



FLORIDA DEPARTMENT OF Environmental Protection

Southwest District Office
13051 N. Telecom Pkwy., Suite 101
Temple Terrace, Florida 33637-0926

Ron DeSantis
Governor

Jeanette Nuñez
Lt. Governor

Shawn Hamilton
Secretary

April 28, 2023

In the Matter of an
Application for Permit by:

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

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

NOTICE OF DRAFT PERMIT

The Department of Environmental Protection gives notice of its preparation of a draft permit (copy attached) for the proposed project as detailed in the application specified above, for the reasons stated below.

The applicant, Donica Receivership Services, LLC (Receiver), submitted an updated application on September 21, 2022, to the Department of Environmental Protection for a permit to operate and perform long-term care activities for an existing 393-acre phosphogypsum stack system which would discharge non-contact stormwater to Buckeye Road Ditch through two outfalls; discharge non-contact stormwater to Scale Avenue Ditch; and inject process wastewater to a separately permitted Class I underground injection well which discharges to Class G-IV groundwater (UIC Permit No. 0322708-002-UC/1I). The facility is located at latitude 27° 37' 45.8924" N, longitude 82° 31' 51.1401" W, on 13500 Scale Avenue, Palmetto, Florida 34221 in Manatee County.

The Piney Point Phosphogypsum Stack System discharges non-contact stormwater through outfalls D-001 and D-003 via Buckeye Road Ditch, Class III Fresh Waters, to Bishop Harbor, a Class II marine estuary (WBID# 1797B) and ultimately to Tampa Bay (Lower North Segment), a Class II marine estuary (WBID# 1558BZ); discharges non-contact stormwater through outfall D-002 via Scale Avenue Ditch, Class III Fresh Waters, to Piney Point Creek, a Class III marine estuary (WBID# 1789) and ultimately to Tampa Bay (Middle Segment), a Class II marine estuary (WBID# 1558B); and has the potential to discharge stormwater and process water to ground water, Class G-II ground water. Rule 62-302, Florida Administrative Code (F.A.C) requires that Numeric Nutrient Criteria to be applied to all surface water discharges, Rule 62-520, F.A.C requires that the discharge to ground water shall not exceed the maximum allowable ground water standards at the edge of zone of discharge. As a result, this permit is accompanied by a proposed Administrative

Order (AO-001SWPM23) pursuant to paragraphs 403.088(2)(e) and (f), Florida Statutes, for requirements related to the discharge of non-contact stormwater for a period necessary to evaluate and establish site specific surface water limits for nutrients, and evaluate existing conditions to update create a comprehensive ground water monitoring plan; and which will require the facility to modify existing closure works or their operation, including existing subsurface seepage and ground water collection drains, or implement additional closure controls, as required to protect ground waters in accordance with Chapter 62-520 and Rule 62-673.610, F.A.C.

The Department has permitting jurisdiction under Chapter 403, Florida Statutes (F.S.), and applicable rules of the Florida Administrative Code (F.A.C.). The project is not exempt from permitting procedures. The Department has determined that a wastewater permit is required for the proposed work.

Based upon the application and supplemental information, the Department has determined that the applicant has provided reasonable assurance that the above described wastewater project complies with the applicable provisions of Chapter 403, F.S., and Title 62 of the F.A.C.

Under Section 403.815, F.S., and Rule 62-110.106, F.A.C., you (the applicant) are required to publish at your own expense the enclosed Notice of Intent to Issue Permit. The notice must be published one time only within 30 days of receipt of this intent to issue in the legal ad section of a newspaper of general circulation in the area affected. For the purpose of this rule, "publication in a newspaper of general circulation in the area affected" means publication in a newspaper meeting the requirements of Sections 50.011 and 50.031, F.S., in the county where the activity is to take place. Where there is more than one newspaper of general circulation in the county, the newspaper used should be one with significant circulation in the area that may be affected by the permit. If you are uncertain that a newspaper meets these requirements, please contact the Department at the address or telephone number listed below. The applicant must provide proof of publication to the Department's Division of Water Resource Management, Phosphate Management Program, 13051 N. Telecom Pkwy., Suite 101, Temple Terrace, Florida 33637-0926, or via electronic correspondence at DWRMIW.PM@FloridaDEP.gov within two weeks of publication. Failure to publish the notice and provide proof of publication within the allotted time may result in the denial of the permit under Rule 62-110.106(11), F.A.C.

NOTICE OF RIGHTS

The Department intends to issue the permit with the attached conditions unless as a result of public comment appropriate changes are made.

Written Comments or Request for Public Meeting

Any interested person may submit written comments on the Department's proposed permitting decision or may submit a written request for a public meeting to Mr. Lance Kautz, Environmental Administrator, Florida Department of Environmental Protection, Division of Water Resource Management, Phosphate Management Program, by electronic mail to DWRMIW.PM@FloridaDEP.gov or by U.S. mail to 13051 N. Telecom Parkway, Suite 101, Temple Terrace, Florida 33637-0926 in accordance with Rule 62-620.555, Florida

Administrative Code. The comments or request for a public meeting must contain the information set forth below and must be received in the Department's Division of Water Resource Management, Phosphate Management Program.

The comments or request for a public meeting must contain the following information:

- (a) The commenter's name, address, and telephone number; the applicant's name and address; the Department permit file number; and the county in which the project is proposed;
- (b) A statement of how and when notice of the Department's action or proposed action was received;
- (c) A statement of the facts the Department should consider in making the final decision;
- (d) A statement of which rules or statutes require reversal or modification of the Department's action or proposed action; and
- (e) If desired, a request that a public meeting be scheduled, including a statement of the nature of the issues proposed to be raised at the meeting.

If a public meeting is held, any person may submit oral or written statements and data at the public meeting on the Department's proposed action. As a result of significant public comment, the Department's final action may be different from the position taken by it in this draft permit.

Time Period for Submitting Written Comments or Requesting a Public Meeting

Comments from the permit applicant and persons entitled to notice under Rule 62-620.550, F.A.C., must be received within 30 days of receipt of this draft permit. Comments submitted by other persons must be received within 30 days of publication of the public notice. Failure to submit comments or request a public meeting within this time period shall constitute a waiver of any right such person may have to submit comments or request a public meeting under Rule 62-620.555, F.A.C.

If a public meeting is scheduled, the public comment period is extended until the close of the public meeting. However, the Department may not always grant a request for a public meeting. Therefore, written comments should be submitted within 30 days of publication of this notice, even if a public meeting is requested.

EXECUTION AND CLERKING

Executed in Tallahassee, Florida
STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION



John A. Coates, P.E.
Program Management Director
Division of Water Resource Management

Attachment(s):

1. Public Notice
2. Draft Permit No. FL0000124
3. Draft Administrative Order AO-001SWPM23
4. Draft Fact Sheet

CERTIFICATE OF SERVICE

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

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

FILING AND ACKNOWLEDGMENT

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

Handwritten signature in blue ink, appearing to be the initials 'LM'.

Clerk

4-28-2023

Date

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
NOTICE OF DRAFT PERMIT

The Department of Environmental Protection gives notice of its preparation of a draft permit to Donica Receivership Services, LLC, Herbert Donica, 238 East Davis Boulevard, Suite 209 for the Piney Point Phosphogypsum Stack System. This permit authorizes the permittee to operate and perform long-term care activities for an existing 393-acre phosphogypsum stack system which would discharge non-contact stormwater to Buckeye Road Ditch through two outfalls; discharge non-contact stormwater to Scale Avenue Ditch; and inject process wastewater to a separately permitted Class I underground injection well which discharges to Class G-IV groundwater (UIC Permit No. 0322708-002-UC/1I). The facility is located at latitude 27° 37' 45.8924" N, longitude 82° 31' 51.1401" W, on 13500 Scale Avenue, Palmetto, Florida 34221 in Manatee County. The Department has assigned permit file number FL0000124-006-IW1S/NR to the proposed project.

This permit is accompanied by a proposed Administrative Order (AO- 001SWPM23) pursuant to paragraphs 403.088(2)(e) and (f), Florida Statutes, for requirements related to the discharge contact and non-contact stormwater for a period necessary to establish site specific surface water limits for nutrients and evaluate existing conditions to update a comprehensive ground water monitoring plan; and which would require the facility to modify existing closure works or their operation, including existing subsurface seepage and ground water collection drains, or implement additional closure controls, as required to protect ground waters in accordance with Chapter 62-520 and Rule 62-673.610, F.A.C.

The permit application file and supporting data are available for public inspection during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at the Department's Division of Water Resource Management, Phosphate Management Program, 13051 N Telecom Pkwy, Suite 101, Temple Terrace, Florida 33637-926, at phone number (813)470-5913.

NOTICE OF RIGHTS

The Department intends to issue the permit unless as a result of public comment appropriate changes are made.

Written Comments or Request for Public Meeting

Any interested person may submit written comments on the Department's proposed permitting decision or may submit a written request for a public meeting to Mr. Lance Kautz, Environmental Administrator, Florida Department of Environmental Protection, Division of Water Resource Management, Phosphate Management Program, by electronic mail to DWRMIW.PM@FloridaDEP.gov or by U.S. mail to 13051 N. Telecom Parkway, Suite 101, Temple Terrace, Florida 33637-0926, in accordance with Rule 62-620.555, F.A.C. The comments or request for a public meeting must contain the information set forth below and must

be received in the Department's Division of Water Resource Management, Phosphate Management Program Office.

The comments or request for a public meeting must contain the following information:

- (a) The commenter's name, address, and telephone number; the applicant's name and address; the Department permit file number; and the county in which the project is proposed;
- (b) A statement of how and when notice of the Department's action or proposed action was received;
- (c) A statement of the facts the Department should consider in making the final decision;
- (d) A statement of which rules or statutes require reversal or modification of the Department's action or proposed action; and
- (e) If desired, a request that a public meeting be scheduled, including a statement of the nature of the issues proposed to be raised at the meeting.

If a public meeting is held, any person may submit oral or written statements and data at the public meeting on the Department's proposed action. As a result of significant public comment, the Department's final action may be different from the position taken by it in this draft permit.

Time Period for Submitting Written Comments or Requesting a Public Meeting

Comments submitted by any persons other than the applicant, and other than those entitled to notice under Rule 62-620.550, F.A.C., must be received within 30 days of publication of the public notice. Failure to submit comments or request a public meeting within this time period shall constitute a waiver of any right such person may have to submit comments or request a public meeting under Rule 62-620.555, F.A.C.

If a public meeting is scheduled, the public comment period is extended until the close of the public meeting. However, the Department may not always grant a request for a public meeting. Therefore, written comments should be submitted within 30 days of publication of this notice, even if a public meeting is requested.

FLORIDA DEPARTMENT OF Environmental Protection

Ron DeSantis
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Secretary

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

STATE OF FLORIDA INDUSTRIAL WASTEWATER FACILITY PERMIT

PERMITTEE:

Donica Receivership Services, LLC

RESPONSIBLE OFFICIAL:

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

PERMIT NUMBER: FL0000124 MA
FILE NUMBER: FL0000124-006-IW1S/NR
ISSUANCE DATE: _____ **DRAFT** _____
EFFECTIVE DATE: _____ **DRAFT** _____
EXPIRATION DATE: _____ **DRAFT** _____

FACILITY:

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

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

FACILITY DESCRIPTION:

Piney Point Phosphogypsum Stack System Facilities: This permit includes the long-term care of the inactive phosphogypsum stack system. The 393-acre phosphogypsum stack system which includes the south cooling pond system and the north cooling pond system and associated lined stormwater ponds. Wastewater at this facility consists of an existing volume of stored process water generated and used in the former fertilizer production process and the storage of Port Manatee dredge material and transport water. The top of the inactive stack system is configured with four 80-mil lined compartments designated as: New Gypsum Stack-North; New Gypsum Stack-South; Old Gypsum Stack-North; and Old Gypsum Stack-South. Process water is stored in the New Gypsum Stack-North and stormwater is collected in the other three compartments.

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

WASTEWATER TREATMENT:

PERMITTEE: Donica Receivership Services, LLC
FACILITY: Piney Point Phosphogypsum Stack System

PERMIT NUMBER: FL0000124 MA
EXPIRATION DATE:

The wastewater discharged from this facility consists of process wastewater and non-contact stormwater from industrial activities and an inactive phosphogypsum stack system. Treatment and disposal of collected process waters and groundwater seepage waters will be by: (a) Class I Underground Injection Control well owned and operated by the Manatee County Utilities Department (UIC Permit Number: 0322708-002-UC/1I); (b) pre-treatment and discharge into the Manatee County Utilities Department's municipal sewer collection system; and/or (c) by means of a primary spray evaporation system located in the New Gypsum Stack-North (NGS-N) along with secondary spray evaporation system located in the New Gypsum Stack-South (NGS-S).

The Class I UIC well (IW-1) may operate consistent with the UIC Permit as issued to the Manatee County Utilities Department. Discharge into the Manatee County Utilities municipal sewer system is contingent upon the conditions in the Service Agreement between Manatee County Utilities Department and the Permittee, approved on November 28, 2022. Attachment "A" shows the location of the Manatee County sewer meter for collection of treated process water from the facility.

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

REUSE OR DISPOSAL:

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

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

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

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

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

IN ACCORDANCE WITH: The limitations, monitoring requirements and other conditions set forth in this Cover Sheet and Part I through Part IX on pages 1 through 32 of this permit.

I. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

A. Surface Water Discharges

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

Parameter	Units	Max. /Min	Effluent Limitations		Monitoring Requirements			Notes
			Limit	Statistical Basis	Frequency of Analysis	Sample Type	Monitoring Site Number	
Flow Rate	MGD	Max Max	Report Report	Daily Maximum Monthly Average	Weekly, when discharging	Recording Flow Meter with Totalizer	EFF-001	
Stream Flow	MGD	Max	Report	Daily Maximum	Monthly, when discharging	Estimated	SWB-01	
Stream Flow	MGD	Max	Report	Daily Maximum	Monthly, when discharging	Estimated	SWD-01	
Stream Flow	MGD	Max	Report	Daily Maximum	Monthly	Estimated	SWB-03BR	
pH	s.u.	Max	Report	Daily Maximum	Monthly, when discharging	Grab	SWB-01	
pH	s.u.	Min Max	6.5 8.5	Daily Minimum Daily Maximum	Weekly, when discharging	Grab	EFF-001	
pH	s.u.	Max	Report	Daily Maximum	Monthly, when discharging	Grab	SWD-01	
pH	s.u.	Max	Report	Daily Maximum	Monthly	Grab	SWB-03BR	
Temperature (C), Water	Deg C	Max	Report	Single Readings	Monthly, when discharging	Instantaneous Sample	SWB-01	
Temperature (C), Water	Deg C	Max Max	Report Report	Monthly Average Daily Maximum	Weekly, when discharging	Grab	EFF-001	
Temperature (C), Water	Deg C	Max	Report	Single Sample	Monthly, when discharging	Instantaneous Sample	SWD-01	
Temperature (C), Water	Deg C	Max	Report	Daily Maximum	Monthly	Grab	SWB-03BR	
Oxygen, Dissolved (DO)	mg/L	Max	Report	Single Sample	Monthly, when discharging	Grab	SWB-01	
Oxygen, Dissolved (DO)	mg/L	Min	5.0	Single Sample	Daily, when discharging	Grab	EFF-001	
Oxygen, Dissolved (DO)	mg/L	Max	Report	Single Sample	Monthly, when discharging	Grab	SWD-01	
Oxygen, Dissolved (DO)	mg/L	Max	Report	Daily Maximum	Monthly	Grab	SWB-03BR	
Specific Conductance (background)	umhos/cm	Max	-	Single Sample	Weekly, when discharging	Grab	SWB-03BR	See I.A.14
Specific Conductance	umhos/cm	Max	-	Single Sample	Weekly, when discharging	Grab	EFF-001	See I.A.14
Specific Conductance (Calculated)	umhos/cm	Max	Report	Single Sample	Weekly, when discharging	Calculated	EFF-001	See I.A.14
Specific Conductance (effluent minus calculated limit)	umhos/cm	Max	0.00	Single Sample	Weekly, when discharging	Calculated	EFF-001	See I.A.14

PERMITTEE: Donica Receivership Services, LLC
 FACILITY: Piney Point Phosphogypsum Stack System

PERMIT NUMBER: FL0000124 MA
 EXPIRATION DATE:

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

PERMITTEE: Donica Receivership Services, LLC
 FACILITY: Piney Point Phosphogypsum Stack System

PERMIT NUMBER: FL0000124 MA
 EXPIRATION DATE:

Parameter	Units	Max. /Min	Effluent Limitations		Monitoring Requirements			Notes
			Limit	Statistical Basis	Frequency of Analysis	Sample Type	Monitoring Site Number	
Nitrogen, Ammonia, Total (as N) (effluent minus calculated limit)	mg/L	Max	0.00	Monthly Average	Monthly, when discharging	Calculated		See I.A.10., I.A.11., and I.A.12.
Nitrogen, Ammonia, Total (as N)	Ratio	Max	2.5	Single Sample	Weekly, when discharging	Calculated	EFF-001	See I.A.10., I.A.11., and I.A.12.
Fluoride, Total (as F)	mg/L	Max	Report	Single Sample	Monthly, when discharging	Grab	SWB-01	
Fluoride, Total (as F)	mg/L	Max Max	10.0 Report	Daily Maximum Monthly Average	Weekly, when discharging	Grab	EFF-001	
Fluoride, Total (as F)	mg/L	Max	Report	Single Sample	Monthly, when discharging	Grab	SWD-01	
Fluoride, Total (as F)	mg/L	Max	Report	Daily Maximum	Monthly	Grab	SWB-03BR	
Fluoride, Total (as F)	mg/L	Max	Report	Daily Maximum	Monthly, when discharging	Grab	SWD-03AR	
Beryllium, Total Recoverable*	ug/L	Max Max	0.13 Report	Daily Maximum Monthly Average	Weekly, when discharging	Grab	EFF-001	
Iron, Total Recoverable	mg/L	Max Max	1.0 Report	Daily Maximum Monthly Average	Weekly, when discharging	Grab	EFF-001	
Alpha, Gross Particle Activity	pCi/L	Max	15.0	Daily Maximum	Quarterly, when discharging	Grab	EFF-001	
Radium 226 + Radium 228, Total	pCi/L	Max	5.0	Daily Maximum	Quarterly, when discharging	Grab	EFF-001	
Acute Whole Effluent Toxicity, 96 Hour LC50 (Ceriodaphnia dubia)	percent	Min	100	Single Sample	Annually	Grab	EFF-001	See I.A.15.
Acute Whole Effluent Toxicity, 96 Hour LC50 (Cyprinella leedsi)	percent	Min	100	Single Sample	Annually	Grab	EFF-001	See I.A.15.

*If Beryllium, Total Recoverable is not detected at or above the MDL for the test method used, the permittee shall report "BDL" on the DMR. A value of one-half the effluent limit shall be used for that sample when necessary to calculate an average for the parameter. Test methods used shall be in accordance with applicable Department rules, including Rule 62-4.246 and Chapter 62-160, F.A.C., and Permit Condition I.D.1. For all other parameters not detected at or above the MDL for the test method used, the DMR shall be completed following the directions in the "Instructions for Completing the Wastewater Discharge Monitoring Report" attached to the DMR.

** Denotes parameters' final limits to be established by the Department upon completion of the compliance schedule in the administrative order AO-001SWPM23.

- 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	Discharges contact and non-contact storm water Tampa Bay, (WBID# 1558BZ), via Buckeye Road Ditch, and Bishops Harbor, (WBID# 1797B)
SWB-01	Located at ditch upstream of Outfall D-003 at intersection of Bud Rhoden/Buckeye Road ditch
SWD-01	W. BER/41. West side of US 41 at Buckeye Rd.

