days the SDF > Stream Dilution Ratio:** For each day of discharge, compare the minimum Stream Dilution Factor (SDF) from the permit to the calculated Stream Dilution Ratio. On Part B of the DMR, enter an asterisk (\*) if the SDF is greater than the Stream Dilution Ratio on any day of discharge. On Part A of the DMR, add up the days with an "\*\*" and record the total number of days the Stream Dilution Factor was greater than the Stream Dilution Ratio.

**CBOD<sub>5</sub>:** Enter the average CBOD<sub>5</sub> of the reclaimed water discharged during the period shown in duration of discharge.

**TKN:** Enter the average TKN of the reclaimed water discharged during the period shown in duration of discharge.

**Actual Rainfall:** Enter the actual rainfall for each day on Part B. Enter the actual cumulative rainfall to date for this calendar year and the actual total monthly rainfall to date for this calendar year is the total amount of rain, in inches, that has been recorded since January 1 of the current year through the month for which this DMR contains data.

**Rainfall During Average Rainfall Year:** On Part A, enter the total monthly rainfall during the average rainfall year and the cumulative rainfall for the average rainfall year. The cumulative rainfall for the average rainfall year is the amount of rain, in inches, which fell during the average rainfall year from January through the month for which this DMR contains data.

**No. of Days LWWD Activated During Calendar Year:** Enter the cumulative number of days that the limited wet weather discharge was activated since January 1 of the current year.

**Reason for Discharge:** Attach to the DMR a brief explanation of the factors contributing to the need to activate the limited wet weather discharge.

**STATEMENT OF BASIS  
FOR  
STATE OF FLORIDA INDUSTRIAL WASTEWATER FACILITY PERMIT**

PERMIT NUMBER: FLA010102  
 FILE NUMBER: FLA010102-005-IW1N/NR  
 FACILITY NAME: General Chemical LLC  
 FACILITY LOCATION: 281 Chemical Dr, Port Saint Joe, FL 32456-5235, Gulf County  
 NAME OF PERMITTEE: General Chemical LLC  
 PERMIT WRITER: W. Armstrong, P.E.

**1. SUMMARY OF APPLICATION**

a. Chronology of Application

File Number: FLA010102-005-IW1N/NR  
 Application Submittal Date: March 18, 2013

b. Type of Facility

The facility manufactures liquid aluminum sulfate (alum) from clay or bauxite, sulfuric acid and water. The process water is made up of treated recovered ground water, deep well water and rainwater. The constituents are mixed in above ground tanks for processing after completion of the chemical reactions the liquid alum is drawn off. The residue from the process, alum process residue (APR), is pumped to a tank for washing and treatment prior to transfer to the settling ponds. The facility has a design production capacity of 150 tons per day of aluminum sulfate.

SIC Code: 2819 - All Other Basic Inorganic Chemical Manufacturing

c. Facility Capacity

Existing Permitted Capacity:	0.0144 mgd Design Flow
Proposed Increase in Permitted Capacity:	0 mgd Design Flow
Proposed Total Permitted Capacity:	0.0144 mgd Design Flow

d. Description of Wastewater Treatment, Effluent Disposal and Land Application

Residue from the production of aluminum sulfate (APR) is pumped to a tank where it is washed and then treated with a lime slurry to adjust the pH to above 8.5 s.u. After a reaction period the neutralized APR is routed to two settling/percolation ponds. The water in the ponds is disposed of by percolation and evaporation; the solids are periodically removed and disposed of at approved Class I landfills or reused as approved by the Department. The two settling ponds are 1.0 and 1.5 acres in surface area (approximately 2.2 and 4.7 million gallons each) and have a design capacity of 14,400 gallons per day.

**2. SUMMARY OF SURFACE WATER DISCHARGE**

This facility does not discharge to surface waters.

3. BASIS FOR PERMIT LIMITATIONS AND MONITORING REQUIREMENTS

This facility will be authorized to discharge process wastewater and stormwater to Land Application System G-001 based on the following proposed monitoring and limits:

Parameter	Units	Max/Min	Limit	Statistical Basis	Rationale
Flow, Total Volume	Mgal/mth	Max	Report	Monthly Total	62-620.320(6)
pH	s.u.	Min	6.5	Daily Minimum	62-550 Table 2
		Max	8.5	Daily Maximum	Secondary Drinking Water Standards
Solids, Total Dissolved (TDS)	mg/L	Max	Report	Daily Maximum	62-550 Table 2 Secondary Drinking Water Standards
Sulfate, Total	mg/L	Max	Report	Daily Maximum	62-550 Table 2 Secondary Drinking Water Standards
Aluminum, Total Recoverable	mg/L	Max	Report	Daily Maximum	62-550 Table 2 Secondary Drinking Water Standards
Iron, Total Recoverable	mg/L	Max	Report	Daily Maximum	62-550 Table 2 Secondary Drinking Water Standards
Manganese, Total Recoverable	mg/L	Max	Report	Daily Maximum	62-550 Table 2 Secondary Drinking Water Standards

4. DISCUSSION OF CHANGES TO PERMIT LIMITATIONS

The current wastewater permit for this facility is file number FLA010102-005-IWIN/NR. The monitoring requirements of the current permit are as follows:

Parameter	Units	Max/Min	Limit	Statistical Basis	Rationale
Flow, Total Volume	Mgal/mth	Max	Report	Monthly Total	62-620.320(6)
pH	s.u.	Min	6.5	Daily Minimum	62-550 Table 2
		Max	8.5	Daily Maximum	Secondary Drinking Water Standards
Arsenic, Total Recoverable	mg/L	Max	0.01	Daily Maximum	62-550 Table 1 Primary Drinking Water Standards
Chromium, Total Recoverable	mg/L	Max	0.10	Daily Maximum	62-550 Table 1 Primary Drinking Water Standards
Lead, Total Recoverable	mg/L	Max	0.015	Daily Maximum	62-550 Table 1 Primary Drinking Water Standards
Selenium, Total Recoverable	mg/L	Max	0.05	Daily Maximum	62-550 Table 1 Primary Drinking Water Standards
Silver, Total Recoverable	mg/L	Max	0.10	Daily Maximum	62-550 Table 1 Primary Drinking Water Standards

The limits in the proposed permit have been revised from the current permit to better align the industrial wastewater permit (FLA010102) monitoring with the ongoing groundwater remediation efforts and requirements of CO 85-0035, effective December 17, 1985. Historic monitoring indicates “non-detects” for most of the monitored parameters in the industrial wastewater permit and very low levels for those that were detected. These five Primary Drinking Water parameters are no longer characteristic of the effluent.

5. INDUSTRIAL SLUDGE MANAGEMENT

Sediments and sludges that are periodically removed from the settling ponds may be disposed of at approved Class I landfills or otherwise (land application and beneficial reuse) as approved by the Department.

6. GROUND WATER MONITORING REQUIREMENTS

Ground water monitoring will be in accordance with Consent Order 85-0035 and the approved Remedial Action Plan until the remedial activities are completed. When remedial activities have been completed the permittee shall submit a ground water monitoring plan that assures compliance with applicable state water quality standards and the conditions of this permit

The permittee is an "existing installation" and therefore is exempt from meeting the secondary drinking water standards outside of the zone of discharge per 62-520.520(1), F.A.C. to the extent allowed by Consent Order 85-0035.

7. PERMIT SCHEDULES

This renewal application was for a two year period. The application fee was prorated for two rather than a five year permit. The Facility intends to close and cease operations within the permits two year period. The two year permit period can not be extended because the fee was prorated. A renewal application is required if the permit is required after the two year expiration date.

8. BEST MANAGEMENT PRACTICES/STORMWATER POLLUTION PREVENTION PLANS

This section is not applicable to this facility.

9. ADMINISTRATIVE ORDERS (AO) AND CONSENT ORDERS (CO)

This facility has entered into CO 85-0035, effective December 17, 1985, with the Department, which includes a schedule of compliance and management of groundwater remediation activities.

10. REQUESTED VARIANCES OR ALTERNATIVES TO REQUIRED STANDARDS

No variances were requested for this facility.

11. THE ADMINISTRATIVE RECORD

The administrative record including application, draft permit, fact sheet, public notice (after release), comments received and additional information is available for public inspection during normal business hours at the location specified in item 13. Copies will be provided at a minimal charge per page.

12. PROPOSED SCHEDULE FOR PERMIT ISSUANCE

Notice of Permit Issuance

June 27, 2013

13. DEP CONTACT

Additional information concerning the permit and proposed schedule for permit issuance may be obtained during normal business hours from:

William Armstrong  
Professional Engineer II  
Northwest District Office

160 W. Government Street, Suite 308  
Pensacola, FL 32502-5740

Telephone No.: (850) 595-0554



**FLORIDA DEPARTMENT OF  
ENVIRONMENTAL PROTECTION**  
NORTHWEST DISTRICT  
160 W. GOVERNMENT STREET, SUITE 308  
PENSACOLA, FL 32502

RICK SCOTT  
GOVERNOR

HERSCHEL T. VINYARD JR.  
SECRETARY

June 24, 2013

BY ELECTRONIC MAIL  
bobbyl@readymixusa.com

Ready Mix USA, LLC  
Robert Lindsey  
Post Office Box 101868  
Birmingham, Alabama 35210

Re: Ready Mix USA-Port St. Joe  
1001 Cecil Costin Boulevard  
Port Saint Joe, Florida 32456

File No. FLG110440-004-IWCB/GE  
Gulf County  
Effective Date: February 03, 2014  
Expiration Date: February 02, 2019

FILED FOR RECORD  
REBECCA L. NORRIS  
CLERK OF CIRCUIT COURT  
GULF COUNTY, FLORIDA  
2013 JUL -2 AM 10:49

Dear Mr. Lindsey:

In response to your request for continued coverage under the Generic Permit for Discharges from Concrete Batch Plants for the above referenced facility dated May 24, 2013, the Department of Environmental Protection hereby grants your request effective on February 03, 2014. Your permit coverage identification number is FLG110440-004-IWCB/GE. Please refer to this number in all correspondence or permit inquiries.