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

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

Parameter	Units	Max. /Min	Effluent Limitations		Monitoring Requirements			Notes
			Limit	Statistical Basis	Frequency of Analysis	Sample Type	Monitoring Site Number	
Flow	MGD	Max Max	Report Report	Monthly Average Daily Maximum	Continuous	Measured	EFF-02R	
Stream Flow	MGD	Max	Report	Daily Maximum	Monthly, when discharging	Estimated	SWB-02	
Stream Flow	MGD	Max	Report	Daily Maximum	Quarterly, when discharging	Estimated	SWD-02	
pH	s.u.	Min Max	6.5 8.5	Daily Minimum Daily Maximum	Weekly, when discharging	Grab	EFF-02R	
pH	s.u.	Max	Report	Daily Maximum	Monthly, when discharging	Grab	SWB-02	
pH	s.u.	Max	Report	Daily Maximum	Monthly, when discharging	Grab	SWD-02	
Temperature (C), Water	Deg C	Max	Report	Daily Maximum	Monthly, when discharging	Grab	SWB-02	
Temperature (C), Water	Deg C	Max	Report	Daily Maximum	Weekly, when discharging	Grab	EFF-02R	
Temperature (C), Water	Deg C	Max	Report	Daily Maximum	Monthly, when discharging	Grab	SWB-02	
Oxygen, Dissolved (DO)	mg/L	Max	Report	Daily Maximum	Monthly, when discharging	Grab	SWB-02	
Oxygen, Dissolved (DO)	mg/L	Min	5.0	Single Sample	Daily, when discharging	Grab	EFF-02R	
Oxygen, Dissolved (DO)	mg/L	Max	Report	Daily Maximum	Monthly, when discharging	Grab	SWD-02	
Specific Conductance (background)	umhos/cm	Max	-	Single Sample	Weekly, when discharging	Grab	SWB-02	See I.A.14
Specific Conductance (Effluent)	umhos/cm	Max	-	Single Sample	Weekly, when discharging	Grab	EFF-02R	See I.A.14
Specific Conductance (Calculated)	umhos/cm	Max	Report	Single Sample	Weekly, when discharging	Calculated	EFF-02R	See I.A.14
Specific Conductance (effluent minus calculated limit)	umhos/cm	Max	0.00	Single Sample	Weekly, when discharging	Calculated	EFF-02R	See I.A.14
Specific Conductance	umhos/cm	Max	Report	Daily Maximum	Weekly, when discharging	Grab	SWD-02	
Turbidity (background)	NTU	Max	-	Single Sample	Monthly, when discharging	Grab	SWB-02	See I.A.13
Turbidity (Effluent)	NTU	Max	-	Single Sample	Weekly, when discharging	Grab	EFF-02R	See I.A.13

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Parameter	Units	Max. /Min	Effluent Limitations		Monitoring Requirements			Notes
			Limit	Statistical Basis	Frequency of Analysis	Sample Type	Monitoring Site Number	
Turbidity (Calculated)	NTU	Max	Report	Single Sample	Weekly, when discharging	Calculated	EFF-02R	See I.A.13
Turbidity (effluent minus calculated limit)	NTU	Max	0.00	Single Sample	Weekly, when discharging	Calculated	EFF-02R	See I.A.13
Turbidity	NTU	Max	Report	Daily Maximum	Weekly, when discharging	Grab	SWD-02	See I.A.13
Solids, Total Suspended	mg/L	Max Max	Report Report	Monthly Average Daily Maximum	Weekly, when discharging	Grab	EFF-02R	
Nitrogen, Total	mg/L	Max	Report	Daily Maximum	Monthly, when discharging	Grab	SWB-02	
Nitrogen, Total (Final)**	mg/L	Max Max	Report Report	Daily Maximum Monthly Average	Weekly, when discharging	Grab	EFF-02R	
Nitrogen, Total	mg/L	Max	Report	Daily Maximum	Monthly, when discharging	Grab	SWD-02	
Nitrogen, Total	lb/day	Max Max	Report Report	Monthly Average Daily Maximum	Weekly, when discharging	Calculated	EFF-02R	
Nitrogen, Total	ton/mth	Max	Report	Monthly Total	Monthly	Calculated	EFF-02R	See I.A.16.
Nitrogen, Total	ton/yr	Max	Report	Annual Total	Monthly	Calculated	EFF-02R	See I.A.16.
Nitrogen, Total	ton/yr	Max	Report	5 Year Average	Monthly	Calculated	EFF-02R	See I.A.16.
Phosphorus, Total (as P)	mg/L	Max	Report	Daily Maximum	Monthly, when discharging	Grab	SWB-02	
Phosphorus, Total (as P) (Final)**	mg/L	Max Max	Report Report	Monthly Average Daily Maximum	Weekly, when discharging	Grab	EFF-02R	
Phosphorus, Total (as P)	mg/L	Max	Report	Daily Maximum	Monthly, when discharging	Grab	SWD-02	
Phosphorus, Total (as P)	lb/day	Max Max	Report Report	Daily Maximum Monthly Average	Weekly, when discharging	Calculated	EFF-02R	
Phosphorus, Total (as P)	lb/mth	Max	Report	Monthly Total	Monthly, when discharging	Calculated	EFF-02R	
Phosphorus, Total (as P)	ton/yr	Max	Report	Annual Total	Monthly	Calculated	EFF-02R	See I.A.16.
Phosphorus, Total (as P) (Final)**	ton/yr	Max	Report	5 Year Rolling Average	Monthly	Calculated	EFF-02R	See I.A.16.
Chlorophyll a	mg/L	Max	Report	Daily Maximum	Monthly, when discharging	Grab	SWD-02	
Nitrogen, Ammonia, Total (as N) (Effluent)	mg/L	Max	Report	Monthly Average	Monthly, when discharging	Calculated	EFF-02R	See I.A.10., I.A.11., and I.A.12.
Nitrogen, Ammonia, Total (as N) (calculated limit)	mg/L	Max	Report	Monthly Average	Monthly, when discharging	Calculated	EFF-02R	See I.A.10., I.A.11., and I.A.12.
Nitrogen, Ammonia, Total (as N) (effluent minus calculated limit)	mg/L	Max	0.00	Monthly Average	Monthly, when discharging	Calculated	EFF-02R	See I.A.10., I.A.11., and I.A.12.
Nitrogen, Ammonia, Total (as N)	Ratio	Max	2.5	Single Sample	Monthly, when discharging	Calculated	EFF-02R	See I.A.10., I.A.11., and I.A.12.
Fluoride, Total (as F)	mg/L	Max	Report	Daily Maximum	Monthly, when discharging	Grab	SWB-02	
Fluoride, Total (as F)	mg/L	Max Max	10.0 Report	Daily Maximum Monthly Average	Weekly, when discharging	Grab	EFF-02R	
Fluoride, Total (as F)	mg/L	Max	Report	Daily Maximum	Monthly, when discharging	Grab	SWD-02	

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Parameter	Units	Max. /Min	Effluent Limitations		Monitoring Requirements			Notes
			Limit	Statistical Basis	Frequency of Analysis	Sample Type	Monitoring Site Number	
Beryllium, Total Recoverable*	mg/L	Max Max	0.13 Report	Daily Maximum Monthly Average	Weekly, when discharging	Grab	EFF-02R	
Iron, Total Recoverable	mg/L	Max Max	1.0 Report	Daily Maximum Monthly Average	Weekly, when discharging	Grab	EFF-02R	
Alpha, Gross Particle Activity	pCi/L	Max	15.0	Daily Maximum	Quarterly, when discharging	Grab	EFF-02R	
Radium 226 + Radium 228, Total	pCi/L	Max	5.0	Daily Maximum	Quarterly, when discharging	Grab	EFF-02R	
Acute Whole Effluent Toxicity, 96 Hour LC50 (Ceriodaphnia dubia)	percent	Min	100	Single Sample	Annually	Grab	EFF-02R	See I.A.15.
Acute Whole Effluent Toxicity, 96 Hour LC50 (Cyprinella leedsii)	percent	Min	100	Single Sample	Annually	Grab	EFF-02R	See I.A.15.

*If Beryllium, Total Recoverable is not detected at or above the MDL for the test method used, the permittee shall report "BDL" on the DMR. A value of one-half the effluent limit shall be used for that sample when necessary to calculate an average for the parameter. Test methods used shall be in accordance with applicable Department rules, including Rule 62-4.246 and Chapter 62-160, F.A.C., and Permit Condition I.D.1. For all other parameters not detected at or above the MDL for the test method used, the DMR shall be completed following the directions in the "Instructions for Completing the Wastewater Discharge Monitoring Report" attached to the DMR.

** Denotes parameters' final limits to be established by the Department upon completion of the compliance schedule in the administrative order AO-001SWPM23.

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

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

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

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Parameter	Units	Max. /Min	Effluent Limitations		Monitoring Requirements			Notes
			Limit	Statistical Basis	Frequency of Analysis	Sample Type	Monitoring Site Number	
Flow	MGD	Max Max	Report Report	Daily Maximum Monthly Average	Continuous	Recording Flow Meter with Totalizer	EFF-003	
Stream Flow	MGD	Max	Report	Monthly Maximum	Monthly, when discharging	Estimated	SWB-03	
Stream Flow	MGD	Max	Report	Monthly Maximum	Monthly, when discharging	Estimated	SWD-03	
Stream Flow	MGD	Max	Report	Daily Maximum	Monthly	Estimated	SWB-03BR	
pH	s.u.	Max	Report	Daily Maximum	Monthly, when discharging	Grab	SWB-03	
pH	s.u.	Min Max	6.5 8.5	Daily Minimum Daily Maximum	Weekly, when discharging	Grab	EFF-003	
pH	s.u.	Max	Report	Daily Maximum	Monthly, when discharging	Grab	SWD-03	
pH	s.u.	Max	Report	Daily Maximum	Monthly	Grab	SWB-03BR	
Temperature (C), Water	Deg C	Max	Report	Daily Maximum	Monthly, when discharging	Grab	SWB-03	
Temperature (C), Water	Deg C	Max	Report	Daily Maximum	Weekly, when discharging	Instantaneous Sample	EFF-003	
Temperature (C), Water	Deg C	Max	Report	Daily Maximum	Monthly, when discharging	Grab	SWD-03	
Temperature (C), Water	Deg C	Max	Report	Daily Maximum	Monthly	Grab	SWB-03BR	
Oxygen, Dissolved Percent Saturation	percent	Max	Report	Daily Maximum	Monthly, when discharging	Grab	SWB-03	
Oxygen, Dissolved (DO)	mg/L	Min	5.0	Single Sample	Daily, when discharging	Grab	EFF-003	
Oxygen, Dissolved Percent Saturation	percent	Max	Report	Daily Maximum	Monthly	Grab	SWB-03BR	
Oxygen, Dissolved Percent Saturation	percent	Max	Report	Daily Maximum	Monthly, when discharging	Grab	SWD-03	
Specific Conductance (background)	umhos/cm	Max	-	Single Sample	Weekly, when discharging	Grab	SWB-03BR	See I.A.14
Specific Conductance (Effluent)	umhos/cm	Max	-	Single Sample	Weekly, when discharging	Grab	EFF-003	See I.A.14
Specific Conductance (Calculated)	umhos/cm	Max	Report	Single Sample	Weekly, when discharging	Calculated	EFF-003	See I.A.14
Specific Conductance (effluent minus calculated limit)	umhos/cm	Max	0.00	Single Sample	Weekly, when discharging	Calculated	EFF-003	See I.A.14
Specific Conductance	umhos/cm	Max	Report	Daily Maximum	Weekly, when discharging	Grab	SWD-03	

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Parameter	Units	Max. /Min	Effluent Limitations		Monitoring Requirements			Notes
			Limit	Statistical Basis	Frequency of Analysis	Sample Type	Monitoring Site Number	
Turbidity (background)	NTU	Max	-	Single Sample	Monthly, when discharging	Grab	SWB-03	See I.A.13
Turbidity (Effluent)	NTU	Max	-	Single Sample	Weekly, when discharging	Grab	EFF-003	See I.A.13
Turbidity (Calculated)	NTU	Max	Report	Single Sample	Weekly, when discharging	Calculated	EFF-003	See I.A.13
Turbidity (effluent minus calculated limit)	NTU	Max	0.00	Single Sample	Weekly, when discharging	Calculated	EFF-003	See I.A.13
Turbidity	NTU	Max Max	Report Report	Monthly Average Daily Maximum	Monthly, when discharging	Grab	SWD-03	See I.A.13
Turbidity	NTU	Max	Report	Daily Maximum	Monthly	Grab	SWB-03BR	See I.A.13
Solids, Total Suspended	mg/L	Max Max	50 150	Monthly Average Daily Maximum	Weekly, when discharging	Grab	EFF-003	
Nitrogen, Total	mg/L	Max	Report	Daily Maximum	Monthly, when discharging	Grab	SWB-03	
Nitrogen, Total (Final)**	mg/L	Max Max	Report Report	Monthly Average Daily Maximum	Weekly, when discharging	Grab	EFF-003	
Nitrogen, Total	mg/L	Max	Report	Daily Maximum	Monthly, when discharging	Grab	SWD-03	
Nitrogen, Total	mg/L	Max	Report	Daily Maximum	Monthly	Grab	SWB-03BR	
Nitrogen, Total	mg/L	Max	Report	Daily Maximum	Monthly, when discharging	Grab	SWD-03AR	
Nitrogen, Total	lb/day	Max Max	Report Report	Monthly Average Daily Maximum	Weekly	Calculated	EFF-003	
Nitrogen, Total	ton/mth	Max	Report	Monthly Total	Monthly	Calculated	EFF-003	See I.A.16.
Nitrogen, Total	ton/yr	Max	Report	Annual Total	Monthly	Calculated	EFF-003	See I.A.16.
Nitrogen, Total	ton/yr	Max	Report	5 Year Average	Monthly	Calculated	EFF-003	See I.A.16.
Phosphorus, Total (as P)	mg/L	Max	Report	Daily Maximum	Monthly, when discharging	Grab	SWB-03	
Phosphorus, Total (as P) (Final)**	mg/L	Max Max	Report Report	Daily Maximum Monthly Average	Weekly, when discharging	Grab	EFF-003	
Phosphorus, Total (as P)	mg/L	Max	Report	Daily Maximum	Monthly, when discharging	Grab	SWD-03	
Phosphorus, Total (as P)	mg/L	Max	Report	Daily Maximum	Monthly	Grab	SWB-03BR	
Phosphorus, Total (as P)	mg/L	Max	Report	Daily Maximum	Monthly, when discharging	Grab	SWD-03AR	
Phosphorus, Total (as P)	lb/day	Max Max	Report Report	Daily Maximum Monthly Average	Weekly	Calculated	EFF-003	
Phosphorus, Total (as P)	lb/mth	Max	Report	Monthly Total	Monthly	Calculated	EFF-003	
Phosphorus, Total (as P)	ton/yr	Max	Report	Annual Total	Monthly	Calculated	EFF-003	See I.A.16.
Phosphorus, Total (as P) (Final)**	ton/yr	Max	Report	5 Year Rolling Average	Monthly	Calculated	EFF-003	See I.A.16.

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Parameter	Units	Max. /Min	Effluent Limitations		Monitoring Requirements			Notes
			Limit	Statistical Basis	Frequency of Analysis	Sample Type	Monitoring Site Number	
Chlorophyll a	ug/L	Max	Report	Daily Maximum	Monthly, when discharging	Grab	SWD-03	
Nitrogen, Ammonia, Total (as N) (Effluent)	mg/L	Max	Report	Monthly Average	Monthly, when discharging	Calculated	EFF-003	See I.A.10., I.A.11., and I.A.12.
Nitrogen, Ammonia, Total (as N) (calculated limit)	mg/L	Max	Report	Monthly Average	Monthly, when discharging	Calculated	EFF-003	See I.A.10., I.A.11., and I.A.12.
Nitrogen, Ammonia, Total (as N) (effluent minus calculated limit)	mg/L	Max	0.00	Monthly Average	Monthly, when discharging	Calculated	EFF-003	See I.A.10., I.A.11., and I.A.12.
Nitrogen, Ammonia, Total (as N)	Ratio	Max	2.5	Single Sample	Monthly, when discharging	Calculated	EFF-003	See I.A.10., I.A.11., and I.A.12.
Sulfate, Total	mg/L	Max	Report	Single Sample	Weekly, when discharging	Grab	EFF-003	
Fluoride, Total (as F)	mg/L	Max Max	10.0 Report	Daily Maximum Monthly Average	Weekly, when discharging	Grab	EFF-003	
Fluoride, Total (as F)	mg/L	Max	Report	Daily Maximum	Monthly	Grab	SWB-03BR	
Fluoride, Total (as F)	mg/L	Max	Report	Daily Maximum	Monthly, when discharging	Grab	SWD-03	
Fluoride, Total (as F)	mg/L	Max	Report	Daily Maximum	Monthly, when discharging	Grab	SWD-03AR	
Beryllium, Total Recoverable*	mg/L	Max Max	0.13 Report	Daily Maximum Monthly Average	Weekly, when discharging	Grab	EFF-003	
Iron, Total Recoverable	mg/L	Max Max	1.0 Report	Daily Maximum Monthly Average	Weekly, when discharging	Grab	EFF-003	
Alpha, Gross Particle Activity	pCi/L	Max	15.0	Daily Maximum	Quarterly, when discharging	Grab	EFF-003	
Radium 226 + Radium 228, Total	pCi/L	Max	5.0	Daily Maximum	Quarterly, when discharging	Grab	EFF-003	
Acute Whole Effluent Toxicity, 96 Hour LC50 (Ceriodaphnia dubia)	percent	Min	100	Single Sample	Semi-Annually; twice per year	Grab	EFF-003	See I.A.15.
Acute Whole Effluent Toxicity, 96 Hour LC50 (Cyprinella leedsii)	percent	Min	100	Single Sample	Semi-Annually; twice per year	Grab	EFF-003	See I.A.15.

*If Beryllium, Total Recoverable is not detected at or above the MDL for the test method used, the permittee shall report "BDL" on the DMR. A value of one-half the effluent limit shall be used for that sample when necessary to calculate an average for the parameter. Test methods used shall be in accordance with applicable Department rules, including Rule 62-4.246 and Chapter 62-160, F.A.C., and Permit Condition I.D.1. For all other parameters not detected at or above the MDL for the test method used, the DMR shall be completed following the directions in the "Instructions for Completing the Wastewater Discharge Monitoring Report" attached to the DMR.

** Denotes parameters' final limits to be established by the Department upon completion of the compliance schedule in the administrative order AO-001SWPM23.

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

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

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

Parameter	Units	Max. /Min	Effluent Limitations		Monitoring Requirements			Notes
			Limit	Statistical Basis	Frequency of Analysis	Sample Type	Monitoring Site Number	
Nitrogen, Total (Interim)	ton/yr	Max	Report	5 Year Average	Monthly	Calculated	EFF-TotalN	See I.A.1 6.
Nitrogen, Total (Final)	ton/yr	Max	0.9	5 Year Average	Monthly	Calculated	EFF-TotalN	See I.A.1 6.

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

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

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

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

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

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

Where:

- T and pH are the paired temperature (°C) and pH associated with the TAN sample.
- For purposes of total ammonia nitrogen criterion calculations, pH is subject to the range of 6.5 to 9.0. The pH shall be set to 6.5 if the measured pH is < 6.5 and set to 9.0 if the measured pH is > 9.0.

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

- a. Determine compliance with the monthly average TAN criterion as follows:
 - (1) Calculate the TAN criterion value using pH and temperature measurements associated with each total ammonia sample. Then calculate the average of the resulting TAN criterion values (i.e. add together all the values calculated with the equation and divide by the total number of samples).
 - (2) Calculate the average of all effluent total ammonia concentrations measured.
 - (3) Effluent is in compliance if the average effluent total ammonia concentration is less than or equal to the calculated average TAN criterion.
- b. Determine compliance with the single sample maximum TAN criterion as follows:
 - (1) Calculate the TAN criterion value using pH and temperature measurements associated with each total ammonia sample. Multiply each resulting TAN criterion value by 2.5.
 - (2) Effluent is in compliance with the single sample TAN criterion if all effluent total ammonia concentrations are less than or equal to 2.5 times their corresponding calculated TAN criterion.

[62-302.530]

11. The total ammonia nitrogen (TAN) monthly average effluent value shall be recorded on the DMR in the parameter row for "(effluent)." The calculated effluent limit shall be recorded on the DMR in the parameter row for "(calculated limit)." Compliance with the effluent limitation is determined by calculating the difference between the measured effluent value and the calculated. The compliance value shall be recorded on the DMR in the parameter row for "(effluent minus calculated limit)." The compliance value shall not exceed 0.00. [62-302.530]
12. To determine compliance with the total ammonia nitrogen (TAN) single sample effluent limitation, divide each TAN effluent sample value by the calculated TAN criterion value for that sample (calculated using the equation in permit condition I.A.10.) and compare to 2.5. On the DMR, report the greatest ratio of effluent sample value to TAN criterion value calculated for that sample. The compliance value shall not exceed 2.5. [62-302.530]
13. The limit for "Turbidity" shall be calculated as follows:

$$\text{Limit} = \text{Background Turbidity} + 29 \text{ NTU}$$

The measured effluent value shall be recorded on the DMR in the parameter row for "Turbidity (effluent)." The measured background value shall be recorded on the DMR in the parameter row for "Turbidity (background)" The calculated effluent limit shall be recorded on the DMR in the parameter row for "Turbidity (calculated limit)." Compliance with the effluent limitation is determined by calculating the difference between the measured effluent

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value and the calculated. The compliance value shall be recorded on the DMR in the parameter row for "Turbidity (effluent minus calculated limit)." The compliance value shall not exceed 0.00. [62-302.530(70)]

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

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

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

a. Effluent Limitation

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

b. Monitoring Frequency

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

c. Sampling Requirements

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

d. Test Requirements

- (1) Routine Tests: All routine tests shall be conducted using a control (0% effluent) and a minimum of five dilutions: **100%, 75%, 50%, 25%, and 12.5%** effluent.
- (2) The permittee shall conduct 96-hour acute static renewal multi-concentration toxicity tests using the daphnid, **Ceriodaphnia dubia**, and the bannerfin shiner, **Cyprinella leedsii**, concurrently.
- (3) All test species, procedures and quality assurance criteria used shall be in accordance with **Methods for Measuring Acute Toxicity of Effluents and Receiving Waters to Freshwater and Marine Organisms**, 5th Edition, EPA-821-R-02-012. Any deviation of the bioassay procedures outlined herein shall be submitted in writing to the Department for review and approval prior to use. In the event the above method is revised, the permittee shall conduct acute toxicity testing in accordance with the revised method.
- (4) The control water and dilution water shall be moderately hard water as described in EPA-821-R-02-012, Table 7.

e. Quality Assurance Requirements

- (1) A standard reference toxicant (SRT) quality assurance (QA) acute toxicity test shall be conducted with each species used in the required toxicity tests either concurrently or initiated no more than 30 days before the date of each routine or additional follow-up test conducted. Additionally, the SRT test must be conducted concurrently if the test organisms are obtained from outside the test laboratory unless the test organism supplier provides control chart data from at least the last five monthly acute toxicity tests using the same reference toxicant and test conditions. If the organism supplier provides the required SRT data, the organism supplier's SRT data and the test laboratory's monthly SRT-QA data shall be included in the reports for each companion routine or additional follow-up test required.
- (2) If the mortality in the control (0% effluent) exceeds 10% for either species in any test, the test for that species (including the control) shall be invalidated and the test repeated. The repeat test shall begin within 14 days after the last day of the invalid test.

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- (3) If 100% mortality occurs in all effluent concentrations for either species prior to the end of any test and the control mortality is less than 10% at that time, the test (including the control) for that species shall be terminated with the conclusion that the test fails and constitutes non-compliance.
 - (4) Routine and additional follow-up tests shall be evaluated for acceptability based on the concentration-response relationship, as required by EPA-821-R-02-012, Section 12.2.6.2., and included with the bioassay laboratory reports.
- f. Reporting Requirements
- (1) Results from all required tests shall be reported on the Discharge Monitoring Report (DMR) as follows:
 - (a) Routine Test Results: If an LC50 >100% effluent occurs in the test for the test species, ">100%" shall be entered on the DMR for that test species. If an LC50 <100% effluent occurs, the calculated LC50 effluent concentration shall be entered on the DMR for that test species.
 - (b) Additional Follow-up Test Results: For each additional test required, the calculated LC50 value shall be entered on the DMR for that test species.
 - (2) A bioassay laboratory report for the routine test shall be prepared according to EPA-821-R-02-012, Section 12, Report Preparation and Test Review, and mailed to the Department at the address below within 30 days after the last day of the test.
 - (3) For additional follow-up tests, a single bioassay laboratory report shall be prepared according to EPA-821-R-02-012, Section 12, and mailed within 30 days after the last day of the second valid additional follow-up test.
 - (4) Data for invalid tests shall be included in the bioassay laboratory report for the repeat test.
 - (5) The same bioassay data shall not be reported as the results of more than one test.
 - (6) All bioassay laboratory reports shall be sent to:
Florida Department of Environmental Protection
Division of Water Resource Management, Phosphate Management Office
13051 N Telecom Parkway, Suite 101
Temple Terrace, Florida 33637-926
- g. Test Failures
- (1) A test fails when the test results do not meet the limits in 8.a.(1).
 - (2) Additional Follow-up Tests:
 - (a) If a routine test does not meet the acute toxicity limitation in 8.a.(1) above, the permittee shall notify the Department at the address above within 21 days after the last day of the failed routine test and conduct two additional follow-up tests on each species that failed the test in accordance with 8.d.
 - (b) The first test shall be initiated within 28 days after the last day of the failed routine test. The remaining additional follow-up tests shall be conducted weekly thereafter until a total of two valid additional follow-up tests are completed.
 - (c) The first additional follow-up test shall be conducted using a control (0% effluent) and a minimum of five dilutions: 100%, 75%, 50%, 25%, and 12.5% effluent. The permittee may modify the dilution series in the second additional follow-up test to more accurately bracket the toxicity such that at least two dilutions above and two dilutions below the target concentration and a control (0% effluent) are run. All test results shall be statistically analyzed according to the procedures in EPA-821-R-02-012.
 - (3) In the event of three valid test failures (whether routine or additional follow-up tests) within a 12-month period, the permittee shall notify the Department within 21 days after the last day of the third test failure.
 - (a) The permittee shall submit a plan for correction of the effluent toxicity within 60 days after the last day of the third test failure.
 - (b) The Department shall review and approve the plan before initiation.
 - (c) The plan shall be initiated within 30 days following the Department's written approval of the plan.
 - (d) Progress reports shall be submitted quarterly to the Department at the address above.
 - (e) During the implementation of the plan, the permittee shall conduct quarterly routine whole effluent toxicity tests in accordance with 8.d. Additional follow-up tests are not required while the plan is in

progress. Following completion or termination of the plan, the frequency of monitoring for routine and additional follow-up tests shall return to the schedule established in 8.b.(1). If a routine test is invalid according to the acceptance criteria in EPA-821-R-02-012, a repeat test shall be initiated within 14 days after the last day of the invalid routine test.

- (f) Upon completion of four consecutive quarterly valid routine tests that demonstrate compliance with the effluent limitation in 8.a.(1) above, the permittee may submit a written request to the Department to terminate the plan. The plan shall be terminated upon written verification by the Department that the facility has passed at least four consecutive quarterly valid routine whole effluent toxicity tests. If a test within the sequence of the four is deemed invalid, but is replaced by a repeat valid test initiated within 14 days after the last day of the invalid test, the invalid test will not be counted against the requirement for four consecutive quarterly valid routine tests for the purpose of terminating the plan.

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

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

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

Monthly Total (Mt)
Mt = (Monthly Average Total Nitrogen OR Phosphorous Concentration, mg/l) (Total Monthly Flow, MG) (8.3454)
2,000 lbs
Mt = Tons/Month

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

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

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

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

B. Underground Injection Control Systems

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

Parameter	Units	Max. /Min	Effluent Limitations		Monitoring Requirements			Notes
			Limit	Statistical Basis	Frequency of Analysis	Sample Type	Monitoring Site Number	

Parameter	Units	Max. /Min	Effluent Limitations		Monitoring Requirements			Notes
			Limit	Statistical Basis	Frequency of Analysis	Sample Type	Monitoring Site Number	
Flow	MGD	Max Max	Report Report	Daily Maximum Monthly Average	Continuous	Recording Flow Meter with Totalizer	FLW-01	
pH	s.u.	Max Min	Report Report	Single Sample Single Sample	Continuous	Meter	INJ-001	
Temperature (C), Water	Deg C	Max	Report	Single Sample	Daily, when discharging	Instantaneou s Sample	INJ-001	
Specific Conductance	umhos/cm	Max	Report	Single Sample	Daily, when discharging	Grab	INJ-001	
Oxygen, Dissolved (DO)	mg/L	Max	Report	Single Sample	Daily, when discharging	Grab	INJ-001	
Solids, Total Dissolved (TDS)	mg/L	Max	Report	Single Sample	Monthly	Grab	INJ-001	
Turbidity	NTU	Max	Report	Single Sample	Daily, when discharging	Meter	INJ-001	
Sulfate, Total	mg/L	Max	Report	Single Sample	Monthly	Grab	INJ-001	
Nitrogen, Ammonia, Total (as N)	mg/L	Max	Report	Single Sample	Monthly	Grab	INJ-001	
Nitrogen, Kjeldahl, Total (as N)	mg/L	Max	Report	Single Sample	Monthly	Grab	INJ-001	
Nitrogen, Nitrate, Total (as N)	mg/L	Max	Report	Single Sample	Monthly	Grab	INJ-001	

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

Monitoring Site Number	Description of Monitoring Site
FLW-01	Flow Meter location for U-001
INJ-001	Monitoring site number for U-001 sample location

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

C. Land Application Systems

1. This section is not applicable to this facility.

D. Other Limitations and Monitoring and Reporting Requirements

1. The sample collection, analytical test methods, and method detection limits (MDLs) applicable to this permit shall be conducted using a sufficiently sensitive method to ensure compliance with applicable water quality standards and effluent limitations and shall be in accordance with Rule 62-4.246, Chapters 62-160 and 62-600, F.A.C., and 40 CFR 136, as appropriate. The list of Department established analytical methods, and corresponding MDLs (method detection limits) and PQLs (practical quantitation limits), which is titled "FAC 62-4 MDL/PQL Table (November 10, 2020)" is available at <https://floridadep.gov/dear/quality-assurance/content/quality-assurance->

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resources. The MDLs and PQLs as described in this list shall constitute the minimum acceptable MDL/PQL values and the Department shall not accept results for which the laboratory's MDLs or PQLs are greater than those described above unless alternate MDLs and/or PQLs have been specifically approved by the Department for this permit. Any method included in the list may be used for reporting as long as it meets the following requirements:

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

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

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

- 2. The permittee shall provide safe access points for obtaining representative influent and effluent samples which are required by this permit. [62-620.320(6)]
- 3. Monitoring requirements under this permit are effective on the first day of the second month following the effective date of the permit. Until such time, the permittee shall continue to monitor and report in accordance with previously effective permit requirements, if any. During the period of operation authorized by this permit, the permittee shall complete and submit to the Department Discharge Monitoring Reports (DMRs) in accordance with the frequencies specified by the REPORT type (i.e. monthly, quarterly, semiannual, annual, etc.) indicated on the DMR forms attached to this permit. Unless specified otherwise in this permit, monitoring results for each monitoring period shall be submitted in accordance with the associated DMR due dates below. DMRs shall be submitted for each required monitoring period including periods of no discharge.

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

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

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

[62-620.610(18)]

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

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

Phone Number - (813) 470-5913 (All e-mails (electronic communication) shall be followed by original copies.)

[62-620.305]

5. All reports and other information shall be signed in accordance with the requirements of Rule 62-620.305, F.A.C. *[62-620.305]*
6. If there is no discharge from the facility on a day when the facility would normally sample, the sample shall be collected on the day of the next discharge. *[62-620.320(6)]*

II. SLUDGE MANAGEMENT REQUIREMENTS

1. This section is not applicable to this facility.

III. GROUND WATER REQUIREMENTS

A. Construction Requirements

1. The permittee shall give at least 72-hour notice to the Department's Division of Water Resource Management, Phosphate Management Office, prior to the installation of any monitoring wells. *[62-520.600(6)(h)]*
2. Before construction of new ground water monitoring wells, a soil boring shall be made at each new monitoring well location to properly determine monitoring well specifications such as well depth, screen interval, screen slot, and filter pack. *[62-520.600(6)(g)]*
3. Within 30 days after installation of a monitoring well, the permittee shall submit to the Department's Division of Water Resource Management, Phosphate Management Office well completion reports and soil boring/lithologic logs on the attached DEP Form(s) 62-520.900(3), Monitoring Well Completion Report. *[62-520.600(6)(j) and .900(3)]*
4. All piezometers and monitoring wells not part of the approved ground water monitoring plan shall be plugged and abandoned in accordance with Rule 62-532.500(5), F.A.C., unless future use is intended. *[62-532.500(5)]*
5. The permittee shall sample the following monitoring well(s): null for the primary and secondary drinking water parameters included in Rules 62-550.310 and 62-550.320, F.A.C., (except for asbestos and all parameters in Table 5 of Chapter 62-550, F.A.C., other than Di(2-ethylhexyl) adipate and Di(2-ethylhexyl) phthalate). Results of this sampling shall be submitted to the Department's Division of Water Resource Management, Phosphate Management Office within 60 days after sampling. *[62-520.600(5)(a)]*

B. Operational Requirements

1. The ground water minimum criteria specified in Rule 62-520.400 F.A.C., shall be met within the zone of discharge. [62-520.400 and 62-520.420(4)]
2. If the concentration for any constituent listed in Permit Condition III.B.7. in the natural background quality of the ground water is greater than the stated maximum, or in the case of pH is also less than the minimum, the representative background quality shall be the prevailing standard. [62-520.420(2)]
3. The permittee shall begin sampling ground water at the new monitoring wells identified in Permit Condition III.B.4., and III.B.6. below in accordance with this permit and the approved ground water monitoring plan prepared in accordance with Rule 62-520.600, F.A.C. [62-520.600]
4. The following background and intermediate monitoring wells shall be sampled as part of the Groundwater Monitoring Plan:

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

Note: TBD- To be determined.

†Monitoring Wells to be Re-established.

[62-520.600]

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

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

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[62-520.600(11)(b)]

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

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

Note: **TBD- To be determined.**

†Monitoring Wells to be Re-established.

[62-520.600(11)(b)]

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

Parameter	Compliance Well Limit	Units	Sample Type	Monitoring Frequency
Water Level Relative to NGVD	Report	ft	In Situ	Quarterly
Temperature (C), Water	Report	Deg C	In Situ	Quarterly
Specific Conductance	Report	umhos/cm	In Situ	Quarterly
pH	6.5-8.5	s.u.	In Situ	Quarterly
Turbidity	Report	NTU	Grab	Quarterly
Sodium, Total Recoverable	160	mg/L	Grab	Quarterly
Fluoride, Total (as F)	4.0	mg/L	Grab	Quarterly
Sulfate, Total	Report	mg/L	Grab	Quarterly
Nitrite plus Nitrate, Total 1 det. (as N)	Report	mg/L	Grab	Quarterly
Phosphate, Ortho (as P)	Report	mg/L	Grab	Quarterly
Solids, Total Dissolved (TDS)	Report	mg/L	Grab	Quarterly
Alpha, Gross Particle Activity	15	pCi/L	Grab	Quarterly
Radium 226 + Radium 228, Total	5	pCi/L	Grab	Quarterly
Arsenic, Total Recoverable	50	ug/L	Grab	Quarterly
Cadmium, Total Recoverable	5	ug/L	Grab	Quarterly
Chromium, Total Recoverable	100	ug/L	Grab	Quarterly
Lead, Total Recoverable	15	ug/L	Grab	Quarterly

[62-520.600(11)(b)]

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

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

Note: TBD-To be determined.

[62-520.600]

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

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

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

[62-520.600(11)(b)]

10. Water levels shall be recorded before evacuating each well for sample collection. Elevation references shall include the top of the well casing and land surface at each well site (NAVD allowable) at a precision of plus or minus 0.01 foot. [62-520.600(11)(c)]
11. Ground water monitoring wells shall be purged prior to sampling to obtain representative samples. [62-160.210]
12. Analyses shall be conducted on unfiltered samples, unless filtered samples have been approved by the Department's Division of Water Resource Management, Phosphate Management Office as being more representative of ground water conditions. [62-520.310(5)]

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13. Ground water monitoring test results shall be submitted on Part D of Form 62-620.910(10) in accordance with Permit Condition I.D.3. *[62-520.600(11)(b)]*
14. If any monitoring well becomes inoperable or damaged to the extent that the sampling or well integrity may be affected, the permittee shall notify the Department's Division of Water Resource Management, Phosphate Management Office within two business days from discovery, and a detailed written report shall follow within ten days after notification to the Department. The written report shall detail what problem has occurred and remedial measures that have been taken to prevent recurrence or request approval for replacement of the monitoring well. All monitoring well design and replacement shall be approved by the Department's Division of Water Resource Management, Phosphate Management Office before installation. *[62-520.600(6)(l)]*
15. The permittee shall sample the following monitoring well(s): null for the primary and secondary drinking water parameters included in Rules 62-550.310 and 62-550.320, F.A.C., (except for asbestos and all parameters in Table 5 of Chapter 62-550, F.A.C., other than Di(2-ethylhexyl) adipate and Di(2-ethylhexyl) phthalate). Results of this sampling shall be submitted to the Department's Division of Water Resource Management, Phosphate Management Office with the application for permit renewal. Sampling shall occur no sooner than 180 days before submittal of the renewal application. *[62-520.600(5)(b)]*

IV. ADDITIONAL LAND APPLICATION REQUIREMENTS

1. Section IV is not applicable to this facility.

V. OPERATION AND MAINTENANCE REQUIREMENTS

1. During the period of operation authorized by this permit, the wastewater facilities shall be operated under the supervision of a person who is qualified by formal training and/or practical experience in the field of water pollution control. *[62-620.320(6)]*
2. The permittee shall maintain the following records and make them available for inspection at the following address: on the site of the permitted facility.
 - a. Records of all compliance monitoring information, including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation, including, if applicable, a copy of the laboratory certification showing the certification number of the laboratory, for at least three years from the date the sample or measurement was taken;
 - b. Copies of all reports required by the permit for at least three years from the date the report was prepared;
 - c. Records of all data, including reports and documents, used to complete the application for the permit for at least three years from the date the application was filed;
 - d. A copy of the current permit;
 - e. A copy of any required record drawings; and
 - f. Copies of the logs and schedules showing plant operations and equipment maintenance for three years from the date of the logs or schedules.

[62-620.350]

VI. SCHEDULES

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

Improvement Action	Completion Date
1. Submittal of the updated Water Balance of the Facility	Annually, no later than February 1st of the following year

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Improvement Action	Completion Date
2. Provide confirmation that the dredging of Lined Process Water Pond (LPWS) has been completed	Within 90 days of effective date of permit
3. Submit a plan for installation of a flow meter at the present location of Outfall D-002	Within 180 days of effective date of permit
4. Submittal of the Annual Report of the performance of Soil bentonite Slurry Wall Cut-off wall	Annually, no later than April 30th of the following year
5. Submit Annual Stack Inspection Report	Annually, no later than April 30th of the following year.
6. Submit Aerial Photographs and surveyed elevations of the stack system compartments, including the lowest elevation of any crest containing impounded water, as determined by a licensed surveyor.	Annually, no later than April 30th of the following year.
7. Submit an updated flow diagram with the flow meter location (FLW-01) and sample collection point (INJ-001) for U-001 indicated.	Prior to injection well permit number 0322708-002-UC/II (WACS ID 101607) becoming operational.
8. Submit an Operation Plan for the Site, during closure and a Closure Operation Plan for the time following closure	Within 1 year of effective date of the permit
9. Submit results of at least three effluent samples collected and analyzed for Nonylphenol using analytical method ASTM D7065-06 to verify that the facility discharge is not causing or contributing to violations of the nonylphenol criterion.	Within 1 year of effective date of the permit
10. Submit a Contingency Plan for the site prior to closure and after closure	Within 18 months of effective date of the permit
11. Submit a financial assurance plan for the site that covers before and after closure	No later than the effective date of permit plus 2 years
12. Submittal of monitoring well's Data (Tabular and Graphical) Trend Analysis	No later than 180 days prior to permit expiration

[62-620.320(6)]

2. In accordance with section 403.088(2)(e) and (f), Florida Statutes, a compliance schedule for this facility is contained in Administrative Order AO-001SWPM23 which is hereby adopted and incorporated by reference.
3. The following actions shall be completed according to the following schedule. The Best Management Practices/Pollution Prevention (BMP3) Plan shall be prepared and implemented in accordance with Part VII of this permit.

Improvement Action	Completion Date
1. Continue implementation of the existing SWPP plan.	Effective date of the permit
2. Submittal of annual SWPP plan progress reports.	Annually, no later than February 1st of the following year

[62-620.320(6)]

4. The permittee is not authorized to discharge to waters of the state after the expiration date of this permit, unless:
 - a. The permittee has applied for renewal of this permit at least 180 days before the expiration date of this permit using the appropriate forms listed in Rule 62-620.910, F.A.C., and in the manner established in the Department of Environmental Protection Guide to Permitting Wastewater Facilities or Activities Under Chapter 62-620, F.A.C., including submittal of the appropriate processing fee set forth in Rule 62-4.050, F.A.C.; or
 - b. The permittee has made complete the application for renewal of this permit before the permit expiration date.

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

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VII. BEST MANAGEMENT PRACTICES/STORMWATER POLLUTION PREVENTION PLANS

1. In accordance with Section 304(e) and 402(a)(2) of the Clean Water Act (CWA) as amended, 33 U.S.C. §§ 1251 et seq., and the Pollution Prevention Act of 1990, 42 U.S.C. §§ 13101-13109, the permittee must develop and implement a Stormwater Pollution Prevention (SWPP) Plan for the facility covered by this permit. The SWPP Plan shall be prepared in accordance with good engineering practices and in accordance with the factors outlined in 40 CFR §125.3(d)(2) or (3) as appropriate. The plan shall identify potential sources of pollution that may reasonably be expected to affect the quality of stormwater discharges associated with industrial activity from the facility. In addition, the plan 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 SWPP Plan required under this part as a condition of this permit. The plan shall include, at a minimum, the following items:
 - a. Specific individual(s) within the facility organization as members of a SWPP Team that are responsible for developing the SWPP Plan and assisting the facility or operations manager in its implementation, maintenance, and revision. The plan shall clearly identify the responsibilities of each team member. The activities and responsibilities of the team shall address all aspects of the facility's SWPP Plan.
 - b. A description of potential sources which may reasonably be expected to add significant amounts of pollutants to stormwater discharges or which may result in the discharge of pollutants during dry weather from separate storm sewers draining the facility. The plan shall identify all activities and significant materials that may potentially be significant pollutant sources. The plan shall include, at a minimum:
 - (1) Drainage
 - (a) A site map indicating an outline of the portions of the drainage area of each stormwater 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 (2)(c) (spills and leaks) 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.
 - (b) For each area of the facility that generates stormwater discharges associated with industrial activity with a reasonable potential for containing significant amounts of pollutants, a prediction of the direction of flow, and an identification of the types of pollutants which are likely to be present in stormwater discharges associated with industrial activity. Factors to consider include the toxicity of chemical; quantity of chemicals used, produced or discharged; the likelihood of contact with stormwater; and history of significant leaks or spills of toxic or hazardous pollutants. Flows with a significant potential for causing erosion shall be identified.
 - (2) 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 in a manner to allow exposure to stormwater between the time of three years prior to the effective date of this permit and the present; method and location of on-site storage or disposal; materials management practices employed to minimize contact of materials with stormwater runoff between the time of three years prior to the effective date of this permit and the present; the location and a description of existing structural and non-structural control measures to reduce pollutants in stormwater runoff; and a description of any treatment the stormwater receives.
 - (3) A list of significant spills and significant 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 after the date of three years prior to the effective date of this permit. Such list shall be updated as appropriate during the term of the permit.
 - (4) A summary of existing discharge sampling data describing pollutants in stormwater discharges from the facility, including a summary of sampling data collected during the term of this permit.