A copy of the effective Generic Permit and applicable rules from Chapter 62-621 and Chapter 62-620, Florida Administrative Code (F.A.C.) are enclosed. Your use of the Generic Permit is valid until February 02, 2019. If you wish to continue coverage beyond expiration of the current coverage, request for continued coverage shall be made in accordance with the Generic Permit at least 180 days before expiration. All correspondence, including the request for continued coverage under Section VII.D of the Generic Permit, shall be submitted to the Northwest District Office.

Pursuant to Section 403.087, Florida Statutes (F.S.) and Rule 62-4.052(8)(b), F.A.C., you will be invoiced each year for the regulatory program and surveillance fee which will be due on January 15 each year. The annual fee applicable to your facility is \$200 per year. If you have any questions about the fee or its applicability, please contact the Wastewater Compliance Evaluation Section at (850) 245-8567.

A person whose substantial interests are affected by the Department's permitting decision may petition for an administrative proceeding (hearing) under Sections 120.569 and 120.57, F.S. Please see "Attachment A" regarding Notice of Rights for additional information.

If you have any questions or comments regarding coverage under the generic permit, please contact Cecily Tart at (850) 595-0656, [cecily.tart@dep.state.fl.us](mailto:cecily.tart@dep.state.fl.us).

PERMITTEE: Ready Mix USA, LLC  
 Facility: Ready Mix USA Port St Joe  
 Generic Permit for Discharges from Concrete Batch Facilities  
 Page 2 of 2

Sincerely,



William A. Evans, P.E.  
 Wastewater Permitting Supervisor

#### CERTIFICATE OF SERVICE

The undersigned duly designated deputy clerk hereby certifies that this NOTICE OF PERMIT was mailed electronically before the close of business.

#### FILING AND ACKNOWLEDGMENT

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



Clerk

June 24, 2013  
 Date

#### Enclosures:

Generic Permit for Discharges from Concrete Batch Plants, Chapter 62-621.300(3)(a)  
 Applicable rules from Chapter 62-621, F.A.C., Generic Permits  
 Applicable conditions from Rule 62-620.610, F.A.C., General Conditions for All Permits  
 Attachment A- Notice of Rights

c:

Wiley Willoughby, Ready Mix USA, LLC (WileyW@readymixusa.com)  
 Chair, Gulf County Board of County Commissioners, Nathan Peters, Jr.  
 (commissioner4@gulfcounty-fl.gov)  
 Gulf County Public Health Department, Environmental Supervisor, Zachary Hodges  
 (zachary\_hodges@doh.state.fl.us)  
 FDEP Northwest District Panama City

**State of Florida**  
**Department of Environmental Protection**

**Generic Permit**  
**For**  
**Discharges From**  
**Concrete Batch Plants**

**March 10, 1997**

This permit is issued under the provisions of Section 403.0885 and Part IV of Chapter 373, Florida Statutes, and applicable rules of the Florida Administrative Code and constitutes authorization to discharge to waters of the state under the National Pollutant Discharge Elimination System (NPDES). Until this permit expires, is terminated, modified or revoked, permittees that have properly obtained coverage under this permit are authorized to construct and operate facilities and discharge to ground and surface waters of the state in accordance with the terms and conditions of this permit.

## Part I            General Provisions

### A.    Applicability and Coverage

1. For new concrete batch plants, this generic permit authorizes construction and operation of wastewater and stormwater management systems under Section 403.0885, F.S., and stormwater management facilities under Part IV of Chapter 373, F.S., or Chapter 62-25, F.A.C. For existing concrete batch plants, this generic permit authorizes operation of wastewater and stormwater management systems under Section 403.0885, F.S. This generic permit also constitutes authorization to construct and operate closed-loop recycling vehicle/equipment washing facilities at concrete batch plants.
2. This generic permit does not constitute authorization under Part IV of Chapter 373, F.S., for the construction, alteration, operation, maintenance, abandonment, or removal of any stormwater management system, dam, impoundment, reservoir, or appurtenant work or works, including dredging or filling, in, on or over wetlands and other surface waters, as determined by the methodology authorized in Subsection 373.421(1), F.S. This generic permit does not constitute authorization under Part IV of Chapter 373, F.S., for the construction, alteration, operation, maintenance, abandonment, or removal of any stormwater management system, dam, impoundment, reservoir, or appurtenant work or works within the Sensitive Karst Areas Basin as defined in Rule 40C-41.023(5), F.A.C.; Riparian Habitat Protection Zones designated in Rules 40C-41.063(3)(e)1.a.-c. and 40C-41.063(5)(d)1.a.-d., F.A.C.; and the Water Quality Protection Zone designated in Rule 40C-41.063(3)(c), F.A.C.
3. Coverage under this generic permit is available for new concrete batch plants which meet the criteria specified in this permit, excluding Part III, and existing concrete batch plants which meet the criteria specified in this permit, excluding Part II.
4. New and existing concrete batch plants which do not qualify for coverage or do not choose to be covered under this generic permit shall apply for an individual wastewater permit on the appropriate form listed in Rule 62-620.910, F.A.C., and in the manner established in Chapter 62-620, F.A.C., including submittal of the appropriate processing fee set forth in Rule 62-4.050, F.A.C.

### B.    Definitions

For the purposes of this generic permit the following definitions shall apply, unless otherwise indicated:

1. "Concrete Batch Plant" or "Ready-mix Concrete Batch Plant" means a ready-mixed concrete production plant engaged primarily in the manufacture of portland cement concrete which is delivered to users in a plastic and unhardened state. Industrial activities associated with ready-mixed concrete production are classified as Standard Industrial Classification Code (SIC) 3273.
2. "Existing Facility" or "Existing Concrete Batch Plant" means a concrete batch plant which was in operation on or before May 9, 1996.
3. "Expansion" means an increase in area or impervious surface of a concrete batch plant site which results in a substantial increase in the volume of runoff generated at the site.
4. "New Facility" or "New Concrete Batch Plant" means a concrete batch plant which was constructed or placed into operation after May 9, 1996, or an existing facility to which an expansion was made after May 9, 1996.
5. "Type I Wastewater" means wastewater generated during general industrial activities at a concrete batch plant including conveyor washdown; washing of mixing plant and slump racks, and other similar sources; washing of mixer truck chutes and dust spray-off from mixer truck exteriors; runoff from water sprayed on aggregate piles, including reclaimed Type II wastewater used for this purpose; water sprayed for dust control; contact stormwater runoff; and any water that comes into contact with this wastewater. This term does not include mixer truck undercarriage washing or other truck or equipment washing.

6. "Type II Wastewater" means wastewater generated from washout of the interior of a concrete truck mixer drum and any water that comes into contact with this wastewater, excluding contact as a result of spraying reclaimed Type II wastewater on aggregate piles.
7. "Contact Stormwater" means stormwater that has the potential to come into contact with areas of industrial activity on a concrete batch plant site. As used herein, this term is synonymous with "stormwater associated with industrial activity" as defined in 40 CFR 122.26.
8. "Non-contact Stormwater" means stormwater that does not have the potential to come into contact with areas of industrial activity on a concrete batch plant site. As used herein, this term excludes any "stormwater associated with industrial activity" as defined in 40 CFR 122.26.

C. Request for Coverage

1. Requests for coverage under this generic permit shall be submitted to the appropriate district office of the Department, as listed in condition VII.A.1. For new facilities, requests for coverage shall be submitted at least 30 days prior to planned commencement of construction of Type I wastewater management systems, Type II wastewater containment systems, and non-contact stormwater management systems. Requests for coverage for new and existing facilities shall include the following items:
  - a. Completed Notice of Intent to Use Generic Permit for Discharges from Concrete Batch Plants, DEP Form 62-621.300(3)(b).
  - b. Applicable general permit fee pursuant to Rule 62-4.050, F.A.C.
  - c. Engineering report, signed and sealed by a professional engineer in accordance with condition VII.A.3., containing the following:
    - (1) A description of the Type II wastewater containment system, Type I wastewater management system, and any on-site non-contact stormwater management facilities.
    - (2) A site plan indicating the location of the Type I and Type II wastewater systems, and any on-site non-contact stormwater facilities, and delineating areas contributing drainage into each system. The direction of flow should be indicated on the site plan. The site plan shall also clearly indicate the location of any points of discharge.
    - (3) The design criteria on which the wastewater and stormwater systems are based, such as: the calculation of design average daily flow of the non-stormwater components of Type I and Type II wastewater; stormwater runoff calculations; design storms utilized; sources of data for rainfall or design storm information; stage/storage calculations; determination of percolation rates; and, any other information or assumptions used for design.
    - (4) A description of the operational mode of Type I and Type II wastewater systems, including pumping or other conveyance systems and use or recycling of reclaimed Type I and Type II wastewater.
    - (5) A description of any facilities for handling, use, or disposal of solids from Type II wastewater containment systems or Type I wastewater management systems.
    - (6) The location on the site and a description of any closed-loop recycling vehicle/equipment washing facilities.

D. Period of Coverage

1. Coverage under this generic permit shall be effective upon written notification by the Department. The Department shall process requests for coverage under this generic permit pursuant to the provisions of Rule 62-620.510(1)-(5) and (8), F.A.C.
2. Coverage under this generic permit is limited to a term not to exceed five years from the effective date of coverage.

**Part II      Design and Operational Requirements for Type II Wastewater, Type I Wastewater and Non-contact Stormwater Management Facilities for New Concrete Batch Plants**

A. Type II wastewater facilities:

1. The permittee shall construct and place into operation, in accordance with the compliance schedule for new facilities contained in Part VI of this generic permit, an impermeable facility for containment and reclamation of all Type II wastewater produced. (For purposes of this generic permit, a Type II wastewater containment system constructed of concrete shall be considered impermeable.) In addition to containing produced Type II wastewater, the wastewater containment system shall provide sufficient capacity to retain the volume of rainfall which falls directly into the Type II wastewater containment system and stormwater runoff from the area contributing drainage into the Type II wastewater containment system, resulting from the 25-year, 24-hour storm event identified in the engineering report.
2. There shall be no discharge from the Type II wastewater containment system except following a rainfall event exceeding the 25-year, 24-hour storm event.
3. All produced Type II wastewater shall be discharged to the Type II wastewater containment system.
4. There shall be no direct discharge from the Type II wastewater containment system to ground or surface waters of the state. (For purposes of this condition, "waters" shall be as defined in Section 403.031, F.S.) Any overflow from the Type II wastewater containment system, as a result of rainfall in excess of the 25-year, 24-hour storm event, shall discharge to an emergency holding pond or to the Type I wastewater management system.