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- (5) A narrative description of the potential pollutant sources from the following activities if applicable: loading and unloading operations; outdoor storage activities; outdoor manufacturing or processing activities; significant dust or particulate generating processes; loading/unloading areas; and on-site waste disposal practices. The description shall specifically list any significant potential source of pollutants at the site and for each potential source, any pollutant or pollutant parameter (e.g. biochemical oxygen demand, etc.) of concern shall be identified.
- c. A description of stormwater management controls appropriate for the facility and implement such controls. The appropriateness and priorities of controls in a plan shall reflect identified potential sources of pollutants at the facility. The description of stormwater management controls shall address the following minimum components, including a schedule for implementing such controls:
- (1) Good housekeeping requires the maintenance of areas that may contribute pollutants to stormwater discharges in a clean, orderly manner.
 - (2) 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.
 - (3) Areas where potential spills that can contribute pollutants to stormwater discharges can occur and their accompanying drainage points shall be identified clearly in the SWPP Plan. Where appropriate, specifying material handling procedures, storage requirements, and use of equipment such as diversion valves in the plan should be considered. Procedures for cleaning up spills shall be identified in the plan and made available to the appropriate personnel. The necessary equipment to implement a clean up should be available to personnel.
 - (4) In addition to or as part of the comprehensive site evaluation required under paragraph (4) of this section, qualified facility personnel shall be identified to inspect designated equipment and areas of the facility at appropriate intervals specified in the plan. A set of 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.
 - (5) Employee training programs shall inform personnel responsible for implementing activities identified in the SWPP Plan or otherwise responsible for stormwater management at all levels of responsibility of the components and goals of the SWPP Plan. Training should address topics such as spill response, good housekeeping and material management practices. A pollution prevention plan shall identify periodic dates for such training.
 - (6) 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 required under this part. Inspections and maintenance activities shall be documented and records of such activities shall be incorporated into the plan.
 - (7) Non-Stormwater Discharges
 - (a) The plan shall include a certification that each "stormwater-only" discharge authorized under this permit has been tested or evaluated for the presence of non-stormwater discharges. (This section is not applicable to those discharges authorized under this permit that have been identified in the application as having non-stormwater components.) The certification shall include the identification of potential significant sources of non-stormwater at the site, a description of the results of any test and/or evaluation for the presence of non-stormwater discharges, the evaluation criteria or testing method used, the date of any testing and/or evaluation, and the on-site drainage points that were directly observed during the test. Certifications shall be signed in accordance with paragraph (6) of this section. Such certification may not be feasible if the facility operating the stormwater discharge associated with industrial activity does not have access to an outfall, manhole, or other point of access to the ultimate conduit that receives the discharge. In such cases, the source identification section of the stormwater pollution plan shall indicate why the certification required by this part was not feasible, along with the identification of potential significant sources of non-stormwater at the site. A discharger that is unable to provide the certification required by this paragraph must notify

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the Division of Water Resource Management, Phosphate Management in accordance with paragraph (iii) below.

- (b) Except for flows from fire fighting activities, sources of authorized non-stormwater discharges that are combined with stormwater discharges associated with industrial activity must be identified in the plan. The plan shall identify and ensure the implementation of appropriate pollution prevention measures for the non-stormwater component(s) of the discharge.
 - (c) Failure to Certify. Any facility that is unable to provide the certification required (testing for non-stormwater discharges), must notify the Division of Water Resource Management, Phosphate Management. If the failure to certify is caused by the inability to perform adequate tests or evaluations, such notification shall describe: the procedure of any test conducted for the presence of non-stormwater discharges; the results of such test or other relevant observations; potential sources of non-stormwater discharges to the storm sewer; and why adequate tests for such storm sewers were not feasible. Non-stormwater discharges to surface waters of the State of Florida which are not authorized by an NPDES permit are unlawful, and must be terminated or dischargers must submit appropriate NPDES permit application forms.
 - (8) The plan 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.
 - (9) The plan shall contain a narrative consideration of the appropriateness of traditional stormwater management practices (practices other than those which control the generation or source(s) of pollutants) used to divert, infiltrate, reuse, or otherwise manage stormwater runoff in a manner that reduces pollutants in stormwater discharges from the site. The plan shall provide that those measures that the permittee determines to be reasonable and appropriate shall be implemented and maintained. The potential of various sources at the facility to contribute pollutants to stormwater discharges associated with industrial activity shall be considered when determining reasonable and appropriate measures. Appropriate measures may include: vegetative swales and practices; reuse of collected stormwater (such as for a process or as an irrigation source); inlet controls (such as oil/water separators); infiltration devices; and, detention or retention devices.
- d. A Comprehensive Site Compliance Evaluation. Qualified personnel shall conduct site compliance evaluations at appropriate intervals specified in the plan, but, except as provided in paragraph (4)(d) of this section, in no case less than once a year. Such evaluations shall provide:
- (1) Areas contributing to a stormwater discharge associated with industrial activity shall be visually inspected for evidence of, or the potential for, pollutants entering the drainage system. Measures to reduce pollutant loadings shall be evaluated to determine whether they are adequate and properly implemented in accordance with the terms of the permit or whether additional control measures are needed. Structural stormwater management measures, sediment and erosion control measures, and other structural pollution prevention measures identified in the plan shall be observed to ensure that they are operating correctly. A visual inspection of equipment needed to implement the plan, such as spill response equipment, shall be made.
 - (2) Based on the results of the inspection, the description of potential pollutant sources identified in the plan in accordance with paragraph (2) of this section (description of potential pollutant sources) and pollution prevention measures and controls identified in the plan in accordance with paragraph (3) of this section (measures and controls) shall be revised as appropriate within two weeks of such inspection and shall provide for implementation of any changes to the plan in a timely manner, but in no case more than twelve weeks after the inspection.
 - (3) A report summarizing the scope of the inspection, personnel making the inspection, the date(s) of the inspection, major observations relating to the implementation of the SWPP Plan, and actions taken in accordance with paragraph (4)(b) of this section shall be made and retained as part of the SWPP Plan for at least one year after coverage under this permit terminates. The report shall identify any incidents of non-compliance. Where a report does not identify any incidents of non-compliance, the report shall contain a certification that the facility is in compliance with the SWPP Plan and this permit. The report shall be signed in accordance with paragraph (6) (signatory requirements) of this section.

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- e. Consistency with other plans. SWPP Plans may reference the existence of other plans for Spill Prevention Control and Countermeasure (SPCC), plans developed for the facility under section 311 of the CWA or Best Management Practices (BMP) Programs otherwise required by an NPDES permit for the facility as long as such requirement is incorporated into the SWPP Plan.
- f. Signatory Authority and Management Responsibilities. The SWPP Plan shall be signed in accordance with Rule 62-620.305, Florida Administrative Code, and shall be reviewed by the facility engineer and facility manager. A copy of the plan shall be retained at the facility and shall be made available to the Division of Water Resource Management, Phosphate Management upon request, or in the case of a stormwater discharge associated with industrial activity that discharges through a municipal separate storm sewer system, to the operator of the municipal system.
- g. Plan Review. The Division of Water Resource Management, Phosphate Management may notify the permittee at any time that the plan does not meet one or more of the minimum requirements of this Part. Such notification shall identify those provisions of the permit which are not being met by the plan, and identify which provisions of the plan requires modifications in order to meet the minimum requirements of this Part. Within 30 days of such notification from the Division of Water Resource Management, Phosphate Management, the permittee shall make the required changes to the plan and shall submit to the Division of Water Resource Management, Phosphate Management a written certification that the requested changes have been made.
- h. Keeping Plans Current. The permittee shall amend the plan whenever there is a change in design, construction, operation, or maintenance of the facility which has a significant effect on the potential for the discharge of pollutants to surface waters of the State of Florida; if the SWPP Plan proves to be ineffective in eliminating or significantly minimizing pollutants from sources identified under paragraph (2) (description of potential pollutant sources) of this section; or, in otherwise achieving the general objectives of controlling pollutants in stormwater discharges associated with industrial activity. Amendments to the plan may be reviewed by the Division of Water Resource Management, Phosphate Management in the same manner as described in paragraphs (6) and (7) of this section.

[62-620.100(3)(m)]

VIII. OTHER SPECIFIC CONDITIONS

1. Where required by Chapter 471 or Chapter 492, F.S., applicable portions of reports that must be submitted under this permit shall be signed and sealed by a professional engineer or a professional geologist, as appropriate. *[62-620.310(4)]*
2. The permittee shall provide verbal notice to the Department's Division of Water Resource Management, Phosphate Management Office as soon as practical after discovery of a sinkhole or other karst feature within an area for the management or application of wastewater, or wastewater sludges. The Permittee shall immediately implement measures appropriate to control the entry of contaminants, and shall detail these measures to the Department's Division of Water Resource Management, Phosphate Management Office in a written report within 7 days of the sinkhole discovery. *[62-620.320(6)]*
3. Existing manufacturing, commercial, mining, and silvicultural wastewater facilities or activities that discharge into surface waters shall notify the Department as soon as they know or have reason to believe:
 - a. That any activity has occurred or will occur which would result in the discharge, on a routine or frequent basis, of any toxic pollutant which is not limited in the permit, if that discharge will exceed the highest of the following levels;
 - (1) One hundred micrograms per liter,
 - (2) Two hundred micrograms per liter for acrolein and acrylonitrile; five hundred micrograms per liter for 2, 4-dinitrophenol and for 2-methyl-4, 6-dinitrophenol; and one milligram per liter for antimony, or
 - (3) Five times the maximum concentration value reported for that pollutant in the permit application; or

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- b. That any activity has occurred or will occur which would result in any discharge, on a non-routine or infrequent basis, of a toxic pollutant which is not limited in the permit, if that discharge will exceed the highest of the following levels;
- (1) Five hundred micrograms per liter,
 - (2) One milligram per liter for antimony, or
 - (3) Ten times the maximum concentration value reported for that pollutant in the permit application.

[62-620.625(1)]

4. The permittee shall comply with all of the applicable financial responsibility requirements of Rule 62-673, Florida Administrative Code, and the applicable conditions of 40 CFR 264, Subpart H.
5. Any transfer of this permit during the effective term shall require the party or parties obtaining a transfer to demonstrate that all the financial responsibility requirements be met prior to transfer, if necessary. *[62-620.340(3), F.A.C.]*
6. The permittee shall notify the Department's Bureau of Mining and Minerals Regulation Phosphate Management Program, by certified mail, of commencement of a voluntary or involuntary proceeding under Title 11 (Bankruptcy), U.S. Code, naming the permittee as debtor, within ten (10) days after the commencement of the proceeding. *[40 CFR 264.148(a)]*

IX. GENERAL CONDITIONS

1. The terms, conditions, requirements, limitations and restrictions set forth in this permit are binding and enforceable pursuant to Chapter 403, Florida Statutes. Any permit noncompliance constitutes a violation of Chapter 403, Florida Statutes, and is grounds for enforcement action, permit termination, permit revocation and reissuance, or permit revision. *[62-620.610(1)]*
2. This permit is valid only for the specific processes and operations applied for and indicated in the approved drawings or exhibits. Any unauthorized deviations from the approved drawings, exhibits, specifications or conditions of this permit constitutes grounds for revocation and enforcement action by the Department. *[62-620.610(2)]*
3. As provided in subsection 403.087(7), F.S., the issuance of this permit does not convey any vested rights or any exclusive privileges. Neither does it authorize any injury to public or private property or any invasion of personal rights, nor authorize any infringement of federal, state, or local laws or regulations. This permit is not a waiver of or approval of any other Department permit or authorization that may be required for other aspects of the total project which are not addressed in this permit. *[62-620.610(3)]*
4. This permit conveys no title to land or water, does not constitute state recognition or acknowledgment of title, and does not constitute authority for the use of submerged lands unless herein provided and the necessary title or leasehold interests have been obtained from the State. Only the Trustees of the Internal Improvement Trust Fund may express State opinion as to title. *[62-620.610(4)]*
5. This permit does not relieve the permittee from liability and penalties for harm or injury to human health or welfare, animal or plant life, or property caused by the construction or operation of this permitted source; nor does it allow the permittee to cause pollution in contravention of Florida Statutes and Department rules, unless specifically authorized by an order from the Department. The permittee shall take all reasonable steps to minimize or prevent any discharge, reuse of reclaimed water, or residuals use or disposal in violation of this permit which has a reasonable likelihood of adversely affecting human health or the environment. It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit. *[62-620.610(5)]*

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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)]*

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15. The permittee shall give the Department written notice at least 60 days before inactivation or abandonment of a wastewater facility or activity and shall specify what steps will be taken to safeguard public health and safety during and following inactivation or abandonment. *[62-620.610(15)]*
16. The permittee shall apply for a revision to the Department permit in accordance with Rules 62-620.300, F.A.C., and the Department of Environmental Protection Guide to Permitting Wastewater Facilities or Activities Under Chapter 62-620, F.A.C., at least 90 days before construction of any planned substantial modifications to the permitted facility is to commence or with Rule 62-620.325(2), F.A.C., for minor modifications to the permitted facility. A revised permit shall be obtained before construction begins except as provided in Rule 62-620.300, F.A.C. *[62-620.610(16)]*
17. The permittee shall give advance notice to the Department of any planned changes in the permitted facility or activity which may result in noncompliance with permit requirements. The permittee shall be responsible for any and all damages which may result from the changes and may be subject to enforcement action by the Department for penalties or revocation of this permit. The notice shall include the following information:
 - a. A description of the anticipated noncompliance;
 - b. The period of the anticipated noncompliance, including dates and times; and
 - c. Steps being taken to prevent future occurrence of the noncompliance.*[62-620.610(17)]*
18. Sampling and monitoring data shall be collected and analyzed in accordance with Rule 62-4.246 and Chapters 62-160, 62-600, and 62-610, F.A.C., and 40 CFR 136, as appropriate.
 - a. Monitoring results shall be reported at the intervals specified elsewhere in this permit and shall be reported on a Discharge Monitoring Report (DMR), DEP Form 62-620.910(10), or as specified elsewhere in the permit.
 - b. If the permittee monitors any contaminant more frequently than required by the permit, using Department approved test procedures, the results of this monitoring shall be included in the calculation and reporting of the data submitted in the DMR.
 - c. Calculations for all limitations which require averaging of measurements shall use an arithmetic mean unless otherwise specified in this permit.
 - d. Except as specifically provided in Rule 62-160.300, F.A.C., any laboratory test required by this permit shall be performed by a laboratory that has been certified by the Department of Health Environmental Laboratory Certification Program (DOH ELCP). Such certification shall be for the matrix, test method and analyte(s) being measured to comply with this permit. For domestic wastewater facilities, testing for parameters listed in Rule 62-160.300(4), F.A.C., shall be conducted under the direction of a certified operator.
 - e. Field activities including on-site tests and sample collection shall follow the applicable standard operating procedures described in DEP-SOP-001/01 adopted by reference in Chapter 62-160, F.A.C.
 - f. Alternate field procedures and laboratory methods may be used where they have been approved in accordance with Rules 62-160.220, and 62-160.330, F.A.C.*[62-620.610(18)]*
19. Reports of compliance or noncompliance with, or any progress reports on, interim and final requirements contained in any compliance schedule detailed elsewhere in this permit shall be submitted no later than 14 days following each schedule date. *[62-620.610(19)]*
20. The permittee shall report to the Department any noncompliance which may endanger health or the environment. Any information shall be provided orally within 24 hours from the time the permittee becomes aware of the circumstances. A written submission shall also be provided within five days of the time the permittee becomes aware of the circumstances. The written submission shall contain a description of the noncompliance and its cause; the period of noncompliance including exact dates and times, and if the noncompliance has not been

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corrected, the anticipated time it is expected to continue; clean up actions taken and status; and steps taken or planned to reduce, eliminate, and prevent recurrence of the noncompliance. For noncompliance events related to sanitary sewer overflows, bypass events, or unauthorized discharges, these reports must include the data described above (with the exception of time of discovery) as well as the type of event (e.g., sanitary sewer overflow, bypass, unauthorized discharge); type of sanitary sewer overflow structure (e.g., manhole); the discharge location address and latitude/longitude; type of water discharged; discharge volumes and volumes recovered; volume discharged to surface waters and receiving waterbody name; types of human health and environmental impacts of the sanitary sewer overflow, bypass event, or unauthorized discharge (e.g., beach closure); whether the noncompliance was caused by a third party; and whether the noncompliance was related to wet weather. The written submission may be provided electronically using the Department's Business Portal at <https://www.fldepportal.com/go/> (via "Submit" followed by "Report" or "Registration/Notification"). Notice required for public notice of pollution under paragraph (d) may be provided together with the written submission using the Business Portal. All noncompliance events related to sanitary sewer overflows or bypass events submitted after September 14, 2021, shall be submitted electronically.

- a. The following shall be included as information which must be reported within 24 hours under this condition:
 - (1) Any unanticipated bypass which causes any reclaimed water or the effluent to exceed any permit limitation or results in an unpermitted discharge,
 - (2) Any upset which causes any reclaimed water or the effluent to exceed any limitation in the permit,
 - (3) Violation of a maximum daily discharge limitation for any of the pollutants specifically listed in the permit for such notice; and,
 - (4) Any unauthorized discharge to surface or ground waters, except for discharges to ground water of reclaimed water meeting Part III or Part V treatment standards under Chapter 62-610, F.A.C.
- b. Oral reports as required by this subsection shall be provided as follows:
 - (1) For unauthorized releases or spills of treated or untreated wastewater reported pursuant to subparagraph (a)4., that are in excess of 1,000 gallons per incident, or where information indicates that public health or the environment will be endangered, oral reports shall be provided to the Department by calling the STATE WATCH OFFICE TOLL FREE NUMBER (800)320-0519, as soon as practicable, but no later than 24 hours from the time the permittee becomes aware of the discharge. The permittee, to the extent known, shall provide the following information to the State Watch Office:
 - (a) Name, address, and telephone number of person reporting,
 - (b) Name, address, and telephone number of permittee or responsible person for the discharge,
 - (c) Date and time of the discharge and status of discharge (ongoing or ceased),
 - (d) Characteristics of the wastewater spilled or released (untreated or treated, industrial or domestic wastewater),
 - (e) Estimated amount of the discharge,
 - (f) Location or address of the discharge,
 - (g) Source and cause of the discharge,
 - (h) Whether the discharge was contained on-site, and cleanup actions taken to date,
 - (i) Description of area affected by the discharge, including name of water body affected, if any; and,
 - (j) Other persons or agencies contacted.
 - (2) Oral reports, not otherwise required to be provided pursuant to subparagraph (b)1., above, shall be provided to the Department within 24 hours from the time the permittee becomes aware of the circumstances.
- c. If the oral report has been received within 24 hours, the noncompliance has been corrected, and the noncompliance did not endanger health or the environment, the Department shall waive the written report.
- d. In accordance with Section 403.077, F.S., unauthorized releases or spills reportable to the State Watch Office pursuant to subparagraph (b)1. above shall also be reported to the Department within 24 hours from the time the permittee becomes aware of the discharge. The permittee shall provide to the Department information reported to the State Watch Office. Notice of unauthorized releases or spills may be provided to the

PERMITTEE: Donica Receivership Services, LLC
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Department through the Department's Public Notice of Pollution web page at <https://floridadep.gov/pollutionnotice> or by reporting electronically using the Department's Business Portal at <https://www.fldepportal.com/go/> (via "Submit" followed by "Report" or "Registration/Notification").

- (1) If, after providing notice pursuant to paragraph (d) above, the permittee determines that a reportable unauthorized release or spill did not occur or that an amendment to the notice is warranted, the permittee may submit a letter to the Department documenting such determination at pollution.notice@floridadep.gov.
- (2) If, after providing notice pursuant to paragraph (d) above, the permittee discovers that a reportable unauthorized release or spill has migrated outside the property boundaries of the installation, the permittee must provide an additional notice to the Department that the release has migrated outside the property boundaries within 24 hours after its discovery of the migration outside of the property boundaries.
- e. Unless discharged to surface waters, a spill, release, discharge, upset or bypass involving reclaimed water meeting Part III or Part V treatment standards under Chapter 62-610, F.A.C., shall not be considered to endanger health or the environment and shall be reported under subsection (21) of this permit.

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

21. The permittee shall report all instances of noncompliance not reported under Permit Conditions IX. 17, 18 or 19 of this permit at the time monitoring reports are submitted. This report shall contain the same information required by Permit Condition IX.20 of this permit. *[62-620.610(21)]*
22. Bypass Provisions.
 - a. "Bypass" means the intentional diversion of waste streams from any portion of a treatment works.
 - b. Bypass is prohibited, and the Department may take enforcement action against a permittee for bypass, unless the permittee affirmatively demonstrates that:
 - (1) Bypass was unavoidable to prevent loss of life, personal injury, or severe property damage; and
 - (2) There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate back-up equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass which occurred during normal periods of equipment downtime or preventive maintenance; and
 - (3) The permittee submitted notices as required under Permit Condition IX. 22. c. of this permit.
 - c. If the permittee knows in advance of the need for a bypass, it shall submit prior notice to the Department, if possible at least 10 days before the date of the bypass. The permittee shall submit notice of an unanticipated bypass within 24 hours of learning about the bypass as required in Permit Condition IX. 20. of this permit. A notice shall include a description of the bypass and its cause; the period of the bypass, including exact dates and times; if the bypass has not been corrected, the anticipated time it is expected to continue; and the steps taken or planned to reduce, eliminate, and prevent recurrence of the bypass.
 - d. The Department shall approve an anticipated bypass, after considering its adverse effect, if the permittee demonstrates that it will meet the three conditions listed in Permit Condition IX. 22. b.(1) through (3) of this permit.
 - e. A permittee may allow any bypass to occur which does not cause reclaimed water or effluent limitations to be exceeded if it is for essential maintenance to assure efficient operation. These bypasses are not subject to the provisions of Permit Condition IX. 22. b. through d. of this permit.

[62-620.610(22)]

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

PERMITTEE: Donica Receivership Services, LLC
FACILITY: Piney Point Phosphogypsum Stack System

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- (1) An upset does not include noncompliance caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, careless or improper operation.
 - (2) An upset constitutes an affirmative defense to an action brought for noncompliance with technology based permit effluent limitations if the requirements of upset provisions of Rule 62-620.610, F.A.C., are met.
- b. A permittee who wishes to establish the affirmative defense of upset shall demonstrate, through properly signed contemporaneous operating logs, or other relevant evidence that:
- (1) An upset occurred and that the permittee can identify the cause(s) of the upset;
 - (2) The permitted facility was at the time being properly operated;
 - (3) The permittee submitted notice of the upset as required in Permit Condition IX.20. of this permit; and
 - (4) The permittee complied with any remedial measures required under Permit Condition IX. 5. of this permit.
- c. In any enforcement proceeding, the burden of proof for establishing the occurrence of an upset rests with the permittee.
- d. Before an enforcement proceeding is instituted, no representation made during the Department review of a claim that noncompliance was caused by an upset is final agency action subject to judicial review.

[62-620.610(23)]

Executed in Tallahassee, Florida.

STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION

DRAFT

John A. Coates, Program Management Director

Attachment(s):
Attachment A: Site location map

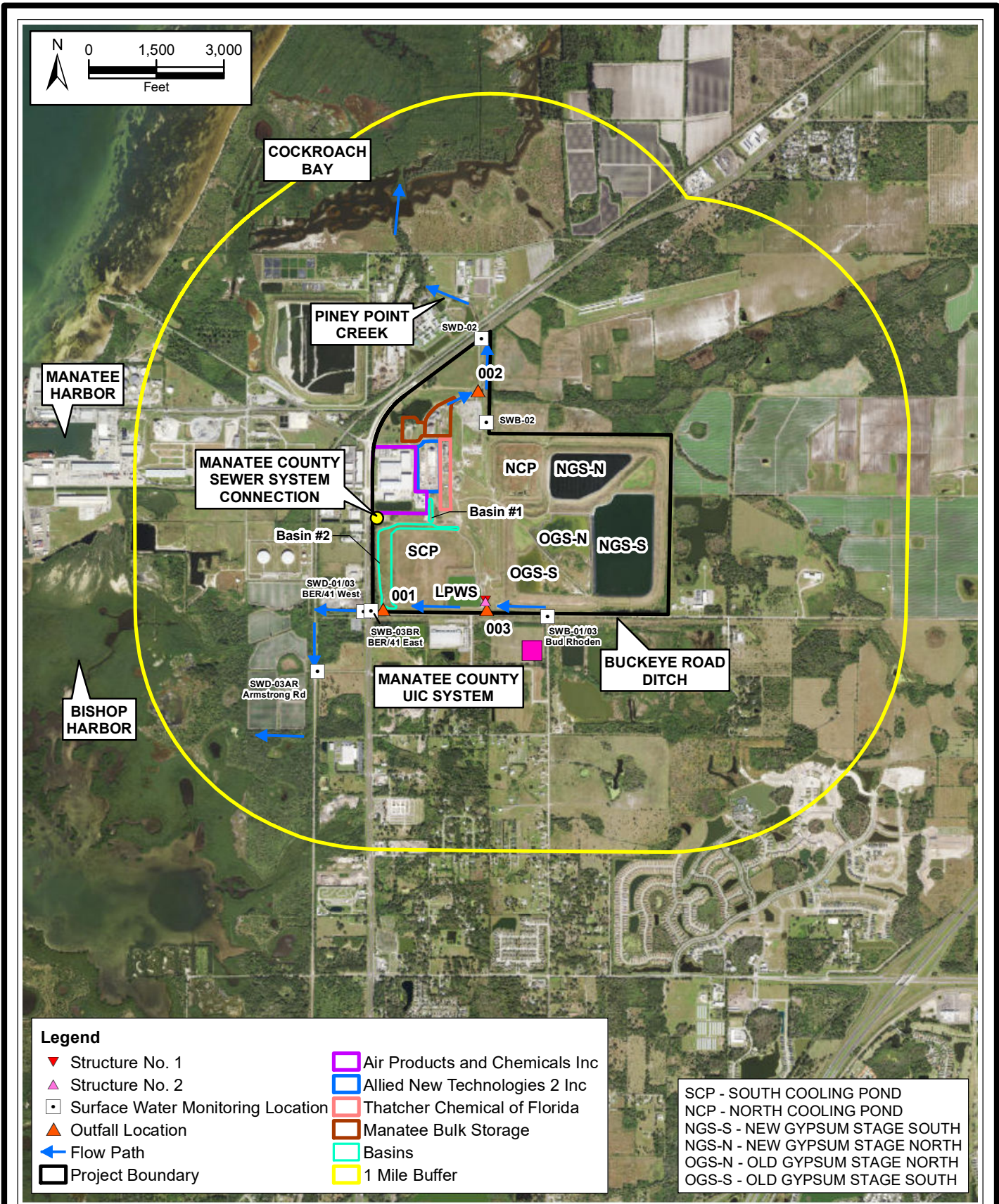


FIGURE 1.
 SITE LOCATION MAP
 NPDES PERMIT RENEWAL FL 0000124
 DONICA RECEIVERSHIP SERVICES, L.L.C.



Sources: ESRI USGS; ECT, 2022.

**BEFORE THE STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION**

IN THE MATTER OF:

Donica Receivership Services, LLC

Piney Point Phosphogypsum Stack System
13051 Scale Avenue
Palmetto, Florida 34221

**IN THE OFFICE OF
PHOSPHATE MANAGEMENT**

Administrative Order No.:
AO-001SWPM23
File No.: FL0000124-006-IW1S
DEP Permit No.: FL0000124

ORDER ESTABLISHING COMPLIANCE SCHEDULE

The Department is the administrative agency of the State of Florida having the power and duty to protect Florida's air and water resources and to administer and enforce the provisions of Chapter 403, Florida Statutes (F.S.), and the rules promulgated thereunder. The Department administers Florida's National Pollution Discharge Elimination Program (NPDES) permitting and enforcement program under Sections 403.088 and 403.0885, F.S., and Chapters 62-4, 62-302, 62-520, 62-620, 62-650 and 62-660, Florida Administrative Code (F.A.C.). This Order Establishing Compliance Schedule (Order) is issued under the authority of Sections 403.061(8) and 403.088(2)(e) and (f), F.S. The Department has jurisdiction over the matters addressed in this Order.

I. FINDINGS OF FACT

1. Donica Receivership Services, LLC. (Permittee) is a person as defined in Section 403.031(5), F.S.
2. In August 2021, the Manatee County Circuit Court appointed the Permittee to act as the Receiver for the development and implementation of the closure and long-term care plan for the industrial wastewater facility known as the Piney Point Phosphogypsum Stack System (Facility). The Facility is located at 13051 Scale Avenue, North Palmetto in Manatee County, Florida. The Receiver has been directed to maintain, manage and close the Facility as efficiently and expeditiously as possible. As an officer of the court, the Receiver has been granted the authority to apply for and obtain all necessary federal, state and local permits to manage, maintain and close the Facility.
3. The Facility discharges non-contact stormwater into ground waters and surface waters of the state as defined in Section 403.031, F.S. The Facility also discharges process wastewater to ground waters of the state.
4. The Facility is subject to regulation under the Department's wastewater and NPDES permitting and enforcement program.
5. The Permittee has filed an updated application for the renewal of the National Pollutant Discharge Elimination System permit (DEP Permit No. FL0000124) under Section 403.088(2), F.S.
6. The Facility discharges non-contact stormwater from the following outfalls: D-001 and D-003 outfalls into Bishop Harbor, a Class II marine estuary (WBID# 1797B); and D-002 outfall into Piney Point Creek, a Class III marine estuary (WBID# 1789). These waterbodies are parts of or tributaries to Tampa Bay.

II. SURFACE WATER

7. Section 403.021(2), F.S., provides that "no wastes be discharged into any waters of the state without first being given the degree of treatment necessary to protect the beneficial uses of such water." Each permit issued by the Department for a discharge to waters of the state shall include an effluent limit for those

pollutants in the discharge that are present in quantities or concentrations which can be reasonably expected to cause or contribute to a violation of any water quality standard established in Chapter 62-302, F.A.C.

8. With respect to nutrient impairment, the Tampa Bay Nitrogen Management Consortium has adopted the Tampa Bay Estuary Reasonable Assurance Plan (RAP) which provides reasonable assurance that the waters of Tampa Bay will attain water quality standards for nutrients in the future and that reasonable progress towards attainment of standards would continue to be made. See Rule 62-303.600(2), F.A.C.
9. In November 2010, the Department entered a Final Order adopting Water Quality Based Effluent Limits for point source discharges of Total Nitrogen (TN) to the Tampa Bay Watershed.
10. In pertinent part, the Final Order provided the Facility with an interim allocation not to exceed 0.9 tons/year of Total Nitrogen (TN) load, from Outfalls D-001, D-002 and D-003, calculated as a five-year rolling annual average of the yearly totals.
11. In 2016, the Department promulgated Estuary-Specific Numeric Nutrient Criterion for Tampa Bay.
12. Implementation of closure activities will eliminate existing process water storage ponds along with other lined impoundments from the top of the phosphogypsum stack system. The implementation of these closure activities will increase the total acreage that contributes to the non-contact stormwater runoff discharged from the Facility's permitted outfalls.
13. To achieve reasonable assurance that the Facility's permitted discharges will meet the TN rolling 5-year annual average loading value of 0.9 tons/year and the Department's numeric nutrient criteria for Total Phosphorus (TP) for Tampa Bay in Rule 62-302.532, F.A.C., the Receiver must conduct modeling, sampling, and study of the soon to be constructed revised non-contact stormwater management for the closed Facility.

III. GROUNDWATER

14. Section III of DEP Permit No. FL0000124 authorizes the discharge of non-contact stormwater to ground water and process wastewater to ground water from the existing phosphogypsum stack system. However, all ground water quality criteria specified in 62-520, F.A.C. must be met at the edge of the Facility's zone of discharge. The Facility's zone of discharge extends horizontally to the Facility's property boundary and vertically to the base of the surficial aquifer. See Section 403.061(11), F.S.; Rule 62-520.462, F.A.C.
15. The Facility's compliance monitoring wells designated at MWC-02, MWC-5R, MWC-08, MWC-09, MWC-18, MWC-19, MWC-22, MWC-23 are located at the property boundary and are known collectively as compliance wells. The terms compliance wells and zone of discharge are used interchangeably throughout this Order.
16. Due to past operations and conditions, the Facility's ground water discharge does not meet applicable ground water quality limits at the edge of the zone of discharge for Sodium, Gross Alpha, Radium 226 + Radium 228.
17. Additionally, the Facility's current ground water monitoring well system is not sufficient to fully determine the extent of ground water impacts beyond the edge of the zone of discharge.
18. To achieve reasonable assurance that the Facility's ground water discharges will meet the applicable ground water quality standards, the Receiver must first develop a ground water quality monitoring plan to assess the extent of groundwater quality impacts beyond the zone of discharge caused by past operation and conditions at the Facility. Based on the information from the updated ground water monitoring plan, the Receiver must then evaluate the performance of the Facility's existing underdrain and liner systems to determine what operational or other changes are needed, and whether any additional ground water corrective actions are required, to ensure the Facility is in compliance with ground water quality protections in Chapter 62-520, F.A.C.

IV. STATUTORY AUTHORITY

19. Sections 403.088(2)(e) and (f), F. S., authorize the Department to issue a permit accompanied by an order establishing a schedule for achieving compliance with all permit conditions if all the following criteria are met:
- (a) The Permittee is constructing, installing, or placing into operation, or has submitted plans and a reasonable schedule for constructing, installing, or placing into operation, an approved pollution abatement facility or alternative waste disposal system;
 - (b) The Permittee needs permission to pollute the waters within the state for a period of time necessary to complete research, planning, construction, installation, or operation of an approved and acceptable pollution abatement facility or alternative waste disposal system;
 - (c) There is no present, reasonable, alternative means of disposing of the waste other than by discharging it into waters of the state;
 - (d) The granting of an application for the renewal of NPDES operation permit will be in the public interest; or
 - (e) The discharge will not be unreasonably destructive to the quality of the receiving waters.
20. The following Order establishes a schedule for achieving compliance with the standards referenced in Sections II and III above.

V. ORDER

Based on the foregoing findings of fact,

IT IS ORDERED,

The Permittee shall implement the following corrective actions:

SURFACE WATER

21. Evaluation of Non-Contact Stormwater Surface Water Discharge - No later than 120 days following the effective date of this Order, the Permittee shall submit for the Department's review and approval a Plan of Study (Plan) to evaluate the Facility's non-contact stormwater discharges (D-001, D-002, D-003) to ensure compliance with the applicable numeric nutrient criteria for Tampa Bay established in Rule 62-302.532, F.A.C., and the TN rolling 5-year annual average loading value of 0.9 tons/year for the Facility. As part of the Plan, the Permittee shall provide recommendations regarding compliance with numeric nutrient criteria for the receiving waterbody and downstream waters in accordance with Rule 62-302.532, F.A.C. The Permittee shall coordinate with the Department to determine the information required, accepted methods of data collection and analysis, and quality control/quality assurance requirements. The Plan shall be approved in writing by the Department and shall be binding upon the Department and the Permittee.
22. The Plan shall also include an evaluation of whether the interim allocation 5-year rolling annual average Total Nitrogen loading value of 0.9 tons/year and the numeric nutrient criteria for Total Nitrogen and Total Phosphorous will be met. The Plan must also include a schedule for completion of all study activities and submittal of status reports to the Department, annually, until completion.
23. In accordance with the schedule in paragraph 24, below, the Permittee must:
- (a) Provide reasonable assurance in the Final Report that the Facility's discharge will meet Total Nitrogen loading value of 0.9 tons/year and the Department's numeric nutrient criteria for TP for Tampa Bay in Rule 62-302.532, F.A.C.; or
 - (b) Describe in the Final Report the Facility and/or permit modifications necessary to provide reasonable assurance that the Facility's discharge will meet Total Nitrogen loading value of 0.9 tons/year and the Department's numeric nutrient criteria for TP for Tampa Bay in Rule 62-302.532, F.A.C.; and

- (c) The Total Nitrogen rolling 5-year annual average loading limit shall be report only for the interim duration of the schedule in paragraph 24, and shall otherwise be limited and monitored by the permittee as specified below and reported in accordance with Permit Condition I.D.3.:

Parameter	Units	Max. /Min	Effluent Limitations		Monitoring Requirements		
			Limit	Statistical Basis	Frequency of Analysis	Sample Type	Monitoring Site Number
Nitrogen, Total (Interim)	ton/yr	Max	Report	5 Year Rolling Average	Monthly	Calculated	EFF-TotalN

24. Permittee shall submit the Plan and results as follows:

Implementation Step	Completion Date
Submit a draft Plan of Study.	No later than 120 days after permit issuance
Respond to Department comments.	Within 30 days of receipt of the comments
Submit final Plan of Study.	Within 60 days of receipt of the Department's final comments
Perform the Study.	As per the schedule in the approved plan of study.
Submit the draft Study Report.	As per the schedule in the approved plan of study
Respond to Department comments.	Within 30 days of receipt of the comments
Submit Final Report.	Within 30 days of receipt of the Department's final comments
If necessary, the Permittee shall submit permit revision application with a fee to cover any changes in the permit required by the Final Report if completed prior to permit renewal.	Within 90 of the Department's approval or acknowledgement of receipt of the Final Report as required herein, but in no case later than 5 years after permit issuance

GROUNDWATER

25. Ground Water Evaluation and Remediation – Subject to the following schedules, the Permittee shall develop a ground water quality monitoring plan to assess the extent of groundwater quality impacts beyond the zone of discharge caused by past operation and conditions at the Facility. The Permittee shall also evaluate and perform the corrective actions necessary to ensure ground water quality standards are achieved in the Facility's zone of discharge.
- a. Ground Water Quality Assessment Plan - No later than 30 days after permit issuance, the Permittee shall submit for the Department's review and approval a Ground Water Quality Assessment Plan to conduct an analysis of current ground water gradients and quality, examine potential ground water impacts beyond the zone of discharge caused by the Facility's discharge and delineate the horizontal and vertical extent of any ground water impacts beyond the zone of discharge as well as, determine whether the Facility's discharge will cause or contribute to degradation of the receiving ground water beyond the zone of discharge; evaluate the installation of additional monitoring wells and create an updated ground water monitoring plan for the entire site pursuant to Chapter 62-520, F.A.C.
 - b. The ground water monitoring plan shall be consistent with the requirements of Rule 62-520.600, F.A.C., and shall include a site analysis and survey of all existing monitoring wells and piezometers and provide an initial delineation of the horizontal and vertical extent of any areas above applicable ground water quality standards, pursuant to Chapter 62-520, F.A.C., that have resulted from historical operations or other activities at the Facility. Additionally, documentation shall be provided of the proper

abandonment of any wells no longer in-use or functioning. The Ground Water Quality Assessment Plan must also include a schedule for completion of all study activities and submittal of status reports to the Department quarterly, until completion. The Permittee shall submit the Ground Water Quality Assessment Plan and results as follows:

Implementation Step	Completion Date
Submit a draft Plan of Study for Ground Water Quality Assessment.	No later than 30 days after permit issuance
Respond to Department comments.	Within 30 days of receipt of the comments
Submit final Plan of Study for the Ground Water Quality Assessment.	Within 60 days of receipt of the Department's final comments
Perform the Ground Water Quality Monitoring Plan recommended by the final Plan of Study.	As per the schedule in the final plan of study.
Submit a draft preliminary delineation of any offsite ground water impacts from the Facility	No later than 12 months after permit issuance
Respond to Department comments.	Within 30 days of receipt of the comments
Submit a final delineation of any groundwater impacts beyond the zone of discharge from the facility, and documentation of well construction or abandonment, where needed.	Within 60 days of receipt of the Department's final comments
The Permittee shall submit a completed Ground Water Monitoring Plan and shall, as needed, submit a permit revision application with fee to cover any changes in the permit ground water monitoring requirements.	No later than 18 months after permit issuance

- c. Technical Evaluation of the Underdrain and Liner Systems (Remediation Performance Plan) - No later than 12 months following the effective date of this Order, the Permittee shall submit for the Department's review and approval an Engineering Report on the technical evaluation of the performance of the underdrain and liner systems to ensure compliance with the ground water quality standards and ground water protection requirements in Chapter 62-520, F.A.C. The Report shall include an inspection and evaluation of the underdrain and liner system, including an evaluation of the effectiveness of existing or planned closure controls in accordance with Rule 62-673.610(4), F.A.C. The Engineering Report must also include a status assessment, ranked repair or modification priorities, proposed improvements, operational changes, and schedule for completion of all Engineering Report related activities, to ensure compliance with closure performance standards pursuant to Rule 62-673.610(5), F.A.C., including the following:
- i. Any modification of the existing closure or planned closure infrastructure to ensure that the Facility will control, minimize or eliminate the post closure escape of phosphogypsum, process wastewater, porewater seepage from the phosphogypsum stack system, and any other leachate, to the extent necessary to return the Facility into compliance with the ground water quality standards in Chapter 62-520, F.A.C.;
 - ii. Any necessary additional ground water corrective actions, or modifications of the existing closure seepage (leachate) collection drain system, that may be necessary to ensure the Facility's compliance with the applicable ground water quality standards and requirements in Chapter 62-520, F.A.C.; and
 - iii. Hydrogeologic modeling of the time frame projected to be needed for the operation of site collection drains, or any other additional ground water corrective actions, as may be necessary to return the Facility to compliance with the applicable ground water quality standards and requirements in Chapter 62-520, F.A.C.

d. Permittee shall submit the Engineering report and results as follows:

Implementation Step	Completion Date
Submit the draft Engineering Report, including a proposed Implementation Schedule and projected timeframes for returning ground water conditions from the Facility to compliance with the applicable ground water standards and protection requirements of Chapter 62-520, F.A.C.	No later than 12 months after permit issuance
Respond to Department comments on the draft Engineering Report.	Within 30 days of receipt of the written Department comments, or as otherwise specified in writing by the Department's comments
Submit final Engineering Report.	Within 60 days of receipt of the Department's final comments, and direction to submit the final Engineering Report.
Implement operational, or other ground water control modifications or changes, that are necessary until ground water quality standards are met at the Facility's zone of discharge.	As per the Implementation Schedule in the final Department approved Engineering Report.
Complete all proposed schedule activities and submit completion documentation.	No later than 3 years after permit issuance

26. Donica Receivership Services, LLC. shall provide the Department with quarterly reports outlining progress toward compliance with the time frames beginning the first calendar quarter following the effective date of this order.
27. The Permittee shall construct, maintain, and operate the industrial wastewater facility in compliance with all other conditions of DEP Permit No. FL0000124.
28. This order may be modified through revisions as set forth in Chapter 62-620, Florida Administrative Code.
29. Reports or other information required by this order shall be sent to by e-mail to the Phosphate Management Program at DWRMIW.PM@FloridaDEP.gov.
30. This order does not operate as a permit under Section 403.088, F. S. This order shall be incorporated by reference into DEP Permit No. FL0000124, which shall require compliance by the Permittee with the requirements of this order.