B. Type I wastewater and non-contact stormwater management facilities:

1. The facility shall meet the design and operational criteria of a. or b. below:
  - a. The permittee shall construct and place into operation, in accordance with the compliance schedule for new facilities contained in Part VI of this generic permit, a Type I wastewater and non-contact stormwater management system consisting of a sediment trap/diversion structure(s), an off-line wet detention facility for treatment of the first one-half (1/2) inch of runoff from the Type I area of the site (i.e., area of the site that produces Type I wastewater), and a final wet detention facility for final treatment of pre-treated Type I wastewater and non-contact stormwater as more particularly described below:

(1) Sediment trap/diversion structure(s).

The sediment trap/diversion structure(s) shall be the point of collection of all Type I wastewater from the site. They shall be designed to collect granular materials that wash off the Type I area of the site. They should be constructed of concrete, or other durable material, capable of withstanding cleaning on a routine basis. They shall be designed such that the first one-half inch of runoff from the Type I area of the site is diverted to the off-line wet detention facility described in (2) below. Runoff in excess of the first one-half inch from any event shall be diverted to the final wet detention treatment facility described in (3) below.

(2) Off-line wet detention facility for treatment of first one-half inch of runoff.

The facility shall have an outlet structure consisting of a drawdown device, such as an orifice or V- or square-notch weir, and an overflow device, such as a standpipe or weir. The facility shall provide a treatment volume between the drawdown device (control) elevation and the overflow device elevation. The design treatment volume shall be sufficient to detain a minimum of one-half inch of runoff from the Type I area of the site. The drawdown device shall be designed such that one-half the treatment volume is recovered within the first 48 to 60 hours following any runoff producing event. Drawdown devices smaller than three inches minimum width, or less than 20 degrees for "V" notches, shall include a device to eliminate clogging (i.e., baffles, grates, etc.). The control elevation should be set at or above the design tailwater elevation at the point of discharge to the conveyance to the final wet detention facility and the seasonal high water table elevation to assure that the facility can effectively recover the treatment volume.

The facility shall provide a permanent (wet) pool below the control elevation. The permanent pool volume shall provide at least a 14-day residence time (the average time required to renew the water volume of the permanent pool) during the wettest three month period of the year. The facility's permanent pool maximum depth shall not exceed 12-feet and the facility's mean depth (permanent pool volume divided by surface area at the control elevation) should be between 2- and 8-feet.

The facility's configuration should be designed to minimize short circuiting and maximize mixing (i.e., flow path through facility has an average length to width ratio of at least 2:1, inlet and outlet locations maximize flow paths, etc.).

Discharge from the outlet structure shall be conveyed to the final wet detention facility described in (3) below.

(3) Final wet detention treatment facility.

The facility shall detain and treat the discharge from the off-line wet detention facility described in (2) above and runoff from the Type I area and non-contact stormwater area of the site.

The facility shall have an outlet structure consisting of a drawdown device, such as an orifice or V- or square-notch weir, and an overflow device, such as a standpipe or weir. The facility shall provide a treatment volume between the drawdown device (control) elevation and the overflow device elevation. The design treatment volume shall be sufficient to detain, at a minimum, discharge from the off-line wet detention facility and the greater of: one inch of runoff from the entire site; or 2.5-inches of runoff from the impervious area of the entire site. The drawdown device shall be designed such that one-half the treatment volume is recovered within the first 48 to 60 hours following any runoff producing event. Drawdown devices smaller than three inches minimum width, or less than 20 degrees for "V" notches, shall include a device to eliminate clogging (i.e., baffles, grates, etc.). The facility's outlet structure shall also be designed to accommodate passage of flows from the upstream wet detention facility and meet the appropriate discharge attenuation criteria pursuant to condition II.B.2. below. The control elevation should be set at or above the design tailwater elevation of the point of discharge from the site

and the seasonal high water table elevation to assure that the facility can effectively recover the treatment volume.

The facility shall provide a permanent (wet) pool below the control elevation. The permanent pool volume shall provide at least a 21-day residence time (the average time required to renew the water volume of the permanent pool) during the wettest three month period of the year. The facility's permanent pool maximum depth shall not exceed 12-feet and the facility's mean depth (permanent pool volume divided by surface area at the control elevation) should be between 2- and 8-feet.

The facility's configuration should be designed to minimize short circuiting and maximize mixing (i.e., flow path through facility has an average length to width ratio of at least 2:1, inlet and outlet locations maximize flow paths, etc.).

- b. The permittee shall construct and place into operation, in accordance with the compliance schedule for new facilities contained in Part VI of this generic permit, facilities to retain and treat Type I wastewater and non-contact stormwater as more particularly described below:
  - (1) The retention facilities shall be designed to retain runoff from the Type I area of the site (i.e., area of the site that produces Type I wastewater), including all produced Type I wastewater and runoff from the Type I area of the site contributing drainage into the retention facilities, and non-contact stormwater, resulting from the 10-year, 24-hour storm event identified in the engineering report. The retention facilities design shall demonstrate recovery of system storage capacity through percolation to ground water and evaporation.
  - (2) The Type I wastewater and non-contact stormwater retention facilities shall not discharge to surface waters except following a rainfall event exceeding the 10-year, 24-hour storm event. The volume of discharge to surface waters shall be limited to the volume of rainfall on the area contributing drainage to the retention facilities and the volume of rainfall which falls directly into the retention facilities, in excess of the 10-year, 24-hour storm event.
2. The Type I wastewater and non-contact stormwater management system constructed in accordance with condition II.B.1. above shall be designed to assure that the post-development rate of discharge of stormwater runoff from the concrete batch plant site does not exceed the pre-development rate of discharge from the site in accordance with the applicable criteria for the Water Management District in which the facility is located pursuant to Rule 62-330.200, F.A.C.
3. All facilities shall be inspected and cleaned on a routine basis to assure continued proper operation.
4. Discharge from the Type I wastewater and non-contact stormwater management system shall not cause or contribute to violations of surface water quality standards pursuant to Chapter 62-302, F.A.C.
5. There shall be no direct discharge from the Type I wastewater and non-contact stormwater management system to Outstanding Florida Waters, Outstanding National Resource Waters or Class I waters.
6. Ground water monitoring shall not be required for the Type I wastewater and non-contact stormwater management facilities. The Type I wastewater and non-contact stormwater management facilities are authorized to discharge to ground water in accordance with the following conditions:
  - a. A zone of discharge is established for the discharge of Type I wastewater and non-contact stormwater to ground water, more specifically described as follows:

The zone of discharge shall extend 100 feet from the edge of the pollution source or to the permittee's property boundary, whichever is less.

- b. Discharge to ground water shall not cause a violation of water quality standards for ground water at the boundary of the zone of discharge in accordance with Rules 62-520.400 and 62-520.420, F.A.C.
- c. Discharge to ground water shall not cause a violation of the minimum criteria for ground water specified in Rule 62-520.400, F.A.C., within the zone of discharge.

C. Wastewater and stormwater management:

- 1. The permittee shall develop and implement, in accordance with the compliance schedule for new facilities contained in Part VI of this generic permit, a Wastewater and Stormwater Management Plan (WSMP) for on-site management of wastewater and stormwater. The WSMP shall be developed in accordance with Part VIII of this generic permit.

**Part III Design and Operational Requirements for Type II Wastewater and Type I Wastewater Facilities for Existing Concrete Batch Plants**

A. Type II wastewater facilities:

- 1. The permittee shall have in place and operational, in accordance with the compliance schedule for existing facilities contained in Part VI of this generic permit, an impermeable facility for containment and reclamation of all Type II wastewater produced. (For purposes of this generic permit, a Type II wastewater containment system constructed of concrete shall be considered impermeable.) In addition to containing produced Type II wastewater, the wastewater containment system shall provide sufficient capacity to retain the volume of rainfall which falls directly into the Type II wastewater containment system and stormwater runoff from the area contributing drainage into the Type II wastewater containment system, resulting from the 25-year, 24-hour storm event identified in the engineering report.
- 2. There shall be no discharge from the Type II wastewater containment system except following a rainfall event exceeding the 25-year, 24-hour storm event.
- 3. All produced Type II wastewater shall be discharged to the Type II wastewater containment system.
- 4. There shall be no direct discharge from the Type II wastewater containment system to ground or surface waters of the state. (For purposes of this condition, "waters" shall be as defined in Section 403.031, F.S.) Any overflow from the Type II wastewater containment system, as a result of rainfall in excess of the 25-year, 24-hour storm event, shall discharge to an emergency holding pond or to the Type I wastewater management system.

B. Type I wastewater facilities:

- 1. The facility shall meet the design and operational criteria of a. or b. below:
  - a. The permittee shall have in place and operational, in accordance with the compliance schedule for existing facilities contained in Part VI of this generic permit, a Type I wastewater management system consisting of a sediment trap/diversion structure(s) and an off-line wet detention facility for treatment of produced Type I wastewater and runoff resulting from the first one-half (1/2) inch of rainfall on the Type I area of the site (i.e., area of the site that produces Type I wastewater) as more particularly described below:

## (1) Sediment trap/diversion structure(s).

The sediment trap/diversion structure(s) shall be the point of collection of all Type I wastewater from the site. They shall be designed to collect granular materials that wash off the Type I area of the site. They should be constructed of concrete, or other durable material, capable of withstanding cleaning on a routine basis. They shall be designed such that produced Type I wastewater and runoff resulting from the first one-half (1/2) inch of rainfall on the Type I area of the site is diverted to the off-line wet detention facility described in (2) below.