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 twenty-one 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 twenty-one days of publication of the notice or within twenty-one 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 in writing for notice of agency action may file a petition within twenty-one 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 twenty-one 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, any e-mail address, any facsimile number, and telephone number of the petitioner, if the petitioner is not represented by an attorney or a qualified representative; 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 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 order will not be effective until further order of the Department.

Any party to this order has the right to seek judicial review of the order 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 the final order is filed with the Clerk of the Department.

Executed in Temple Terrace, Florida.

STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION

DRAFT

PROGRAM MANAGEMENT DIRECTOR

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

FILING AND ACKNOWLEDGEMENT

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

[Clerk]

[Date]

CERTIFICATE OF SERVICE

The undersigned hereby certifies that this Order and all copies were mailed or transmitted electronically or by facsimile before the close of business on _____ to the listed persons.

Name

Date

**FACT SHEET FOR
STATE OF FLORIDA INDUSTRIAL WASTEWATER FACILITY PERMIT**

PERMIT NUMBER: FL0000124-006 (Major)

FACILITY NAME: Piney Point Phosphogypsum Stack System

FACILITY LOCATION: 13051 Scale Avenue
North Palmetto
Manatee County, Florida

NAME OF PERMITTEE: Donica Receivership Services, LLC
238 E. Davis Blvd., Suite 209
Tampa, Florida 33606

PERMIT WRITER: Lance Kautz

1. SUMMARY OF APPLICATION

a. Chronology of Application

Application Number: FL0000124-006-IW1S

Application Submittal Date: September 28, 2009

Additional Information: December 16, 2009; March 4, 2010; April 30, 2010; June 8, 2010; September 21, 2022; October 7, 2022; and October 12, 2022.

Public Notice of Application Date: November 30, 2022

b. Type of Facility

Piney Point Phosphogypsum Stack System Facility: In August 2021, the Manatee County Circuit Court appointed the Permittee to act as the Receiver for the development and implementation of the closure and long-term care plan for the industrial wastewater facility known as the Piney Point Phosphogypsum Stack System (Facility). The Receiver has been directed to maintain, manage and close the Facility as efficiently and expeditiously as possible. As an officer of the court, the Receiver has been granted the duty and authority to apply for and obtain all necessary federal, state and local permits to manage, maintain and close the Facility.

This renewal permit application includes the long-term care of the closed phosphogypsum stack system. The 393-acre phosphogypsum stack system includes the south cooling pond system and the north cooling pond system and associated lined stormwater ponds. The top of the closed stack system is configured with four 80-mil high density polyethylene (HDPE) lined compartments designated as: New Gypsum Stack-South (NGS-S); New Gypsum Stack-North (NGS-N); Old Gypsum Stack-North (OGS-N); and Old Gypsum Stack-South (OGS-S). Process water is currently stored primarily in the NGS-N, and remnant process water from discontinued operations mixed with seawater is currently stored in the NGS-S and OGS-N compartments.

Process wastewater, which includes impacted ground water, is collected by below-grade seepage collection systems (i.e. subsurface drains) installed around the perimeter of the closed phosphogypsum stack system and former southeast portion of the stack system from drains that collect seepage from the north, east of south of the closed former south cooling pond. A 10-acre HDPE lined process water storage pond is used for collection of seepage and

impacted groundwaters from the phosphogypsum stack system. Closure of the phosphogypsum stack included construction of a slurry wall to inhibit both the on-site movement of off-site groundwater and phosphogypsum stack seepage from impacting off-site areas. All stormwater runoff from the Thatcher and Mayo properties are collected in drains and ditches, and then routed into the lined stormwater detention pond for eventual discharge through Outfall D-002.

SIC Code: 2874 - Phosphatic Fertilizer Manufacturing

c. Site History

In 1966, the Piney Point Phosphates, Inc., facility was initially constructed and began operating as a fertilizer manufacturing plant, including a phosphogypsum stack in Manatee County. In 2001, the facility operator's parent company filed for bankruptcy resulting in the appointment of receiver to manage, operate, and close the phosphogypsum stack system at the Piney Point facility. Ultimately, the phosphogypsum stack system was closed by constructing four lined reservoirs atop the phosphogypsum stack system.

In August 2006, HRK Holdings, LLC (HRK) acquired the Piney Point facility through the Bankruptcy Court, and later ultimately assumed all permits (including NPDES wastewater Permit No. FL0000124) governing the operation of the facility and compliance with the applicable long-term care and financial assurance requirements. During 2007, HRK demolished and removed certain portions of the chemical fertilizer production facility. In April 2011, HRK began accepting dredged material from Port Manatee into two of the four lined reservoirs atop the phosphogypsum stack system for initial placement and settling, and conveyed the decant from those two compartments to a third larger compartment so the solids would settle and the seawater could be returned to Port Manatee upon clarification; however, soon after receiving the dredged material, HRK discovered a failure in the larger lined reservoir on the stack system that was being used for clarification. HRK eventually repaired the compartment and liner, but the initial failure had resulted in an emergency discharge of approximately 169 million gallons of seawater to the Buckeye Road drainage system and then to Bishop Harbor in Tampa Bay.

Subsequent to the 2011 liner failure, HRK entered into bankruptcy until emerging in 2017. During this time, the Department pursued an enforcement action against HRK for multiple violations including its continued: 1.) failure to submit and implement a water management plan to remove the remaining sea water and process water from the facility; and 2.) failure to ensure the availability of financial resources to carry out its responsibilities for the water management and long-term care of the phosphogypsum stack. The enforcement action resulted in a Consent Order (OGC File No. 06-1685) that was effective on March 17, 2014.

On March 25, 2021, HRK reported circumstances which indicated the presence of a new leak from a compartment in the stack system. The leak worsened over the following days resulting in the Governor and the Department issuing emergency orders and HRK discharging approximately 215 million gallons of a mixture of seawater, stormwater, and legacy process water to Tampa Bay. Repairs were made to the stack system to stop the leak in the reservoir and follow-up environmental monitoring was conducted. Following the 2021 emergency the Department filed a complaint in the 12th Judicial Circuit Court in Manatee County initiating enforcement action against HRK for violations of various state's environmental laws, authorizations, orders and agreements. Additionally on August 25, 2021, at the Department's request, Manatee County Circuit Court (Manatee County Circuit Court, Case No. 2020-CA-00459-AX) appointed Donica Receivership Services, LLC as the receiver, and directed the receiver to: 1.) maintain, manage and close as efficiently and expeditiously as possible the Piney Point Phosphogypsum Stack System in accordance with all applicable State and Federal Laws; and 2.) develop a closure plan consistent with all applicable laws and rules, for submittal to the Department. The Receiver is also authorized and directed to preserve or obtain whatever licenses, permits or authorizations as are necessary in the preservation, maintenance, management, or closure of the Facility. Under this authority, the Receiver requested the transfer of the wastewater

permit for Facility ID FL0000124 from HRK to the Receiver as well as the pending application for renewal of that permit.

On March 30, 2022, the Department issued the court-appointed Receiver an, "Order Approving Conceptual Closure Plan." The Receiver's approved conceptual closure plan addresses the environmental protection requirements for the closure work and outlines a phased approach with interim dates for the closure of each reservoir as water is eliminated from the site. After the Department's approval, the Receiver started implementing the closure plan and that closure work is ongoing.

d. Current Site Conditions

Wastewater currently consists of stored process water generated in the former fertilizer production process, seawater from the 2011 Port Manatee Berth 12 dredging activity, stack seepage and associated ground water as captured in the Facility's stack seepage collection system, and stormwater that was captured the process water management system. The mixture of the remnant process water with any surface water, ground water or stormwater is considered regulated process water in accordance with Chapters 62-672 and 62-673, F.A.C. The process water is currently stored in the lined compartments on the closed phosphogypsum stack designated as the NGS-N, NGS-S, and OGS-N compartments, with the water in the NGS-S and OGS-N having been substantially treated to reduce total nitrogen and total phosphorus concentrations by greater than 90% since the 2021 emergency discharge to Port Manatee.

Process water, including impacted groundwater and leachate from the stack, is collected by the below-grade seepage collection system that was installed around the perimeter of the closed phosphogypsum stack system and former south cooling pond system (See Attachment D). Seepage is pumped into an above-grade, 10-acre lined process water storage pond (LPWS) constructed over the southeast portion of the closed south cooling pond.

The 392-acre phosphogypsum stack system which includes the south cooling pond system, north cooling pond system, and associated lined stormwater ponds was closed initially in 2010 in accordance with Chapter 62-673, F.A.C. The top of the closed stack is currently configured with four 80-mil HDPE lined compartments as discussed above. Process water is currently stored in the NGS-N, NGS-S, and OGS-S. Stormwater is separately managed through the non-contact stormwater management system prior to discharge as needed through one of the three permitted outfalls. The LPWS is used for collection of stack seepage and impacted ground water from the subsurface seepage collection drain system and provides needed surge capacity prior to removal of process water.

Prior closure work for the phosphogypsum stack system included construction of a slurry wall (See Attachment D) to inhibit the on-site movement of off-site ground water and to limit the potential for phosphogypsum stack seepage that could adversely impact off-site ground water.

Portions of HRK's real property were subdivided and sold as part of HRK's bankruptcy proceedings. Portions of the Piney Point Facility bordering US Highway 41 that were not part of the Facility's phosphogypsum stack system have been sold. In November 2012, Air Products and Chemicals, Inc. (Air Products) acquired 39.69 acres. In December 2013 Thatcher Chemical of Florida, Inc., (Thatcher) acquired 8.07 acres. In March 2014 Manatee Bulk Storage, LLC (Mayo Fertilizer) acquired 8.4 acres. In March 2014 Allied New Technologies 2, Inc. (Allied) acquired 12.43 acres. Three of the properties have stormwater drainage rights that allow drainage to enter the Facility. The Thatcher and Mayo Fertilizer properties discharge into portions of the site that drain to Outfall 002, on the northside of the Facility. The Allied property currently drains into the HDPE lined Basin 2 stormwater system, upstream of Outfall 001. Each of the Thatcher, Mayo Fertilizer, and Allied stormwater discharges are subject to compliance with applicable requirements of NPDES Multi Sector Generic Permits Stormwater from the Air Products property drains into the Buckeye Road drainage ditch just east of U.S. 41 (the property does not drain into the Facility). (See Attachment E(A)).

e. Facility Capacity

The design capacity of the Facility was not used as a basis for establishing the conditions related to the surface water discharges. The permitted surface water discharges will be limited to non-contact stormwater. The rate of removal for process water is limited in accordance with the separately permitted Manatee County Underground Injection Control well, as discussed in for Monitoring Group U-001.

f. Description of Wastewater Treatment

Surface water discharges will consist of non-contact stormwater. Treatment and disposal of collected process waters and ground water seepage will include: (a) Class I Underground Injection Control Well (IW-1) owned and operated by Manatee County Utilities; (b) pre-treatment and discharge into the Manatee County sewer collection system; and/or (c) by use an existing on-site spray evaporation systems. Discharges into the Manatee County sewer collection system are subject to the conditions outlined by the Service Agreement, approved November 28,2022. Attachment A shows the location of the Manatee County sewer meter for collection of treated process water.

Stormwater from the Thatcher and Mayo Fertilizer properties discharge into a lined 5-acre detention pond, upstream of outfall D-002. The detention pond is designed to discharge stormwater from events exceeding the 25-year, 24-hour design storm and then multi-day drawdown from the pond's inlet structures and underdrain system. Outfall D-002, shall be used to monitor the discharge of excess stormwater from the detention pond.

Stormwater from the closed portions of the phosphogypsum stack system is currently treated and managed through the non-contact stormwater management system including lined cap areas atop the stack(s), stormwater detention and conveyance areas including lined stormwater swales and toe ditches, and lined stormwater ponds (Phase II, Basin 1, and Basin 2 stormwater ponds), prior to discharge through either outfall D-001 or D-003. Additional stormwater runoff from areas being closed pursuant to the approved Conceptual Closure Plan will be routed and managed with closure design modifications that maintain or reduce existing peak flowrate discharges while providing appropriate onsite stormwater detention and treatment for non-contact stormwater from the stack system.

g. Description of Effluent Disposal and Land Application Sites

See attached map(s) for surface water outfalls (Attachment B), and groundwater monitoring (Attachment C & D).

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

The following data summary from Outfall D-001 (review period August 1, 2017 – September 22, 2022) is representative future discharges. Pollutants which are present in significant quantities, or which are subject to permit limitations are as follows:

Parameter	Units	Max/Min	Reported Value	Statistical Basis
Flow	MGD	Min	0	Minimum Annual Average
		Max	0.291	5 Year Average
		Max	4.814	Daily Maximum
pH	s.u.	Min	6.56	Daily Minimum
		Max	9.12	Daily Maximum
Oxygen, Dissolved (DO)	mg/L	Min	1.82	Daily Minimum

Parameter	Units	Max/Min	Reported Value	Statistical Basis
		Min	6.172	Monthly Average
Specific Conductance	µmhos/cm	Max	1076.802	Monthly Average
		Max	2120	Daily Maximum
Turbidity	NTU	Max	5.75	Monthly Average
		Min	99.4	Daily Maximum-
Temperature (C), Water	Deg C	Min	17.2	Daily Minimum
		Max	36.6	Daily Maximum
Solids, Total Suspended	mg/L	Max	5.946	Monthly Average
		Max	31.3	Daily Maximum
Fluoride, Total (as F)	mg/L	Max	1.540	Monthly Average
		Max	3.140	Daily Maximum
Beryllium, Total Recoverable	ug/L	Max	0.191	Monthly Average
		Max	2.4	Daily Maximum
Iron, Total Recoverable	mg/L	Max	1.17	Monthly Average
		Max	7.90	Daily Maximum
Phosphorus, Total (as P)	mg/L	Max	1.876	Monthly Average
		Max	6.045	Daily Maximum
Phosphorus, Total (as P)	lb/day	Max	6.518	Monthly Average
		Max	60.643	Daily Maximum
Nitrogen, Total	mg/L	Max	4.450	Monthly Average
		Max	35.310	Daily Max
Nitrogen, Total	lb/day	Max	10.581	Monthly Average
		Max	124.89	Daily Maximum
Nitrogen, Ammonia, Total (as N)	mg/L	Max	0.331	Monthly Average
		Max	5.510	Daily Max
Ammonia Unionized (as NH3)	Mg/L	Max	0.00442	Monthly Average
		Max	0.0290	Daily Maximum

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

The following data summary from Outfall D-002 (formerly D-02R; review period August 1, 2017 – September 22, 2022) is representative of future discharges. Pollutants which are present in significant quantities, or which are subject to permit limitations are as follows:

Parameter	Units	Max/Min	Reported Value	Statistical Basis
Flow	MGD	Min	0	Minimum Annual Average
		Max	0.0898	5 Year Average
		Max	0.6	Daily Maximum
pH	s.u.	Min	6.17	Daily Minimum

Parameter	Units	Max/Min	Reported Value	Statistical Basis
		Max	8.5	Daily Maximum
Oxygen, Dissolved (DO)	mg/L	Min	1.82	Daily Minimum
		Min	6.04	Monthly Average
Specific Conductance	µmhos/cm	Max	1303.6	Monthly Average
		Max	2930	Daily Maximum
Turbidity	NTU	Min	14.45	Monthly Average
		Max	40	Daily Maximum-
Temperature (C), Water	Deg C	Min	15	Daily Minimum
		Max	36.67	Daily Maximum
Solids, Total Suspended	mg/L	Max	18.077	Monthly Average
		Max	74	Daily Maximum
Fluoride, Total (as F)	mg/L	Max	1.687	Monthly Average
		Max	2.98	Daily Maximum
Beryllium, Total Recoverable	ug/L	Max	0.203	Monthly Average
		Max	2.7	Daily Maximum
Iron, Total Recoverable	mg/L	Max	1.16	Monthly Average
		Max	7.01	Daily Maximum
Phosphorus, Total (as P)	mg/L	Max	2.462	Monthly Average
		Max	16.4	Daily Maximum
Phosphorus, Total (as P)	lb/day	Max	3.284	Monthly Average
		Max	29.364	Daily Maximum
Nitrogen, Total	mg/L	Max	11.66	Monthly Average
		Max	58.6	Daily Max
Nitrogen, Total	lb/day	Max	14.036	Monthly Average
		Max	99.55	Daily Maximum
Nitrogen, Ammonia, Total (as N)	mg/L	Max	9.301	Monthly Average
		Max	46	Daily Max
Ammonia Unionized (as NH3)	Mg/L	Max	0.196	Monthly Average
		Max	2.42	Daily Maximum

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

The following data summary from Outfall D-003 (review period August 1, 2017 – September 22, 2022) is representative of discharges. Pollutants which are present in significant quantities or which are subject to permit limitations are as follows:

Parameter	Units	Max/Min	Reported Value	Statistical Basis
Flow	MGD	Min	0	Minimum Annual Average
		Max	0.128	5 Year Average

Parameter	Units	Max/Min	Reported Value	Statistical Basis
		Max	1.244	Daily Maximum
pH	s.u.	Min	6.56	Daily Minimum
		Max	7.85	Daily Maximum
Oxygen, Dissolved (DO)	mg/L	Min	2.2	Daily Minimum
		Min	7.79	Monthly Average
Specific Conductance	µmhos/cm	Max	837.067	Monthly Average
		Max	1635	Daily Maximum
Turbidity	NTU	Max	9.03	Monthly Average
		Min	150	Daily Maximum
Temperature (C), Water	Deg C	Min	10.3	Daily Minimum
		Max	35.36	Daily Maximum
Solids, Total Suspended	mg/L	Max	9.225	Monthly Average
		Max	164	Daily Maximum
Fluoride, Total (as F)	mg/L	Max	1.897	Monthly Average
		Max	3.77	Daily Maximum
Beryllium, Total Recoverable	ug/L	Max	0.129	Monthly Average
		Max	1.00	Daily Maximum
Iron, Total Recoverable	mg/L	Max	1.246	Monthly Average
		Max	9.08	Daily Maximum
Phosphorus, Total (as P)	mg/L	Max	2.175	Monthly Average
		Max	16.3	Daily Maximum
Phosphorus, Total (as P)	lb/day	Max	3.01	Monthly Average
		Max	17.236	Daily Maximum
Nitrogen, Total	mg/L	Max	3.217	Monthly Average
		Max	21.9	Daily Max
Nitrogen, Total	lb/day	Max	4.315	Monthly Average
		Max	22.496	Daily Maximum
Nitrogen, Ammonia, Total (as N)	mg/L	Max	0.633	Monthly Average
		Max	18.7	Daily Max
Ammonia Unionized (as NH3)	Mg/L	Max	0.00516	Monthly Average
		Max	0.03	Daily Maximum

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

The following ground water data review (review period August 1, 2017 – September 22, 2022) is representative of future discharges. Pollutants which are present in significant quantities or which are subject to permit limitations are as follows:

GWMP G-001							
Parameter	Units	Statistical Basis	MWB-01	MWI-03	MWI-04B	MWB-07	MWB-10B
	Feet	Min	8.38	8.98	6	14.23	6.23