## (2) Off-line wet detention facility for treatment of first one-half inch of runoff.

The facility shall have an outlet structure consisting of a drawdown device, such as an orifice or V- or square-notch weir, and an overflow device, such as a standpipe or weir. The facility shall provide a treatment volume between the drawdown device (control) elevation and the overflow device elevation. The design treatment volume shall be sufficient to detain a minimum of the runoff resulting from produced Type I wastewater and the first one-half (1/2) inch of rainfall on the Type I area of the site. The drawdown device shall be designed such that one-half the treatment volume is recovered within the first 48 to 60 hours following any runoff producing event. Drawdown devices smaller than three inches minimum width, or less than 20 degrees for "V" notches, shall include a device to eliminate clogging (i.e., baffles, grates, etc.). The control elevation should be set at or above the design tailwater elevation at the point of discharge from the site and the seasonal high water table elevation to assure that the facility can effectively recover the treatment volume.

The facility shall provide a permanent (wet) pool below the control elevation. The permanent pool volume shall provide at least a 14-day residence time (the average time required to renew the water volume of the permanent pool) during the wettest three month period of the year. The facility's permanent pool maximum depth shall not exceed 12-feet and the facility's mean depth (permanent pool volume divided by surface area at the control elevation) should be between 2- and 8-feet.

The facility's configuration should be designed to minimize short circuiting and maximize mixing (i.e., flow path through facility has an average length to width ratio of at least 2:1, inlet and outlet locations maximize flow paths, etc.).

b. The permittee shall have in place and operational, in accordance with the compliance schedule for existing facilities contained in Part VI of this generic permit, facilities to retain and treat Type I wastewater as more particularly described below:

(1) The retention facilities shall be designed to retain runoff from the Type I area of the site (i.e., area of the site that produces Type I wastewater), including all produced Type I wastewater and runoff from the Type I area of the site contributing drainage into the retention facilities, resulting from the 10-year, 24-hour storm event identified in the engineering report. The retention facilities design shall demonstrate recovery of system storage capacity through percolation to ground water and evaporation.

If the engineering report substantiates that, because of topographic, geotechnical or other site specific considerations, it was not feasible to construct retention facilities on the concrete batch plant site with sufficient capacity to retain the volume of runoff from the Type I area of the site resulting from the 10-year, 24-hour storm event, then the permittee shall have in place and operational, off-line retention facilities meeting the following criteria:

(a) The retention facilities shall be designed to provide a treatment volume with sufficient capacity to retain all produced Type I wastewater and runoff resulting from either the first one (1) inch of rainfall on the Type I area of the site or the first one-half (1/2) inch of runoff from the Type I area of the site.

- (b) Capacity for the treatment volume specified in (a) above shall be provided within 72 hours following any runoff producing event. The retention facilities design shall demonstrate recovery of system storage capacity through percolation to ground water and evaporation.
- (2) The Type I wastewater retention facilities shall not discharge to surface waters except following a rainfall event which results in runoff exceeding the design runoff volume selected in accordance with (1) above. The volume of discharge to surface waters shall be limited to the volume of runoff entering the Type I wastewater retention facilities in excess of the design runoff volume selected in accordance with (1) above.
- 2. All facilities shall be inspected and cleaned on a routine basis to assure continued proper operation.
- 3. Discharge from the Type I wastewater management system shall not cause or contribute to violations of surface water quality standards pursuant to Chapter 62-302, F.A.C.
- 4. There shall be no direct discharge from the Type I wastewater management system to Outstanding Florida Waters, Outstanding National Resource Waters or Class I waters.
- 5. Ground water monitoring shall not be required for the Type I wastewater management facilities. The Type I wastewater management facilities are authorized to discharge to ground water in accordance with the following conditions:
  - a. A zone of discharge is established for the discharge of Type I wastewater to ground water, more specifically described as follows:
    - (1) For facilities defined as existing facilities in Rule 62-522.200, F.A.C., the zone of discharge shall extend horizontally to the permittee's property line.
    - (2) For facilities that are not defined as existing in Rule 62-522.200, F.A.C., the zone of discharge shall extend 100 feet from the edge of the pollution source or to the permittee's property boundary, whichever is less.
  - b. Discharge to ground water shall not cause a violation of water quality standards for ground water at the boundary of the zone of discharge in accordance with Rules 62-520.400 and 62-520.420, F.A.C.
  - c. Discharge to ground water shall not cause a violation of the minimum criteria for ground water specified in Rule 62-520.400, F.A.C., within the zone of discharge.
- C. Wastewater and stormwater management:
  - 1. The permittee shall develop and implement, in accordance with the compliance schedule for existing facilities contained in Part VI of this generic permit, a Wastewater and Stormwater Management Plan (WSMP) for on-site management of wastewater and stormwater. The WSMP shall be developed in accordance with Part VIII of this generic permit.

#### **Part IV Industrial Sludge Management Requirements**

- 1. Disposal of waste products in a solid waste management facility shall be in accordance with the requirements of Chapter 62-701, F.A.C.
- 2. Materials generated and stored on-site which are to be reused or recycled are not considered waste products.

## Part V Operation and Maintenance Requirements

### A. Operation of Treatment and Disposal Facilities

1. The permittee shall ensure that the operation of pollution control facilities is as described in the WSMP and other supporting documents.

### B. Record Keeping Requirements

1. The permittee shall maintain the following records on the site of the permitted facility and make them available for inspection:
  - a. Copies of all reports required by this generic permit for at least three years from the date the report was prepared, unless otherwise specified in the permit;
  - b. Records of all data, including reports and documents used to complete the request for coverage under this generic permit for at least three years from the date the request was filed, unless otherwise specified in the permit;
  - c. A copy of this generic permit; and
  - d. A copy of the record drawings required by condition VII.C.3. of this generic permit.

## Part VI Compliance Schedules

1. New concrete batch plants obtaining coverage under this generic permit, meeting the criteria specified in Part II, shall achieve compliance with the conditions of this generic permit in accordance with the following schedule:

#### Wastewater and Stormwater Management Plan (WSMP):

Develop WSMP ----- Prior to Effective date of coverage

Submit Notice of Availability of WSMP ----- Prior to Effective date of coverage

Implement WSMP ----- Effective date of coverage or upon commencement of operation, whichever is later

#### Other permit conditions:

Operational level attained ----- Effective date of coverage or upon commencement of operation, whichever is later

2. Existing concrete batch plants obtaining coverage under this generic permit, meeting the criteria specified in Part III, shall achieve compliance with the conditions of this generic permit in accordance with the following schedule:

#### Wastewater and Stormwater Management Plan (WSMP):

Develop WSMP ----- Effective date of coverage plus 6 months

Submit Notice of Availability of WSMP ----- Effective date of coverage plus 6 months

Implement WSMP ----- Effective date of coverage plus 12 months

Other permit conditions:

Operational level attained ----- Effective date of coverage

## Part VII Other Specific Conditions

### A. Specific Conditions Applicable to All Permits

1. Unless specified otherwise in this permit, all reports and notifications required by this permit, including twenty-four hour notifications, shall be submitted or reported, as the case may be, to the Department's Industrial Wastewater Section of the district office of the district in which the facility is located. Addresses of the Department's district offices are indicated below:

Department of Environmental Protection  
Central District Office  
3319 Maguire Boulevard, Suite 232  
Orlando, Florida 32803-3767

Phone: 407/893-3317  
Fax: 407/897-2966

Department of Environmental Protection  
South District Office  
2295 Victoria Avenue  
Fort Myers, Florida 33901

Phone: 813/332-6975  
Fax: 813/332-6969

Department of Environmental Protection  
Northeast District Office  
7825 Bay Meadows Way, Suite 200B  
Jacksonville, Florida 32256-7577

Phone: 904/448-4330  
Fax: 904/448-4366

Department of Environmental Protection  
Southeast District Office  
400 North Congress Avenue  
P.O. Box 15425  
West Palm Beach, Florida 33416-5425

Phone: 407/681-6600  
Fax: 407/681-6760

Department of Environmental Protection  
Northwest District Office  
160 Governmental Center  
Pensacola, Florida 32501-5794

Phone: 904/444-8300  
Fax: 904/444-8417

Department of Environmental Protection  
Southwest District Office  
3804 Coconut Palm Drive  
Tampa, Florida 33619-8318

Phone: 813/744-6100  
Fax: 813/744-8198

2. Drawings, plans, documents or specifications submitted by the permittee, not attached hereto, but retained on file with the Department, are made a part hereof.
3. Where specified in this generic permit, documents shall be signed and sealed by a professional engineer registered in the State of Florida pursuant to Chapter 471, F.S.
4. All of the general conditions listed in Rule 62-621.250, F.A.C., are adopted herein by reference.

**B. Specific Conditions for Closed-loop Recycling Vehicle/Equipment Washing Facilities**

1. There shall be no discharge from closed-loop recycling vehicle/equipment washing facilities to ground or surface waters of the state.
2. Rainfall, runoff and other extraneous sources of water shall be precluded from the closed-loop recycling vehicle/equipment washing facilities.
3. No oil, degreaser, engine coolant or other solid wastes shall be disposed of at the closed-loop recycling vehicle/equipment washing facilities.
4. Solids removed from sedimentation tanks and used filter materials shall be disposed of in accordance with condition IV.1.
5. Any waste oil collected from oil/water separators shall be disposed of in accordance with Chapter 62-710, F.A.C.

**C. Specific Conditions Related to Construction**

1. Prior to and during construction of systems specified in this generic permit, the permittee shall implement and maintain all erosion and sediment control measures required to retain sediment on-site and to prevent violations of state water quality standards. The permittee is encouraged to use appropriate best management practices described in the Florida Land Development Manual: A Guide to Sound Land and Water Management (Florida Department of Environmental Regulation, 1988).
2. Within thirty days of completion of construction, the permittee shall submit to the Department a completed "Certification of Completion of Construction" (DEP form 62-620.910(12)) signed and sealed by the engineer of record.
3. Record drawings shall be prepared and made available in accordance with Rule 62-620.410(10), F.A.C., within six months of placing new or substantially modified facilities into operation.

**D. Duty to Request Continued Coverage**

1. Coverage under this generic permit is limited to a term not to exceed five years from the effective date of coverage. The permittee may request continued coverage under this generic permit in accordance with the requirements contained in Section I.C. Alternatively, the permittee may request continued coverage by submitting the items specified in conditions I.C.1.a. and b. and a certification, signed and sealed by a professional engineer in accordance with condition VII.A.3., stating that no modification, as defined in Chapter 62-620, F.A.C., or expansion to the facility has been made during the current term of coverage. Request for continued coverage shall be made at least 180 days before expiration of the current coverage.

**Part VIII Wastewater and Stormwater Management Plan**

In accordance with the terms and conditions of this generic permit, the permittee is required to prepare and implement a Wastewater and Stormwater Management Plan (WSMP). The WSMP shall consist of two primary elements -- a best management practices element and a stormwater pollution prevention element. These two sections of the WSMP shall be in conformance with the provisions of Sub-parts A. and B. of this Part as follows:

A. Best Management Practices Element

1. The BMP plan element shall be prepared in accordance with Rule 62-621.700, F.A.C.
2. The following additional specific requirements shall be addressed in the BMP plan element:
  - a. Establish specific operation and maintenance requirements to ensure continued proper functioning of all on-site pollution control facilities, including the Type II wastewater containment system and Type I wastewater management system.
    - (1) Provide specific operation and maintenance procedures and schedules to assure proper long-term operation of the Type II wastewater containment system and associated appurtenances, including any necessary pumping equipment.
    - (2) Provide specific operation and maintenance procedures and schedules to assure proper long-term operation of the Type I wastewater management system components, including provisions to ensure non-clogging of outlet structures, conveyances, percolation basin bottoms, etc.
  - b. Establish specific BMPs for beneficial use/recycling of Type II wastewater and Type I wastewater, such as, cleaning out concrete truck mixer drums, manufacture of concrete, and sprinkling on aggregate piles.
  - c. Establish specific BMPs for the proper on-site handling of any sludge/solids removed from the Type II wastewater containment system or Type I wastewater management system.
3. The permittee shall amend the BMP plan element whenever there is a change in the facility or change in the operation of the facility which materially increases the potential for the ancillary activities to result in a discharge of significant amounts of pollutants or if the BMP plan element proves to be ineffective in achieving the general objective of preventing the release of significant amounts of pollutants to waters of the state.

B. Stormwater Pollution Prevention Element

1. General Requirements:

The stormwater pollution prevention plan element shall be prepared in accordance with good engineering practices. The plan element shall identify potential sources of pollution which may reasonably be expected to affect the quality of stormwater discharges associated with industrial activity from the facility. In addition, the plan element shall describe and ensure the implementation of practices which are to be used to reduce the pollutants in stormwater discharges associated with industrial activity at the facility and to assure compliance with the terms and conditions of this permit. Facilities must implement the provisions of the stormwater pollution prevention plan element required under this sub-part as a condition of this permit.

2. Signature and Review:

- a. The plan shall be signed in accordance with Rule 62-620.305, F.A.C., and be retained on-site at the facility which generates the stormwater discharge for the term of coverage under this permit.
- b. The permittee shall make plans available to the Department upon request.
- c. The Department shall notify the permittee at any time that the plan does not meet one or more of the minimum requirements of this sub-part. Such notification shall be in writing and shall identify those provisions of the permit which are not being met by the plan element, and identify which provisions of the plan element require modifications in order to meet the minimum requirements of this sub-part.

3. Keeping Stormwater Pollution Prevention Plan Element Current:

The permittee shall amend the plan element whenever there is a change in design, construction, operation, or maintenance, which has a significant effect on the potential for the discharge of pollutants to the waters of the State or if the stormwater pollution prevention plan element proves to be ineffective in eliminating or significantly minimizing pollutants from sources identified under item 4.b. (Description of Potential Pollutant Sources) of this sub-part, or in otherwise achieving the general objectives of controlling pollutants in stormwater discharges associated with industrial activity.

4. Contents of Stormwater Pollution Prevention Plan Element:

The SWPP plan element shall include, at a minimum, the following items:

a. Pollution Prevention Team.

The plan element shall identify a specific individual or individuals within the facility organization as members of a stormwater Pollution Prevention Team that are responsible for developing the stormwater pollution prevention plan element and assisting the facility or plant manager in its implementation, maintenance, and revision.

b. Description of Potential Pollutant Sources.

The plan element shall provide a description of potential sources which may reasonably be expected to add significant amounts of pollutants to stormwater discharges. The plan element shall identify all activities and significant materials which may potentially be significant pollutant sources. The term significant materials shall be as defined in 40 CFR 122.26(b)(12), the definition of which is hereby incorporated by reference. The plan element shall include, at a minimum:

(1) Drainage.

A site map indicating an outline of the portions of the drainage area of each outfall that are within the facility boundaries, each existing structural control measure to reduce pollutants in stormwater runoff, surface water bodies, locations where significant materials are exposed to precipitation, locations where major spills or leaks identified under item 4.b.(3) (Spills and Leaks) of this sub-part have occurred, and the locations of the following activities where such activities are exposed to precipitation: fueling stations; vehicle and equipment maintenance and/or cleaning areas; loading/unloading areas; locations used for the treatment, storage or disposal of wastes; liquid storage tanks, processing areas and storage areas. Facilities shall also identify, on the site map, the location of any: bag house or other dust control device; recycle/sedimentation pond, clarifier, or other device used for the treatment of wastewater, as well as the areas that drain to the treatment device.

(2) Inventory of Exposed Materials.

An inventory of the types of materials handled at the site that potentially may be exposed to precipitation. Such inventory shall include a narrative description of significant materials that have been handled, treated, stored, or disposed of in a manner to allow exposure to stormwater in the three years prior to the effective date of coverage under this permit. Additionally, the inventory shall include a narrative description of the method and location of on-site storage or disposal.

(3) Spills and Leaks.

A list of significant spills and leaks of toxic or hazardous pollutants that occurred at areas that are exposed to precipitation, or that otherwise drain to a stormwater conveyance, at the facility in the three years prior to the effective date of coverage under this permit. The term "significant spills and leaks" shall be as defined in the September 29, 1995 Federal Register (Vol. 60, no. 189, page 51123), the definition of which is hereby incorporated by reference. Such list shall be updated as additional spills and leaks occur.

c. Measures and Controls.

Each facility covered by this permit shall develop a description of stormwater management controls appropriate for the facility, and implement such controls. The appropriateness and priorities of controls in the plan element shall reflect identified potential sources of pollutants at the facility. The description of stormwater management controls shall address the following minimum components:

(1) Good Housekeeping.

Good housekeeping requires areas which may contribute pollutants to stormwater discharges to be maintained in a clean, orderly manner.

- (a) Facilities shall prevent or minimize the discharge of spilled cement, aggregate (including sand or gravel), kiln dust, fly ash, settled dust and other significant materials in stormwater from paved portions of the site that are exposed to stormwater. Measures used to minimize the presence of these materials may include regular sweeping, or other equivalent measures. The plan element shall indicate the frequency of sweeping or other measures. The frequency shall be determined based upon consideration of the amount of industrial activity occurring in the area and frequency of precipitation, but shall not be less than once per week when cement, aggregate, kiln dust or fly ash are being handled or otherwise processed in the area.
- (b) Facilities shall prevent the exposure of fine granular solids such as cement, fly ash and kiln dust to stormwater. Methods to prevent exposure of materials to stormwater include storing in enclosed silos, hoppers or buildings, in covered areas, or under covering.

(2) Preventive Maintenance.

A preventive maintenance program shall involve timely inspection and maintenance of stormwater management devices (e.g. cleaning oil/water separators, catch basins) as well as inspecting and testing facility equipment and systems to uncover conditions that could cause breakdowns or failures resulting in discharges of pollutants to surface waters, and ensuring appropriate maintenance of such equipment and systems. Facilities shall ensure that any existing dust collection systems are properly operated and maintained.

(3) Spill Response Procedures.

Procedures for cleaning up spills shall be identified in the plan element and made available to the appropriate personnel. The necessary equipment to implement a clean up should be available to personnel.

(4) Inspections.

Qualified facility personnel shall be identified to inspect designated equipment and areas of the facility specified in the plan element. The inspection frequency shall be specified in the plan element based upon a consideration of the level of industrial activity at the facility, but shall be a minimum of once per month while the facility is in operation. The inspection shall take place while the facility is in operation and shall at a minimum include all of the following areas that are exposed to stormwater at the site: material handling areas, above ground storage tanks, hoppers or silos, dust collection/containment systems, truck washdown and equipment cleaning areas. Tracking or follow-up procedures shall be used to ensure that appropriate actions are taken in response to the inspections. Records of inspections shall be maintained for the term of coverage under this permit.

(5) Employee Training.

Employee training programs shall inform personnel responsible for implementing activities identified in the stormwater pollution prevention plan element or otherwise responsible for stormwater management at all levels of responsibility of the components and goals of the stormwater pollution prevention plan element. Training should address topics such as spill response, good housekeeping, truck washout procedures, equipment washdown procedures and material management practices.

(6) Recordkeeping and Internal Reporting Procedures.

A description of incidents (such as spills, or other discharges), along with other information describing the quality and quantity of stormwater discharges shall be included in the plan element required under this sub-part. Inspections and maintenance activities shall be documented and records of such activities shall be incorporated into the plan element and shall be maintained for the term of coverage under this permit.

(7) Sediment and Erosion Control.

The plan element shall identify areas which, due to topography, activities, or other factors, have a high potential for significant soil erosion, and identify structural, vegetative, and/or stabilization measures to be used to limit erosion.

Applicable rules from Chapter 62-621, F.A.C., and applicable conditions from Rule 62-620.610, F.A.C.

**62-621.250 General Conditions.**

Unless stated otherwise in this chapter, all permits listed in this chapter are subject to the conditions in subsections 62-620.610(1)-(5), (7), (9)-(10), (13)-(15), (17)-(18), and (20)-(23), F.A.C. Additionally, the following conditions apply:

(1) When requested by the Department, the permittee shall provide any information required by law which is needed to determine whether there is cause for revising, revoking and reissuing, or terminating coverage under 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 submitted or corrections reported to the Department within 10 days of discovery.