GWMP G-001							
Parameter	Units	Statistical Basis	MWB-01	MWI-03	MWI-04B	MWB-07	MWB-10B
Water Level Relative to NGVD		Avg	23.945	11.88	9.260	18.479	22.526
		Max	30.32	17.32	13.87	27.62	27.63
Temperature, Water	°C	Min	20.6	21.8	21.9	19.9	20.7
		Avg	23.010	25.0	24.854	23.63333	23.33
		Max	26	26.5	26.27	25.9	26.6
Specific Conductance	µmho/cm	Min	1089	992	5800	560	738
		Avg	1485.19	3794.524	7468.238	1101.8	1657.143
		Max	2050	4780	8737	1214	3080
pH	s.u.	Min	6.2	6.34	5.6	7.09	5.5
		Avg	6.542	6.495	6.123	7.338	5.83
		Max	7.11	6.8	6.4	7.73	6.3
Turbidity	NTU	Min	0.5	0.46	0.49	0.4	0.98
		Avg	4.425	6.476	1.98	2.4795	3.633
		Max	20.9	16.4	7.2	10.6	15
Sodium, Total Recoverable	mg/L	Min	41.9	60.9	535	45.5	52.6
		Avg	75.290	399.709	941.476	75.2190	125.576
		Max	146	531	1230	84.8	282
Fluoride, Total (as F)	mg/L	Min	0.166	0.03	0.03	0.204	0.384
		Avg	1.05	1.0383	0.276	0.727	0.813
		Max	2.4	12.1	0.989	2.02	1.44
Sulfate, Total	mg/L	Min	149	288	1953	197	241
		Avg	398.571	1691.667	2933.857	232.952	615
		Max	610	2261	6173	268	1410
Nitrate + Nitrite, Total	mg/L	Min	0.006	0.004	0.004	0.004	0.004
		Avg	0.504	0.119	0.0100	0.03	0.0276
		Max	2.03	0.906	0.081	0.397	0.264
Phosphate, Ortho (as P)	mg/L	Min	0.002	0.094	0.125	0.002	3.89
		Avg	1.082	2.683	4.167	0.100	53.413
		Max	2.99	9.38	22.4	0.233	126
Solids, Total Dissolved (TDS)	mg/L	Min	788	768	4780	704	580
		Avg	1104.762	3057.333	5970	770.1	1191.714
		Max	1580	3584	7000	856	2480
Alpha, Gross Particle Activity	pCi/L	Min	2.2	10.2	7.7	2.9	1.7
		Avg	7.852	45.280	25.538	5.295	4.028
		Max	19.4	66.7	70.5	9.6	8.1
Radium 226 + Radium 228, Total	pCi/L	Min	1.5	6.2	4.5	-	-
		Avg	3.5	16.181	6.784	-	-
		Max	5.5	26.6	11.7	-	-
Arsenic, Total Recoverable	µg/L	Min	0.689	3.32	0.689	0.689	0.689
		Avg	1.803	26.466	0.761	0.833	1.423
		Max	4.94	58.3	2.14	2.09	5.89

GWMP G-001							
Parameter	Units	Statistical Basis	MWB-01	MWI-03	MWI-04B	MWB-07	MWB-10B
Cadmium, Total Recoverable	µg/L	Min	0.9	0.9	0.9	0.9	0.9
		Avg	1.575	1.522	1.248	1.219	1.171
		Max	4.3	3.6	3.2	4	3.8
Chromium, Hexavalent Total Recoverable	µg/L	Min	2	2	2	2	3.8
		Avg	3.439	3.163	4.242	2.309	6.576
		Max	6.3	5.1	8.1	3.8	12.4
Lead, Total Recoverable	µg/L	Min	0.015	0.67	0.67	0.003	0.67
		Avg	1.201	1.483	1.278	1.206	1.332
		Max	11	11.4	8.7	10.2	10.2

GWMP G-002											
Parameter	Units	Statistical Basis	MWC-2R	MWC-5R	MWC-08	MWC-09	MWC-13	MWC-18	MWC-19	MWC-22	MWC-23
Water Level Relative to NGVD	Feet	Min	5.65	4.06	5.13	7.45	2.39	5.41	5.6	5.73	6.39
		Avg	12.523	5.705714	6.309524	18.56048	3.454286	18.40714	11.69667	11.92	11.86905
		Max	15.64	11.4	11.74	26.82	9.33	24.16	17.15	15.83	15.86
Temperature, Water	°C	Min	20.8	20.6	21.2	21.2	21.2	21.2	21.6	20	19.7
		Avg	23	23.43905	23.93524	23.85714	24.22571	23.3381	23.9581	22.83143	23.07762
		Max	25	25.57	25.5	26	26.4	25.2	25.5	24.34	24.8
Specific Conductance	µmho/cm	Min	610	700	1015	1628	4052	1201	1050	750	660
		Avg	760.6364	834.7619	1496.238	2995.667	4752.476	5338.524	1133.762	1010.952	725.7619
		Max	837	1022	6330	4580	5540	7520	1550	1474	786
pH	s.u.	Min	5.72	6.72	5.7	5	6.2	5.6	6.3	6.29	6.16
		Avg	5.898182	6.939	6.756667	5.359524	6.435714	6.01381	6.591905	6.565714	6.37
		Max	6.3	7.3	7	6.1	6.7	6.7	7	7.01	6.82
Turbidity	NTU	Min	0.68	0.5	0.36	0.5	3.8	0.93	0.7	0.7	3.18
		Avg	2.218	2.4505	2.6645	1.0955	8.773	2.7885	4.8865	5.7865	10.8095
		Max	5.78	7.2	6.6	2.1	19.5	7.83	11.3	25.6	55.9
Sodium, Total Recoverable	mg/L	Min	33	22.1	26.1	37.8	333	34.7	28.2	0.034	16.1
		Avg	37.18182	39.00476	73.83333	199.545	446.4762	572.9381	34.82381	42.27305	26.90476
		Max	41.5	73.3	754	519	519	850	65	77.8	31.6
Fluoride, Total (as F)	mg/L	Min	0.362	0.289	0.047	0.03	0.03	0.03	0.03	0.596	0.03
		Avg	0.828364	0.473619	0.733905	0.038381	0.412429	0.173619	0.395476	0.849857	0.812238
		Max	1.34	0.916	1.89	0.113	1.69	1.46	1.4	1.32	1.38
Sulfate, Total	mg/L	Min	49.8	112	153	1275	1268	262	265	55.5	69.8
		Avg	87.41818	153.8095	441.5238	1795	1574.143	2406.857	311.4762	134.7714	94.52857
		Max	159	205	2901	2600	2488	3408	455	304	121

GWMP G-002											
Parameter	Units	Statistic Basis	MWC-2R	MWC-5R	MWC-08	MWC-09	MWC-13	MWC-18	MWC-19	MWC-22	MWC-23
Nitrate + Nitrite, Total	mg/L	Min	0.004	0.004	0.004	0.006	0.004	0.006	0.006	0.006	0.006
		Avg	0.015	0.02919	0.012	0.050571	0.020286	0.068333	0.547095	0.029286	0.021762
		Max	0.084	0.323	0.09	0.168	0.106	0.333	11	0.141	0.175
Phosphate, Ortho (as P)	mg/L	Min	0.011	0.017	0.03	0.002	0.601	0.004	0.008	0.876	0.002
		Avg	0.362818	0.399143	30.87671	0.010333	5.710048	123.725	0.302476	6.246476	0.314952
		Max	1.89	1.13	643	0.035	13.2	373	1.14	12.5	2.67
Solids, Total Dissolved (TDS)	mg/L	Min	408	480	648	1780	2656	812	708	388	328
		Avg	485.8182	559.4286	1078.19	2489.048	3190.857	4094.095	781.7143	532	410.1905
		Max	616	632	4936	3632	3490	6028	1008	740	476
Alpha, Gross Particle Activity	pCi/L	Min	1.1	2.5	5	9.2	12	2.5	2.7	1.2	1
		Avg	2.154545	5.67619	9.319048	28	18.16667	6.37619	6.371429	2.161905	1.952381
		Max	4.8	9.9	17.9	52.5	28.8	12.4	13.8	4.5	5.4
Radium 226 + Radium 228, Total	pCi/L	Min	-	-	4.4	5.2	4.5	-	-	-	-
		Avg	-	-	4.9	7.90625	7.25625	-	-	-	-
		Max	-	-	5.4	12	14.6	-	-	-	-
Arsenic, Total Recoverable	µg/L	Min	0.689	2.44	1.87	0.689	0.689	0.689	0.689	0.689	1.89
		Avg	1.568	4.8285	4.65381	2.19381	6.01381	1.814095	2.356571	11.6609	5.670952
		Max	4.44	7.8	9.14	11.5	15.4	18.5	10.5	20.8	27.3
Cadmium, Total Recoverable	µg/L	Min	0.9	0.9	0.9	0.9	0.9	0.9	0.9	0.9	0.9
		Avg	1.136364	1.242857	1.28619	1.152381	1.439524	1.338095	1.238095	1.314286	1.280952
		Max	2.3	4.5	3.9	2.5	3	3.3	4.5	5.9	5.2
Chromium, Hexavalent Total Recoverable	µg/L	Min	2	2	2	2	2	2	2	2	2
		Avg	2.463636	2.709524	2.829048	2.980952	4.132857	6.990476	2.371429	2.37619	2.147619
		Max	3.7	4.9	6.6	6.6	8.2	12.9	3.8	4.7	3.8
Lead, Total Recoverable	µg/L	Min	0.008	0.007	0.67	0.67	0.67	0.67	0.67	0.004	0.003
		Avg	1.485818	1.2503	1.609524	1.367238	1.544762	1.598571	1.55	1.43019	1.193667
		Max	8.6	8.4	12	12.8	16	11	11.1	8.33	10.9

Monitoring Group U-001: A new 4.05 MGD annual average daily flow (AADF) permitted capacity Class I underground injection control well issued to Manatee County Utilities [Permit Number(s) 0322708-002-UC/II (WACS ID 101607)] discharging to Class G-IV ground water. Underground Injection Well System U-001 is located approximately at latitude 27°37' 16.6" N, longitude 82°31' 42.6" W.

2. SUMMARY OF SURFACE WATER DISCHARGE

The permitted surface water discharges will be limited to non-contact stormwater. The Permittee is required to submit a Plan of Study to evaluate non-contact stormwater discharges (D-001, D-002, D-003) to ensure compliance with the applicable numeric nutrient criteria for Tampa Bay established in Rule 62-302.532, F.A.C., and the TN rolling 5-year annual average loading value of 0.9 tons/year. As part of the Plan, the Permittee shall provide recommendations regarding compliance with numeric nutrient criteria for the receiving waterbody and downstream waters in accordance with Rule 62-302.532, F.A.C.

The combined total TN load from the D-001, D-002 and D-003 is not to exceed 0.9 tons/year calculated as a five-year average of the yearly totals respectively.

This Facility does not have a new or expanded discharge to surface waters.

The Department does not anticipate adverse impacts on threatened or endangered species as a result of permit issuance.

3. BASIS FOR PERMIT LIMITATIONS AND MONITORING REQUIREMENTS

1. This Facility is authorized to discharge stormwater from Outfall D-001 to Buckeye Road Ditch; discharge from Outfall D-002 to Scale Avenue Ditch; and discharge from Outfall D-003 to Buckeye Road Ditch based on the following:

Parameter	Units	Max/Min	Limit	Statistical Basis	Rationale
Flow Rate	MGD	Max	Report	Daily Maximum	40 C.F.R. 122.44(i) & CWA Section 308(a)
Flow Rate	MGD	Max	Report	Monthly Average	40 C.F.R. 122.44(i) & CWA Section 308(a)
Stream Flow	MGD	Max	Report	Daily Maximum	308(a) CWA & 40 CFR Part 122.44(i)
Stream Flow	MGD	Max	Report	Daily Maximum	308(a) CWA & 40 CFR Part 122.44(i)
Stream Flow	MGD	Max	Report	Daily Maximum	308(a) CWA & 40 CFR Part 122.44(i)
pH	s.u.	Max	Report	Daily Maximum	Rule 62-302.530(52)(c), F.A.C
pH	s.u.	Min	6.0	Daily Minimum	62-302.530(52)(c), F.A.C
pH	s.u.	Max	8.5	Daily Maximum	62-302.530(52)(c), F.A.C
pH	s.u.	Max	Report	Daily Maximum	Rule 62-302.530(52)(c), F.A.C
pH	s.u.	Max	Report	Daily Maximum	Rule 62-302.530(52)(c), F.A.C
Temperature (C), Water	Deg C	Max	Report	Single Readings	Rule 62-302.520 F.A.C, Rule 62-620.620, F.A.C., BPJ
Temperature (C), Water	Deg C	Max	Report	Daily Maximum	Rule 62-302.520 F.A.C, Rule 62-620.620, F.A.C., BPJ
Temperature (C), Water	Deg C	Max	Report	Monthly Average	Rule 62-302.520 F.A.C, BPJ, 62-620.620, F.A.C.
Temperature (C), Water	Deg C	Max	Report	Single Sample	Rule 62-302.520 F.A.C, Rule 62-620.620, F.A.C., BPJ
Temperature (C), Water	Deg C	Max	Report	Daily Maximum	Rule 62-302.5320, F.A.C, Rule 62-620.620, F.A.C., BPJ
Oxygen, Dissolved Percent Saturation	percent	Max	Report	Single Sample	Rule 62-302.533(1)(a)2., F.A.C.
Oxygen, Dissolved (DO)	mg/L	Min	5.0	Single Sample	Rule 62-302.533, F.A.C.
Oxygen, Dissolved Percent Saturation	percent	Max	Report	Monthly Average	Rule 62-302.533(1)(a)2., F.A.C
Oxygen, Dissolved Percent Saturation	percent	Max	Report	Single Sample	Rule 62-302.533(1)(a)2., F.A.C.
Oxygen, Dissolved Percent Saturation	percent	Max	Report	Daily Maximum	Rule 62-302.533(1)(a)2., F.A.C.

Parameter	Units	Max/Min	Limit	Statistical Basis	Rationale
Specific Conductance (background)	umhos/cm	Max	-	Single Sample	Rule 62-302.530(22), F.A.C.
Specific Conductance	umhos/cm	Max	-	Single Sample	Rule 62-302.530(22), F.A.C.
Specific Conductance (Calculated)	umhos/cm	Max	Report	Daily Maximum	Rule 62-302.530(22), F.A.C.
Specific Conductance (effluent minus calculated limit)	umhos/cm	Max	Report	Monthly Average	Rule 62-302.530(22), F.A.C.
Turbidity (background)	NTU	Max	-	Single Sample	62-302.530(70) F.A.C.
Turbidity	NTU	Max	-	Single Sample	Rule 62-302.530(70) F.A.C.
Turbidity	NTU	Max	Report	Daily Maximum	62-302.530(70) F.A.C.
Turbidity	NTU	Max	Report	Daily Maximum	62-302.530(70) F.A.C.
Solids, Total Suspended	mg/L	Max	50	Monthly Average	40 CFR Section 418.12(c), Subpart A
Solids, Total Suspended	mg/L	Max	150	Daily Maximum	40 CFR Section 418.12(c), Subpart A
Nitrogen, Total	mg/L	Max	Report	Single Sample	Rule 62-302.530(48), F.A.C. and Rule 62-302.531, F.A.C.
Nitrogen, Total	mg/L	Max	Report	Monthly Average	Rule 62-302.530(48), F.A.C. and Rule 62-302.531, F.A.C.
Nitrogen, Total	mg/L	Max	Report	Daily Maximum	Rule 62-302.530(48), F.A.C. and Rule 62-302.531, F.A.C.
Nitrogen, Total	mg/L	Max	Report	Single Sample	Rule 62-302.530(48), F.A.C. and Rule 62-302.531, F.A.C.
Nitrogen, Total	mg/L	Max	Report	Daily Maximum	Rule 62-302.530(48), F.A.C. and Rule 62-302.531, F.A.C.
Nitrogen, Total	lb/day	Max	Report	Daily Maximum	Rule 62-302.530, F.A.C. 62-302.300, F.A.C. 62-4.070, F.A.C. & BPJ and Rule 62-650, F.A.C.
Nitrogen, Total	lb/day	Max	Report	Monthly Average	Rule 62-302.530, F.A.C. 62-302.300, F.A.C. 62-4.070, F.A.C. & BPJ and Rule 62-650, F.A.C.
Nitrogen, Total	ton/mth	Max	Report	Monthly Loading	Rule 62-302.530, F.A.C. 62-302.300, F.A.C. 62-4.070, F.A.C. & BPJ and Rule 62-650, F.A.C.
Nitrogen, Total	ton/yr	Max	Report	Annual Total	Rule 62-302.530, F.A.C. 62-302.300, F.A.C. 62-4.070, F.A.C. & BPJ and Rule 62-650, F.A.C.
Nitrogen, Total	ton/yr	Max	Report	5 Year Average	Rule 62-302.530, F.A.C. 62-302.300, F.A.C. 62-4.070, F.A.C. & BPJ and Rule 62-650, F.A.C.
Phosphorus, Total (as P)	mg/L	Max	Report	Single Sample	BPJ, 62.302.530(48) (a), (b) F.A.C. & 62-620.620, F.A.C.
Phosphorus, Total (as P)	mg/L	Max	Report	Monthly Average	BPJ, 62-620.620, F.A.C.

Parameter	Units	Max/Min	Limit	Statistical Basis	Rationale
Phosphorus, Total (as P)	mg/L	Max	Report	Daily Maximum	BPJ, 62.302.530(48) (a), (b) F.A.C. & 62-620.620, F.A.C.
Phosphorus, Total (as P)	mg/L	Max	Report	Daily Maximum	BPJ, 62.302.530(48) (a), (b) F.A.C. & 62-620.620, F.A.C.
Phosphorus, Total (as P)	mg/L	Max	Report	Daily Maximum	BPJ, 62.302.530(48) (a), (b) F.A.C. & 62-620.620, F.A.C.
Phosphorus, Total (as P)	lb/day	Max	Report	Daily Maximum	Rule 62-302.530, F.A.C. 62-302.300, F.A.C. 62-4.070, F.A.C. (BPJ) Rule 62-650, F.A.C
Phosphorus, Total (as P)	lb/mth	Max	Report	Monthly Total	Rule 62-302.530, F.A.C. 62-302.300, F.A.C. 62-4.070, F.A.C. (BPJ) Rule 62-650, F.A.C
Phosphorus, Total (as P)	lb/yr	Max	Report	Annual Total	Rule 62-302.530, F.A.C. 62-302.300, F.A.C. 62-4.070, F.A.C. (BPJ) Rule 62-650, F.A.C
Phosphorus, Total (as P)	lb/yr	Max	Report	5 Year Average	Rule 62-302.530, F.A.C. 62-302.300, F.A.C. 62-4.070, F.A.C. (BPJ) Rule 62-650, F.A.C
Chlorophyll a	ug/L	Max	Report	Single Sample	Rule 62-302.530(48), F.A.C.
Nitrogen, Ammonia, Total (as N)	mg/L	Max	Report	Monthly Average	62-302.530(3), FAC.
Nitrogen, Ammonia, Total (as N)	Ratio	Max	2.5	Single Sample	62-302.530(3), FAC.
Fluoride, Total (as F)	mg/L	Max	Report	Single Sample	Rule 62-302.530(32) F.A.C
Fluoride, Total (as F)	mg/L	Max	Report	Monthly Average	62-302.530(32), F.A.C.
Fluoride, Total (as F)	mg/L	Max	10	Daily Maximum	62-302.530(32), F.A.C.
Fluoride, Total (as F)	mg/L	Max	Report	Single Sample	Rule 62-302.530(32) F.A.C
Fluoride, Total (as F)	mg/L	Max	Report	Daily Maximum	Rule 62-302.530(32) F.A.C
Fluoride, Total (as F)	mg/L	Max	Report	Daily Maximum	Rule 62-302.530(32) F.A.C
Beryllium, Total Recoverable	ug/L	Max	0.13	Daily Maximum	Rule 62-302.530(9) F.A.C
Beryllium, Total Recoverable	ug/L	Max	Report	Monthly Average	Rule 62-302.530(9) F.A.C
Iron, Total Recoverable	mg/L	Max	1.0	Daily Maximum	Rule 62-302.530(38), F.A.C.
Iron, Total Recoverable	mg/L	Max	Report	Monthly Average	Rule 62-302.530(38), F.A.C.
Alpha, Gross Particle Activity	pCi/L	Max	15.0	Daily Maximum	Rule 62-302.530(58)(b),F.A.C.
Radium 226 + Radium 228, Total	pCi/L	Max	5.0	Daily Maximum	Rule 62-302.530(58)(a),F.A.C.