(2) Unless specifically stated otherwise in Department rules, the permittee, in accepting this permit coverage, 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.

(3) The use of generic permits issued under this chapter is limited to a term not to exceed five years. The renewal of permit coverage shall be in accordance with Rule 62-620.335, F.A.C., unless otherwise specified in the generic permit. The application requirements for submittal of request for coverage are located in Rule 62-621.300, F.A.C., or each specific generic permit.

(4) Coverage under this generic permit may be suspended, revoked and reissued, or terminated in accordance with Rule 62-620.345, F.A.C., if the Secretary determines that there has been a violation of any of the terms or conditions of the permit, there has been a violation of state water quality standards or the permittee has submitted false, incomplete or inaccurate data or information.

*Rulemaking Authority 403.061, 403.087, 403.088, 403.0885, 403.08851 FS. Law Implemented 403.061, 403.087, 403.088, 403.0885, 403.08851 FS. History—New 8-22-95, Amended 5-1-97, 2-14-00, 10-22-00, 12-23-04.*

**62-620.610 General Conditions for All Permits.**

All permits, except General and Generic Permits, issued by the Department under this chapter shall include the following conditions:

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

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

(3) As provided in Section 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.

(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.

(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.

(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.

(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.

(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.

(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.

(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.

(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.

(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.

(18) Sampling and monitoring data shall be collected and analyzed in accordance with Rule 62-4.246, Chapters 62-160 and 62-601, F.A.C., and 40 CFR 136, as appropriate.

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

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

(a) The following shall be included as information which must be reported within 24 hours under this condition:

1. Any unanticipated bypass which causes any reclaimed water or 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.

(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 WARNING POINT TOLL FREE NUMBER (800) 320-0519, as soon as practical, but no later than 24 hours from the time the permittee becomes aware of the discharge. The permittee, to the extent known, shall provide the following information to the State Warning Point:

- a. Name, address, and telephone number of person reporting;
- b. Name, address, and telephone number of permittee or responsible person for the discharge;
- c. Date and time of the discharge and status of discharge (ongoing or ceased);
- d. Characteristics of the wastewater spilled or released (untreated or treated, industrial or domestic wastewater);
- e. Estimated amount of the discharge;
- f. Location or address of the discharge;
- g. Source and cause of the discharge;
- h. Whether the discharge was contained on-site, and cleanup actions taken to date;
- i. Description of area affected by the discharge, including name of water body affected, if any; and
- j. Other persons or agencies contacted.

2. Oral reports, not otherwise required to be provided pursuant to subparagraph (b)1. above, shall be provided to 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.

(21) The permittee shall report all instances of noncompliance not reported under conditions (17), (18) or (19) of this permit at the time monitoring reports are submitted. This report shall contain the same information required by condition (20) of this permit.

(22) Bypass Provisions.

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

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

3. The permittee submitted notices as required under condition (22)(b) of this permit.

(b) If the permittee knows in advance of the need for a bypass, it shall submit prior notice to the Department, if possible at least 10 days before the date of the bypass. The permittee shall submit notice of an unanticipated bypass within 24 hours of learning about the bypass as required in condition (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.

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

(d) A permittee may allow any bypass to occur which does not cause reclaimed water or effluent limitations to be exceeded if it is for essential maintenance to assure efficient operation. These bypasses are not subject to the provision of condition (22)(a) through (c) of this permit.

(23) Upset Provisions.

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

1. An upset occurred and that the permittee can identify the cause(s) of the upset;
2. The permitted facility was at the time being properly operated;
3. The permittee submitted notice of the upset as required in condition (20) of this permit; and
4. The permittee complied with any remedial measures required under condition (5) of this permit.

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

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

*Rulemaking Authority 403.061, 403.087 FS. Law Implemented 403.051, 403.061, 403.087, 403.088, 403.0885 FS. History--New 11-29-94, Amended 12-24-96, 10-23-00, 4-17-02, 12-23-04, 2-7-06.*

#### **62-621.260 Best Management Practices (BMP) Plan.**

When a BMP plan is required by a generic permit listed in this chapter, the permittee shall prepare the plan in accordance with the following procedures:

(1) The permittee shall maintain the BMP plan at the facility and shall make the plan available to the Department upon request.

(2) The permittee shall develop and implement a BMP plan which prevents, or minimizes the potential for, the release of pollutants from ancillary activities, including:

- (a) Material storage areas;
- (b) Plant site runoff;
- (c) In-plant transfer, process and material handling areas;
- (d) Loading and unloading operations; and

(e) Sludge and waste disposal areas, to the surface waters of the state through plant site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw material storage. The term "pollutants" refers to any substance listed as toxic under Section 307(a)(1) of the Clean Water Act (Act); oil, as defined in Section 311(a)(1) of the Act; and substances listed as hazardous under Section 311 of the Act.

(3) The publication "Guidance Manual for Developing Best Management Practices (BMP)," document number EPA 833-B-93-004, can be used as a reference which contains technical information on BMPs and the elements of the BMP program. Copies of this publication can be obtained by submitting written requests to: Department of

Environmental Protection, Bureau of Water Facilities Regulation, Industrial Wastewater Section, Mail Station #3545, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400 or Director, Water Management Division, U.S. EPA Region IV, 61 Forsyth Street, Atlanta, Georgia 30303.

*Rulemaking Authority 403.061, 403.087, 403.088, 403.0885, 403.08851 FS. Law Implemented 403.061, 403.087, 403.088, 403.0885, 403.08851 FS. History—New 12-23-04.*

**62-621.300 Permits.**

(3) Generic Permit for Discharges from Concrete Batch Plants.

(a) The document “Generic Permit for Discharges from Concrete Batch Plants,” document number 62-621.300(3)(a), issued by the Department and dated March 10, 1997, is hereby incorporated by reference and made part of this chapter. This document may be obtained by contacting either the local Department District Office, by writing the Department of Environmental Protection, Industrial Wastewater Section, Mail Station #3545, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, or from the Department’s website.

(b) Form number 62-621.300(3)(b), Notice of Intent to Use Generic Permit for Discharges from Concrete Batch Plants, effective May 10, 2005, is hereby incorporated by reference and made part of this chapter. This form may be obtained by contacting either the local Department District Office, by writing the Department of Environmental Protection, Industrial Wastewater Section, Mail Station #3545, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400 or from the Department’s website.

(c) Document number 62-621.300(3)(a) referenced in item (a) of this section contains specific design and operating requirements for discharges from wastewater and stormwater management systems at concrete batch plants.

*Rulemaking Authority 373.043, 373.1131, 373.413, 373.414, 373.416, 403.061, 403.087, 403.0877, 403.088, 403.0885 FS. Law Implemented 373.043, 373.1131, 373.413, 373.414, 373.416, 403.061, 403.087, 403.0877, 403.088, 403.0885 FS. History—New 12-24-96, Amended 5-1-97, 2-14-00, 10-22-00, 5-1-03, 12-23-04, 4-20-05, 5-10-05, 2-17-09, 4-14-11.*

## ATTACHMENT A

## NOTICE OF RIGHTS

A person whose substantial interests are affected by the Department's proposed permitting decision may petition for an administrative proceeding (hearing) under Sections 120.569 and 120.57, Florida Statutes. The petition must contain the information set forth below and must be filed (received by the Clerk) in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000.

Under Rule 62-110.106(4), Florida Administrative Code, a person may request an extension of the time for filing a petition for an administrative hearing. The request must be filed (received by the Clerk) in the Office of General Counsel before the end of the time period for filing a petition for an administrative hearing.

Petitions by the applicant or any of the persons listed below must be filed within fourteen days of receipt of this written notice. Petitions filed by any persons other than those entitled to written notice under Section 120.60(3), Florida Statutes must be filed within fourteen days of publication of the notice or within fourteen days of receipt of the written notice, whichever occurs first. Section 120.63(3), Florida Statutes, however, also allows that any person who has asked the Department for notice of agency action may file a petition within fourteen days of receipt of such notice, regardless of the date of publication.

The petitioner shall mail a copy of the petition to the applicant at the address indicated above at the time of filing. The failure of any person to file a petition or request for an extension of time within fourteen days of receipt of notice shall constitute a waiver of that person's right to request an administrative determination (hearing) under Sections 120.569 and 120.57, Florida Statutes. Any subsequent intervention (in a proceeding initiated by another party) will be only at the discretion of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205, Florida Administrative Code.

A petition that disputes the material facts on which the Department's action is based must contain the following information, as indicated in Rule 28-106.201, Florida Administrative Code:

- (a) The name and address of each agency affected and each agency's file or identification number, if known;
- (b) The name, address, and telephone number of the petitioner; the name, address, and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how the petitioner's substantial interests will be affected by the determination;
- (c) A statement of when and how the petitioner received notice of the Department's decision;
- (d) A statement of all disputed issues of material fact. If there are none, the petition must so indicate;
- (e) A concise statement of the ultimate facts alleged, including the specific facts the petitioner contends warrant reversal or modification of the Department's proposed action;
- (f) A statement of the specific rules or statutes the petitioner contends require reversal or modification of the Department's proposed action, including an explanation of how the alleged facts relate to the specific rules or statutes; and
- (g) A statement of the relief sought by the petitioner, stating precisely the action petitioner wishes the Department to take with respect to the Department's proposed action

Because the administrative hearing process is designed to formulate final agency action, the filing of a petition means that the Department's final action may be different from the position taken by it in this notice. Persons whose substantial interests will be affected by any such final decision of the Department have the right to petition to become a party to the proceeding, in accordance with the requirements set forth above.

Mediation under Section 120.573, Florida Statutes is not available for this proceeding.

This permit action is final on the date filed with the Clerk of the Department unless a petition (or request for an extension of time) is filed in accordance with the above. Upon the timely filing of a petition (or request for an extension of time) this permit will not be effective until further order of the Department.

Any party to the permit has the right to seek judicial review of the permit action under Section 120.68, Florida Statutes, by the filing of a notice of appeal under Rules 9.110 and 9.190, Florida Rules of Appellate Procedure with the Clerk of the Department in the Office of General Counsel, 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida, 32399-3000, and by filing a copy of the notice of appeal accompanied by the applicable filing fees with the appropriate district court of appeal. The notice of appeal must be filed within 30 days from the date when this permit action is filed with the Clerk of the Department.



Florida Department of Revenue  
Tax Information Publication

**TIP**

No: 13B05-02

Date Issued:  
June 28, 2013

Gulf County Clerk of Circuit Court  
Attn: Clerk  
1000 Cecil G. Costin Sr. Blvd.  
Port St. Joe FL 32456

FILED FOR RECORD  
REBECCA L. MORRIS  
CLERK OF CIRCUIT COURT  
GULF COUNTY, FLORIDA  
2013 JUN 28 AM 11:48

### Change in the Registration Requirement for Certain Biodiesel Fuel Manufacturers

Effective July 1, 2013, section 206.02, Florida Statutes is amended to relieve municipalities, counties, or school districts from the requirement to obtain a wholesaler license if they manufacture biodiesel fuel for self-consumption.

Instead, a municipality, county, or school district that manufactures biodiesel for its own use must obtain a local government user of diesel fuel license by filing a *Florida Fuel Tax Application* (Form DR-156). Upon receipt of the license, the local government must file a *Local Government User of Diesel Fuel Tax Return* (Form DR-309634) each month to account for biodiesel produced and product remaining in inventory. A local government user of diesel fuel must remit the required tax owed on all biodiesel manufactured for its own use.

A municipality, county, or school district that manufactures biodiesel fuel for sale must obtain a wholesaler's license by filing a *Florida Fuel Tax Application* (Form DR-156). Upon receipt of the license, a municipality, county, or school district must file a *Wholesaler/Importer Fuel Tax Return* (Form DR-309632), and remit the required tax to the Department.

References: Chapter 206, Florida Statutes; Rule Chapter 12B-5, Florida Administrative Code

#### FOR MORE INFORMATION

This document is intended to alert you to the requirements contained in Florida laws and administrative rules. It does not by its own effect create rights or require compliance.

For forms and other information, visit our Internet site at [www.myflorida.com/dor](http://www.myflorida.com/dor) or call Taxpayer Services, 8:00 a.m. to 7:00 p.m., ET, Monday through Friday, excluding holidays, at 800-352-3671.

For a detailed written response to your questions, write the Florida Department of Revenue, Taxpayer Services, Mail Stop 3-2000, 5050 West Tennessee Street, Tallahassee, FL 32399-0112.

Want the latest tax information?

✓ Subscribe to our tax publications or sign up  
for due date reminders at [www.myflorida.com/dor/list](http://www.myflorida.com/dor/list)

✓ Follow us on Twitter @MyFLDOR\_TaxInfo

INFORMATION  
7/9/13 46

## Lighthouse Utilities Company Inc. 2012 Annual Drinking Water Quality Report

We're pleased to present to you this year's Annual Water Quality Report. This report is designed to inform you about the quality water and services we deliver to you every day. Our constant goal is to provide you with a safe and dependable supply of drinking water. We want you to understand the efforts we make to continually improve the water treatment process and protect our water resources. We are committed to ensuring the quality of your water. Our water source is ground water from 2 wells. The wells draw from the Floridan Aquifer. Because of the excellent quality of our water, the only treatment required is chlorine for disinfection purposes.

In 2011 the Florida Department of Environmental Protection performed a Source Water Assessment on our system and a search of the data sources indicated no potential sources of contamination near our wells. The assessment results are available on the FDEP Source Water Assessment and Protection Program website at [www.dep.state.fl.us/swapp](http://www.dep.state.fl.us/swapp).

If you have any questions about this report or concerning your water utility, please contact **Larry McArdle at (850) 227-5349**. We encourage our valued customers to be informed about their water utility.

Lighthouse Utilities routinely monitors for contaminants in your drinking water according to Federal and State laws, rules, and regulations. Except where indicated otherwise, this report is based on the results of our monitoring for the period of January 1 to December 31, 2012. Data obtained before January 1, 2012, and presented in this report are from the most recent testing done in accordance with the laws, rules, and regulations.

In the table below, you may find unfamiliar terms and abbreviations. To help you better understand these terms we've provided the following definitions:

**Maximum Contaminant Level or MCL:** The highest level of a contaminant that is allowed in drinking water. MCLs are set as close to the MCLGs as feasible using the best available treatment technology.

**Maximum Contaminant Level Goal or MCLG:** The level of a contaminant in drinking water below which there is no known or expected risk to health. MCLGs allow for a margin of safety.

**Action Level (AL):** The concentration of a contaminant which, if exceeded, triggers treatment or other requirements that a water system must follow.

**Maximum residual disinfectant level or MRDL:** The highest level of a disinfectant allowed in drinking water. There is convincing evidence that addition of a disinfectant is necessary for control of microbial contaminants.

**Maximum residual disinfectant level goal or MRDLG:** The level of a drinking water disinfectant below which there is no known or expected risk to health. MRDLGs do not reflect the benefits of the use of disinfectants to control microbial contaminants.

**"ND":** means not detected and indicates that the substance was not found by laboratory analysis.

**Parts per billion (ppb) or Micrograms per liter (µg/l):** one part by weight of analyte to 1 billion parts by weight of the water sample.

**Parts per million (ppm) or Milligrams per liter (mg/l):** one part by weight of analyte to 1 million parts by weight of the water sample.

**Picocurie per liter (pCi/L):** measure of the radioactivity in water.

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REBECCA L. NORRIS  
CLERK OF CIRCUIT COURT  
GULF COUNTY, FLORIDA  
2013 JUL -2 AM 10:19

Microbiological Contaminants						
Contaminant and Unit of Measurement	Dates of sampling (mo./yr.)	MCL Violation Y/N	Highest Monthly Percentage /Number	MCLG	MCL	Primary Source of Contamination
Total Coliform Bacteria	Jan-Dec 2012	Y	2	0	Presence of coliform bacteria in 1 sample collected during a month.	Naturally present in the environment

Contaminant and Unit of Measurement	Dates of sampling (mo./yr.)	MCL Violation Y/N	Level Detected	Range of Results	MCLG	MCL	Likely Source of Contamination
<b>Radioactive Contaminants</b>							
Alpha emitters (pCi/L)	Dec-2009	N	4.5	1.9 - 4.5	0	15	Erosion of natural deposits
Radium 226 + 228 or combined radium (pCi/L)	Dec-2009	N	1.2	1.1 - 1.2	0	5	Erosion of natural deposits
Contaminant and Unit of Measurement	Dates of sampling (mo./yr.)	MCL Violation Y/N	Level Detected	Range of Results	MCLG	MCL	Likely Source of Contamination
<b>Inorganic Contaminants</b>							
Barium (ppm)	Nov - 2011	N	0.031	0.03 - 0.031	2	2	Discharge of drilling wastes; discharge from metal refineries; erosion of natural deposits
Fluoride (ppm)	Nov - 2011	N	0.8	0.77 - 0.8	4	4.0	Erosion of natural deposits; discharge from fertilizer and aluminum factories. Water additive which promotes strong teeth when at the optimum level of 0.7 ppm
Sodium (ppm)	Nov - 2011	N	12	11 - 12	NA	160	Salt water intrusion, leaching from soil
<b>Stage 1 Disinfectants and Disinfection By-Products</b>							
Disinfectant or Contaminant and Unit of Measurement	Dates of sampling (mo./yr.)	MCL or MRDL Violation Y/N	Level Detected	Range of Results	MCLG or MRDLG	MCL or MRDL	Likely Source of Contamination
Chlorine (ppm)	Jan - Dec 2012	N	0.99	0.4 - 1.28	MRDLG = 4	MRDL = 4.0	Water additive used to control microbes
Haloacetic Acids (five) (HAA5) (ppb)	Aug 2012	N	32.9	32.6 - 33.2	NA	MCL = 60	By-product of drinking water disinfection
TTHM [Total trihalomethanes] (ppb)	Aug and Sept 2012	N	72	65.7 - 78.3	NA	MCL = 80	By-product of drinking water disinfection
<b>Lead and Copper (Tap Water)</b>							
Contaminant and Unit of Measurement	Dates of sampling (mo./yr.)	AL Exceeded (Y/N)	90th Percentile Result	No. of sampling sites exceeding the AL	MCLG	AL (Action Level)	Likely Source of Contamination
Copper (tap water) (ppm)	Jun - Sept 2011	N	0.019	0 of 20	1.3	1.3	Corrosion of household plumbing systems; erosion of natural deposits; leaching from wood preservatives

*Total Coliform. The Lighthouse Utilities Water System had an MCL violation for Total Coliform bacteria in August. Two samples tested positive; one more than is allowed by rule. These sample sites were immediately retested with all repeats testing negative (no bacteria present). When more than 1 of the bacteriological samples taken in a month is positive, it is considered an MCL violation and additional sampling is immediately requested. The additional sampling was immediately taken with all repeats testing negative (no bacteria present). Coliforms are bacteria that are naturally present in the environment and are used as an indicator that other, potentially harmful, bacteria may be present. When coliforms are found in more samples than allowed there is a warning of potential problems. All other distribution samples taken during the year were negative (no bacteria present). The bacteriological sampling procedures for this system were reviewed and modified in hopes of ensuring compliance in the future.*

*If present, elevated levels of lead can cause serious health problems, especially for pregnant women and young children. Lead in drinking water is primarily from materials and components associated with service lines and home plumbing. Lighthouse Utilities is responsible for providing high quality drinking water, but cannot control the variety of materials used in plumbing components. When your water has been sitting for several hours, you can minimize the potential for lead exposure by flushing your tap for 30 seconds to 2 minutes before using water for drinking or cooking. If you are concerned about lead in your water, you may wish to have your water tested. Information on lead in drinking water, testing methods, and steps you can take to minimize exposure is available from the Safe Drinking Water Hotline or at <http://www.epa.gov/safewater/lead>.*

*The sources of drinking water (both tap water and bottled water) include rivers, lakes, streams, ponds, reservoirs, springs, and wells. As water travels over the surface of the land or through the ground, it dissolves naturally occurring minerals and, in some cases, radioactive material, and can pick up substances resulting from the presence of animals or from human activity.*

*Contaminants that may be present in source water include:*

- (A) Microbial contaminants, such as viruses and bacteria, which may come from sewage treatment plants, septic systems, agricultural livestock operations, and wildlife.*
- (B) Inorganic contaminants, such as salts and metals, which can be naturally-occurring or result from urban stormwater runoff, industrial or domestic wastewater discharges, oil and gas production, mining, or farming.*
- (C) Pesticides and herbicides, which may come from a variety of sources such as agriculture, urban stormwater runoff, and residential uses.*
- (D) Organic chemical contaminants, including synthetic and volatile organic chemicals, which are by-products of industrial processes and petroleum production, and can also come from gas stations, urban stormwater runoff, and septic systems.*
- (E) Radioactive contaminants, which can be naturally occurring or be the result of oil and gas production and mining activities.*

*In order to ensure that tap water is safe to drink, the EPA prescribes regulations, which limit the amount of certain contaminants in water provided by public water systems. The Food and Drug Administration (FDA) regulations establish limits for contaminants in bottled water, which must provide the same protection for public health.*

*Drinking water, including bottled water, may reasonably be expected to contain at least small amounts of some contaminants. The presence of contaminants does not necessarily indicate that the water poses a health risk. More information about contaminants and potential health effects can be obtained by calling the Environmental Protection Agency's Safe Drinking Water Hotline at 1-800-426-4791.*

***Some people may be more vulnerable to contaminants in drinking water than the general population. Immuno-compromised persons such as persons with cancer undergoing chemotherapy, persons who have undergone organ transplants, people with HIV/AIDS or other immune system disorders, some elderly, and infants can be particularly at risk from infections. These people should seek advice about drinking water from their health care providers. EPA/CDC guidelines on appropriate means to lessen the risk of infection by Cryptosporidium and other microbiological contaminants are available from the Safe Drinking Water Hotline (800-426-4791).***



# PORT ST. JOE PORT AUTHORITY

50

Post Office Box 745  
Port St. Joe, FL 32457  
Phone: (850) 229-5240

June 14, 2013

Gulf County Board of County Commissioners  
Attn: Chairman Smiley  
Gulf County Courthouse  
1000 Cecil G. Costin, Sr., Blvd.  
Port St. Joe, FL 32456

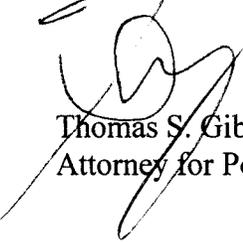
Re: Loan to the Port Authority

Dear Chairman Smiley:

The Port Authority Board met today in their regular meeting and one of the items on the agenda was the \$199,000 loan that the County made to the Port in May, 2011. The discussion by our Board centered on whether we could provide additional collateral to secure the loan in light of the fact that the Capital City Bank mortgage is superior to the County mortgage. The Board asked me to communicate with you regarding this issue. I sent an e-mail to your attorney yesterday outlining our position. I advised the Port Commissioners that our legal ability to grant a mortgage in the first place is the primary issue in Capital City Bank v. Port St. Joe Port Authority. If the judge determines that we did not have the power to execute the Capital City Bank mortgage then we did not have the power to execute the mortgage with the County and we do not have the power to substitute collateral.

I believe that Chairman Costin made it clear at your last Board meeting that the Port is committed to repaying this obligation. Our Board made it clear at yesterday's meeting that this is an obligation that they take very seriously. At such time as the issue of our power to execute a mortgage is resolved by the court, the Port Board may be in a position to readdress the collateral issue. We greatly appreciate your patience in dealing with these issues and if you or anyone on your Board has any questions, I hope they will give me a call.

Sincerely,

  
Thomas S. Gibson  
Attorney for Port Authority

TSG/pwr

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REBECCA L. NORRIS  
CLERK OF CIRCUIT COURT  
GULF COUNTY, FLORIDA  
2013 JUL -2 AM 10:49

INFORMATION  
DATE 6/25/13 df

7/9/13

**Commissioner4**

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**From:** Rick Haymond <rickhaymond@gmail.com>  
**Sent:** Monday, July 01, 2013 2:41 PM  
**To:** Commissioner4; Donald Butler  
**Cc:** Mark Du Mas  
**Subject:** Letter of Intent - Affordable Housing Development  
**Attachments:** Port St. Joe LOI.pdf

**Tan & Don,**

**Paces Foundation is ready to move forward to help provide quality affordable housing to Gulf County and Port St. Joe. The attached Letter of Intent spells out what we think will be the foundation of an alliance that will produce the needed housing within the specified time frame. Please review the LOI and if it is acceptable, please sign and return a copy to us. If anything in the LOI needs to be adjusted just mark it up and return it so that we make the changes. We stand ready to meet with you at your convenience (this week or next including weekends) to discuss the best ways to proceed.**

--

***Rick Haymond***  
***706-464-2649***  
***rickhaymond@gmail.com***

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REBECCA L. HARRIS  
CLERK OF CIRCUIT COURT  
GULF COUNTY, FLORIDA  
2013 JUL -2 PM 1:00

# THE PACES FOUNDATION, INC.

A Community Housing Development Organization



Bus (770) 431-9696

Fax (770) 431-9699

[www.pacesfoundation.org](http://www.pacesfoundation.org)

2730 Cumberland Boulevard  
Smyrna, Georgia 30080

Commissioner Tan Smiley

July 1, 2013

Mr. Don Bishop

County Manager

Port St. Joe, Gulf County

Gulf County Courthouse

Robert M. Moore Administration Building

1000 Cecil G. Costin Sr, Blvd

Port St. Joe, Florida

## LETTER OF INTENT TO DEVELOP AFFORDABLE HOUSING IN GULF CO. AND THE CITY OF PORT ST. JOE.

Dear Tan and Don:

Great News! We have plotted the proximity points we discussed Saturday, May 22, 2013 and are comfortable that we will be able to meet or surpass Florida Housing Finance Corporation's tax credit application's 22 point threshold. Now that we know we can meet the threshold it is time to begin pulling all the pieces of the development puzzle together. We have ordered a preliminary market study (expected by July 15) which will give us a basis on which to determine the product we need to build (number of units, unit mix, etc.) We will also engage a professional surveyor to plot the GPS coordinates from which to measure the exact distances from the proposed site to the front door of each of the services we identified for proximity points. We will also begin work on a financial model (pro forma) to evaluate project development costs, the rents we can expect to collect which will lead us to the amount of tax credits we can expect to receive and the amount of debt the property will be required to carry. Needless to say, we will begin spending a significant amount of money which will not be recovered until the project becomes a reality.

We think it is appropriate at this point to get everyone involved to commit to be part of the development team so that we will all have the comfort level that we will work together to provide quality affordable housing to Gulf County and Port St. Joe.

Accordingly, Paces is pleased to be considered for redevelopment of land acquired by the City of St. Joe from the St. Joe Land and Paper Company for affordable workforce housing. Paces wishes to serve the community and proposes the following. We understand that the project will be a multi-year effort involving multiple phases to be approved by the city and county jurisdictions with a preference for single family rental housing for the initial phase. It is the intention of all parties to seek means by which the single family homes can be sold to the residents after the initial compliance period of 15 years. Community outreach and neighbor participation in the design and placement of affordable workforce housing is essential and we look to your organizations to advise and assist us in this matter. As we discussed in our meeting several items helpful to our joint effort will be sought, such as: local financial contributions such as waiver of building permits, land donation, offsite amenity, services or utility improvements, other contributions which may come to light. The current funds the community has to assist the project will be most helpful: CDBG funds, predevelopment studies (market, environmental) etc. Local government support is essential to an application to FHFC.

Typical conditions to a purchase agreement which we feel will meet the State of Florida competitive process and help secure financing for the project are listed below. It is important to understand that the state revises their program annually and these conditions are subject to change year to year to ensure maximum competitiveness.

1. 60 day preliminary due diligence period (during this time, proximity and amenity review and other regulatory requirements will be assessed and recommendations made to modify our approach, if any).
2. \$1000 earnest money escrow delivered by day 61, or sooner.
3. Land: 80 acre parcel or most competitive amenity-proximate site.
4. Commencement of in-depth due diligence (local incentives and community input, utility confirmation; phase I environmental; market study etc. etc.)
5. Phased development concept developed on the 80 acre parcel (single family, multifamily, senior, special needs, commercial/retail, community elements etc)
6. Application made to FHFC by October 2013, estimated.
7. Notice given to seller of status of award within 10 days of final determination: estimated March 2014.
8. Cash at closing less customary pro-rata expenses by September 2014, or long term lease, or land donation.
9. Two 60 day closing date extensions.

10. Purchase price to be determined: either a local land lease or nominal sum (\$1) to help facilitate competitiveness and lessen the cost burden of the project.

11. Multi-phase and year acquisition strategy will be included.

We envision the following time line:

- 1. July 15, 2013: Contract/option signed to acquire and development the 80 acre parcel.
- 2. July-September community engaged for input.
- 3. September 15, 2013: First phase identified and preparation for application to FHFC.
- 4. October, 2013 : Application made to FHFC for tax credits.
- 5. March, 2014: notice of awards from FHFC
- 6. April, 2014: Site and unit plan design begins for submittal for building permits.
- 7. May, 2014: preparations for Phase II begins with goal of another application of financing made to FHFC.
- 8. September, 2014: land acquired and construction commencement
- 9. October 2014, Phase II application made to FHFC
- 10. May, 2015: first homes complete and leased.
- 11. August, 2015: All homes complete and leased.

Thank you for the opportunity to serve your communities!

Mark du Mas, President

Signed:

Paces Foundation, Inc. *Mark du Mas* Date July 1, 2013

Gulf County, FL \_\_\_\_\_ Date \_\_\_\_\_

City of Port St. Joe \_\_\_\_\_ Date \_\_\_\_\_