Parameter	Units	Max/Min	Limit	Statistical Basis	Rationale
Acute Whole Effluent Toxicity, 96 Hour LC50 (Ceriodaphnia dubia)	percent	Min	100	Single Sample	62-302.200(1), 62-302.500(1)(a)4 & 62-4.241(1)(a) FAC
Acute Whole Effluent Toxicity, 96 Hour LC50 (Cyprinella leedsii)	percent	Min	100	Single Sample	62-302.200(1), 62-302.500(1)(a)4 & 62-4.241(1)(a) FAC

Turbidity: The limit for "Turbidity" shall be calculated as follows:
Limit = Background Turbidity + 29 ntu [62-302.530(70)]

- Technology based effluent limitations (TBELs) are minimum waste treatment requirements based on treatment technologies for reducing discharges of pollutants into receiving waters. TBELs are established, for industrial wastewater facilities, by state rule in Chapters 62-620, 62-660, and 62-670, F.A.C. TBELs may also be developed in accordance with best professional judgment. No TBELs are included in the permit for the D-001, D-002 and D-003 monitoring groups.
- Water quality-based effluent limitations (WQBELs) are effluent limitations, which may be more stringent than a technology based effluent limitation, that have been determined necessary by the Department to ensure that water quality standards in a receiving body of water will not be violated. WQBELs are developed in accordance with Chapter 62-650, F.A.C., and are based on the characteristics of the discharge, the receiving water characteristics, and the criteria and standards in Chapters 62-4, 62-302, and the 62-600 series, F.A.C. WQBELs may also be developed based on Total Maximum Daily Load (TMDL) allocations adopted in Chapter 62-304, F.A.C., or allocations developed as part of a Basin Management Action Plan (BMAP) or a Reasonable Assurance Plan (RAP). WQBELs are included in the permit for the following pollutants of concern:

Parameter	Units	Monitoring Location	Monitoring Group
Flow Rate	MGD	EFF-001	D-001
Stream Flow	MGD	SWB-01,02,03	D-001,002,003
Stream Flow	MGD	SWD-01,02,03	D-001,002,003
Stream Flow	MGD	SWB-03BR	D-001,003
pH	s.u.	SWB-01,02,03	D-001,002,003
pH	s.u.	EFF-001,002,003	D-001,002,003
pH	s.u.	SWD-01,02,03	D-001,002,003
pH	s.u.	SWB-03BR	D-001,003
Temperature (C), Water	Deg C	SWB-01,02,03	D-001,002,003
Temperature (C), Water	Deg C	EFF-001,002,003	D-001,002,003
Temperature (C), Water	Deg C	SWD-01,02,03	D-001,002,003
Temperature (C), Water	Deg C	SWB-03BR	D-001,003
Oxygen, Dissolved (DO)	mg/L	SWB-01,02,03	D-001,002,003
Oxygen, Dissolved (DO)	mg/L	EFF-001,002,003	D-001,002,003
Oxygen, Dissolved (DO)	mg/L	SWD-01,02,03	D-001,002,003
Oxygen, Dissolved (DO)	mg/L	SWB-03BR	D-001,003
Specific Conductance	µmhos/cm	SWD-01,02	D-001,002
Turbidity	NTU	SWD-01,02,03	D-001,002,003

Parameter	Units	Monitoring Location	Monitoring Group
Turbidity	NTU	SWB-03BR	D-001,003
Solids, Total Suspended	mg/L	EFF-001,002,003	D-001,002,003
Nitrogen, Total	mg/L	SWB-01,02,03	D-001,002,003
Nitrogen, Total	mg/L	EFF-001,002,003	D-001,002,003
Nitrogen, Total	mg/L	SWD-01,02,03	D-001,002,003
Nitrogen, Total	mg/L	SWB-03BR	D-001,003
Nitrogen, Total	mg/L	SWD-03AR	D-003
Nitrogen, Total	lb/day	EFF-001,002,003	D-001,002,003
Nitrogen, Total	ton/mth	EFF-001,002,003	D-001,002,003
Nitrogen, Total	ton/yr	EFF-001,002,003	D-001,002,003
Nitrogen, Total	ton/yr	EFF-001,003	D-001,003
Phosphorus, Total (as P)	mg/L	SWB-01,02,03	D-001,002,003
Phosphorus, Total (as P)	mg/L	EFF-001,002,003	D-001,002,003
Phosphorus, Total (as P)	mg/L	SWD-01,02,03	D-001,002,003
Phosphorus, Total (as P)	mg/L	SWB-03BR	D-001,003
Phosphorus, Total (as P)	mg/L	SWD-03AR	D-003
Phosphorus, Total (as P)	lb/day	EFF-001,002,003	D-001,002,003
Phosphorus, Total (as P)	lb/mth	EFF-001,002,003	D-001,002,003
Phosphorus, Total (as P)	lb/yr	EFF-001,002,003	D-001,002,003
Phosphorus, Total (as P)	lb/yr	EFF-001,003	D-001,003
Chlorophyll a	ug/L	SWD-01,03	D-001,003
Chlorophyll a	mg/L	SWD-02	D-002
Sulfate, Total	mg/L	EFF-003	D-003
Fluoride, Total (as F)	mg/L	SWB-01,02	D-001,002
Fluoride, Total (as F)	mg/L	EFF-001,002,003	D-001,002,003
Fluoride, Total (as F)	mg/L	SWD-01,02,03	D-001,002,003
Fluoride, Total (as F)	mg/L	SWB-03BR	D-001,003
Fluoride, Total (as F)	mg/L	SWD-03AR	D-001,003
Beryllium, Total Recoverable	ug/L	EFF-001,002,003	D-001,002,003
Iron, Total Recoverable	mg/L	EFF-001,002,003	D-001,002,003
Alpha, Gross Particle Activity	pCi/L	EFF-001,002,003	D-001,002,003
Radium 226 + Radium 228, Total	pCi/L	EFF-001,002,003	D-001,002,003

- a. Effluent characterization of the discharge and historical discharge monitoring results have been evaluated in accordance with the Department's reasonable assurance procedures to ensure that no limits other than those included in this permit are needed to comply with Florida water quality standards.
 - b. Rule 62-302.500(1)(a)4, F.A.C., requires the Facility to conduct acute toxicity testing for this discharge.
4. This Facility is authorized to discharge process wastewater to Underground Injection Well System U-001 which consists of 1 Class I injection wells discharging to Class G-IV ground water based on the following:

Parameter	Units	Max/Min	Limit	Statistical Basis	Rationale
Flow	MGD	Max	Report	Daily Maximum	40 C.F.R. 122.44(i) & CWA Section 308(a)
		Max	Report	Monthly Average	40 C.F.R. 122.44(i) & CWA Section 308(a)
pH	s.u.	Min	Report	Single Sample	62-528.425 FAC, BPJ

Parameter	Units	Max/Min	Limit	Statistical Basis	Rationale
		Max	Report	Single Sample	62-528.425 FAC, BPJ
Temperature (C), Water	Deg C	Max	Report	Single Sample	62-528.425 FAC, BPJ
Specific Conductance	umhos/cm	Max	Report	Single Sample	62-528.425 FAC, BPJ
Oxygen, Dissolved (DO)	mg/L	Max	Report	Single Sample	62-528.425 FAC, BPJ
Solids, Total Dissolved (TDS)	mg/L	Max	Report	Single Sample	62-528.425 FAC, BPJ
Turbidity	NTU	Max	Report	Single Sample	62-528.425 FAC, BPJ
Sulfate, Total	mg/L	Max	Report	Single Sample	62-528.425 FAC, BPJ
Nitrogen, Ammonia, Total (as N)	mg/L	Max	Report	Single Sample	62-528.425 FAC, BPJ
Nitrogen, Kjeldahl, Total (as N)	mg/L	Max	Report	Single Sample	62-528.425 FAC, BPJ
Nitrogen, Nitrate, Total (as N)	mg/L	Max	Report	Single Sample	62-528.425 FAC, BPJ

4. IMPAIRMENT STATUS OF RECEIVING WATERS

Under Section 303(d) of the Clean Water Act, the Department is required to submit lists of impaired waters to EPA. The direct and downstream receiving water bodies for this Facility's discharge to surface waters are included in the table, below:

RECEIVING WATERBODY DETAILS			
Immediate Discharging Waterbody			
Outfall ID	Receiving Water body ID/Name	Included in 303(d) List	Impaired Parameters
D-001 D-003	1797B / Buckeye Road Ditch/Bishops Harbor	FDEP – Yes EPA - Yes	Fecal Coliform
D-002	1789/ Scale Avenue Ditch/Piney Point Creek	FDEP – Yes EPA - Yes	Enterococci
Downstream Waterbody			
D-001 D-003	1558BZ/ Tampa Bay (Lower Segment/Lower North)	FDEP – Yes EPA - Yes	Fecal Coliform
D-002	1558B / Tampa Bay (Middle Segment)	FDEP - No EPA – No	N/A

5. DISCUSSION OF CHANGES TO PERMIT LIMITATIONS

The following changes have been made to the renewed permit:

- a. Responsible Official: On April 12, 2022, the Department received a Notification of Sale or Legal Transfer, DEP Form 62-620.910(11), to transfer the Permit from HRK to Donica Receivership Services, LLC. This change was incorporated in this draft permit [Rule 62-620.305, F.A.C.].

- b. Wastewater Treatment: Revised to reflect discontinuation of manufacturing and double-lime treatment of process water, followed by ammonia removal. The purpose for transfer and renewal of the Permit is to implement the Receiver's Order and the Conceptual Closure Plan. All residual process water will be managed by Manatee County with no releases to surface water.
- c. I.: Effluent Limitations and Monitoring Requirements: Surface Water Discharges:
 - 1. Surface Water Discharges: Outfalls D-001, D-002, and D-003 revised to reflect sampling parameters required by specific waterbody classifications.
 - 2. I.A.1 Outfall 002: Revise to reflect elimination of treated non-process water discharges. Apply same specific condition to outfall 001; flow through outfall 001 will be comprised solely of storm water runoff from closed portions of the phosphogypsum stack system.
 - 3. I.A.2 Outfall 003: Revise to reflect elimination of treated process water discharges. Flow through outfall 003 will be comprised solely of storm water runoff from closed portions of the phosphogypsum stack system.
 - 4. I.B. Revised to reflect the addition of Underground injection system U-001 monitoring requirements.
- d. III. Ground Water Requirements:
 - 1. Revise to reflect that seepage of residual process water into groundwater is limited to residual process water beneath the HDPE liners installed over the previously unlined phosphogypsum stack system that is not collected by the active seepage containment system.
 - 2. Two new monitoring groups have been established, GWMP-004 consists of piezometers to monitor the integrity of the slurry wall; GWMP-005 consists of piezometer to monitor the integrity of the phosphogypsum stack.
- f. General revisions affected on the permit to update general condition language and rule references.

6. INDUSTRIAL SLUDGE MANAGEMENT REQUIREMENTS

This section is not applicable to this Facility.

7. GROUND WATER MONITORING REQUIREMENTS

Ground water monitoring requirements have been established in accordance with Chapter 62-520, F.A.C.

8. PERMIT SCHEDULES

The following schedule is included in the permit in accordance with 62-620, F.A.C.:

Improvement Action	Completion Date
1. Submittal of the updated Water Balance of the Facility	Annually, no later than February 1st of the following year
2. Provide confirmation that the dredging of Lined Process Water Pond (LPWS) has been completed	Within 90 days of effective date of permit
3. Submit a plan for installation of a flow meter at the present location of Outfall D-002	Within 180 days of effective date of permit
4. Submittal of the Annual Report of the performance of Soil bentonite Slurry Wall Cut-off wall	Annually, no later than April 30th of the following year
5. Submit Annual Stack Inspection Report	Annually, no later than April 30th of the following year.
6. Submit Aerial Photographs and surveyed elevations of the stack system compartments, including the lowest elevation of any crest containing impounded water, as determined by a licensed surveyor.	Annually, no later than April 30th of the following year.
7. Submit an updated flow diagram with the flow meter location (FLW-01) and sample collection point (INJ-001) for U-001 indicated.	Prior to injection well permit number 0322708-002-UC/11 (WACS ID 101607) becoming operational.

Improvement Action	Completion Date
8. Submit an Operation Plan for the Site, during closure and a Closure Operation Plan for the time following closure	Within 1 year of effective date of the permit
9. Submit results of at least three effluent samples collected and analyzed for Nonylphenol using analytical method ASTM D7065-06 to verify that the facility discharge is not causing or contributing to violations of the nonylphenol criterion.	Within 1 year of effective date of the permit
10. Submit a Contingency Plan for the site prior to closure and after closure	Within 18 months of effective date of the permit
11. Submit a financial assurance plan for the site that covers before and after closure	No later than the effective date of permit plus 2 years
12. Submittal of monitoring well's Data (Tabular and Graphical) Trend Analysis	No later than 180 days prior to permit expiration

9. BEST MANAGEMENT PRACTICES/STORMWATER POLLUTION PREVENTION PLANS

In accordance with Section 304(e) and 402(a)(2) of the Clean Water Act (CWA) as amended, 33 U.S.C. §§ 1251 et seq., and the Pollution Prevention Act of 1990, 42 U.S.C. §§ 13101-13109, the permittee must develop and implement a Stormwater Pollution Prevention (SWPP) Plan for the Facility covered by this permit. The following schedule is included in the permit in accordance with 62-620, F.A.C.:

Improvement Action	Completion Date
1. Continue implementation of the existing SWPP plan.	Effective date of the permit
2. Submittal of annual SWPP plan progress reports.	Annually, no later than February 1st of the following year

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

20. This permit is accompanied by an Administrative Order, effective on the same date as the permit issuance, which requires an evaluation of the Non-Contact Stormwater Discharge. The Permittee is required to submit for the Department's review and approval a Plan of Study (Plan) to evaluate the Facility's non-contact stormwater discharges (D-001, D-002, D-003) to ensure that it meets the applicable numeric nutrient criteria for Tampa Bay established in Rule 62-302.532, F.A.C., and the TN rolling 5-year annual average loading value of 0.9 tons/year for the Facility. As part of the Plan, the Permittee shall provide recommendations regarding compliance with numeric nutrient criteria for the receiving waterbody and downstream waters in accordance with Rule 62-302.532, F.A.C. The Permittee shall coordinate with the Department to determine the information required, accepted methods of data collection and analysis, and quality control/quality assurance requirements. The Plan shall be approved in writing by the Department and shall be binding upon the Department and the Permittee.

11. REQUESTED VARIANCES OR ALTERNATIVES TO REQUIRED STANDARDS

No variances were requested.

12. 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 14. Copies will be provided at a minimal charge per page.

13. PROPOSED SCHEDULE FOR PERMIT ISSUANCE

Draft Permit and Public Notice to Applicant and EPA	April 28, 2023
Public Comment Period	Beginning: April 28, 2023 Ending: May 28, 2023
Proposed Permit to EPA	June 11, 2023
Notice of Intent to Issue	June 17, 2023
Notice of Permit Issuance	July 7, 2023

14. SWPM CONTACT

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

Lance Kautz
Division of Water Resource Management,
Phosphate Management Program
13051 N Telecom Parkway, Suite 101
Temple Terrace, FL 33637-0926
Telephone No.: 813-470-5909

Enclosures: Attachment B: Surface Water Monitoring Locations
Attachment C: Groundwater Monitoring Locations
Attachment D: Piezometer Locations

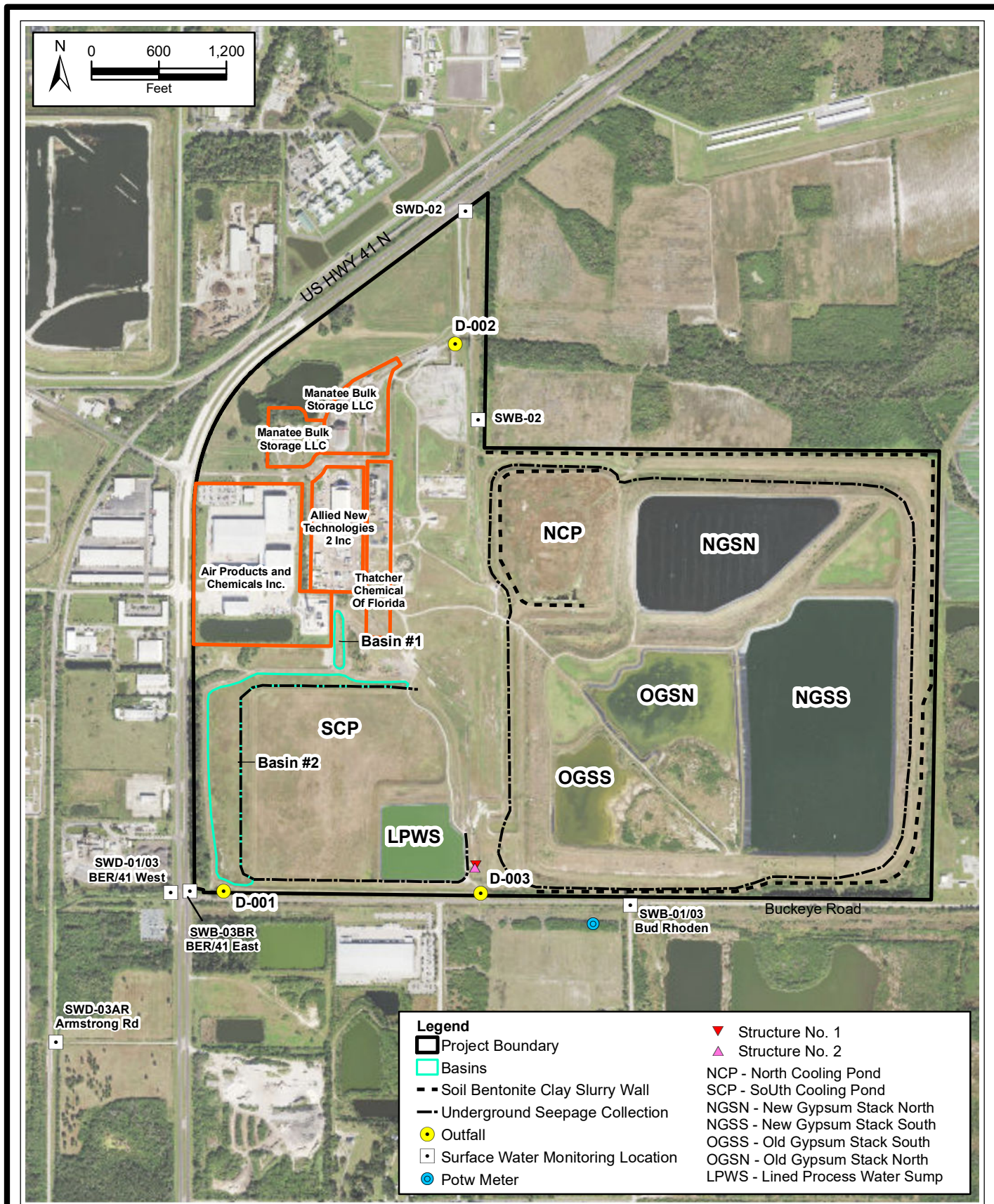


FIGURE X-SW
 SURFACE WATER MONITORING LOCATIONS
 FORMER PINEY POINT CHEMICAL COMPLEX
 PALMETTO, MANATEE COUNTY, FLORIDA

Sources: Hillsborough Co. Imagery, 2020; ECT, 2022.



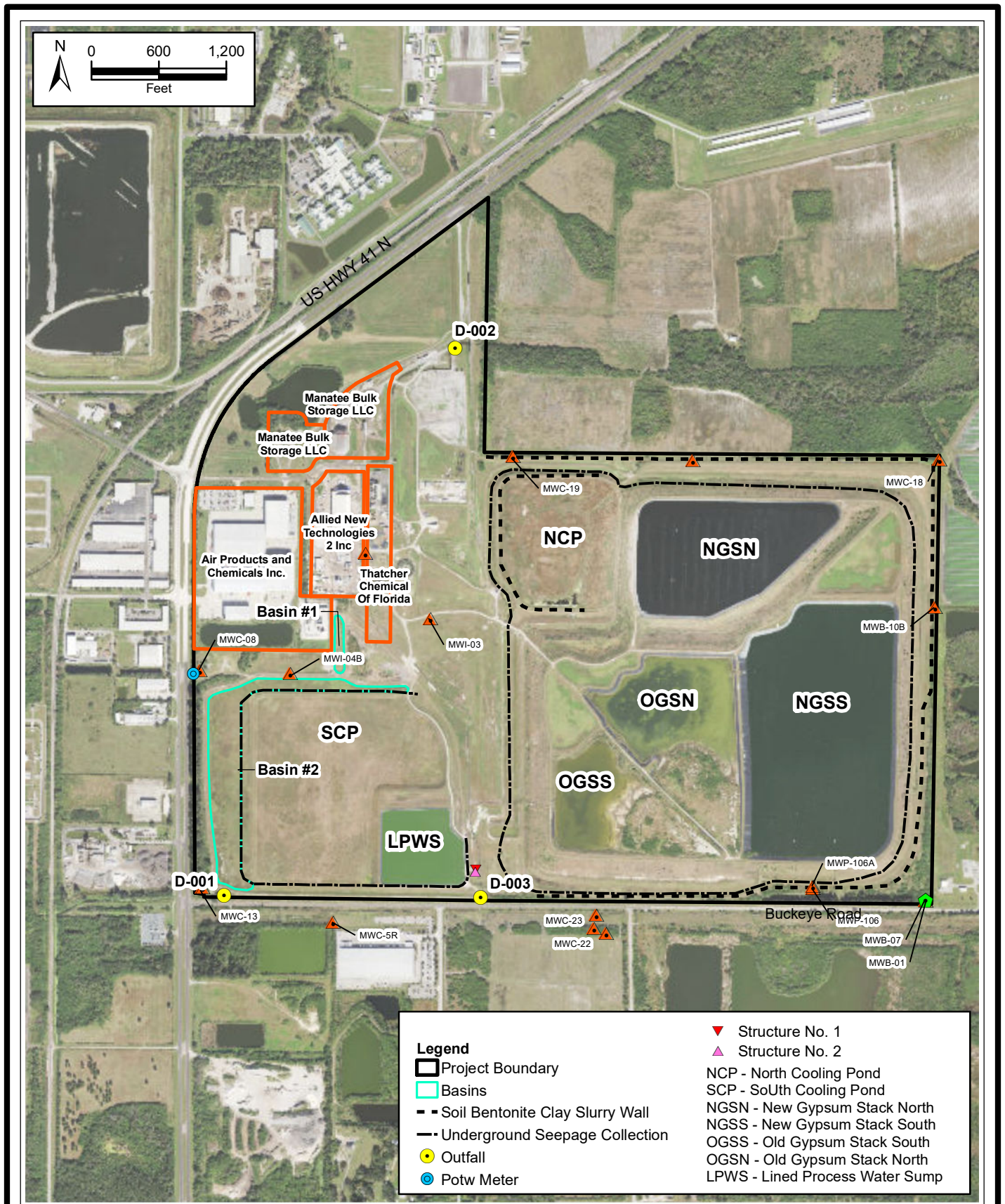


FIGURE X-GW
 GROUNDWATER MONITORING LOCATIONS
 FORMER PINEY POINT CHEMICAL COMPLEX
 PALMETTO, MANATEE COUNTY, FLORIDA

Sources: Hillsborough Co. Imagery, 2020; ECT, 2022.



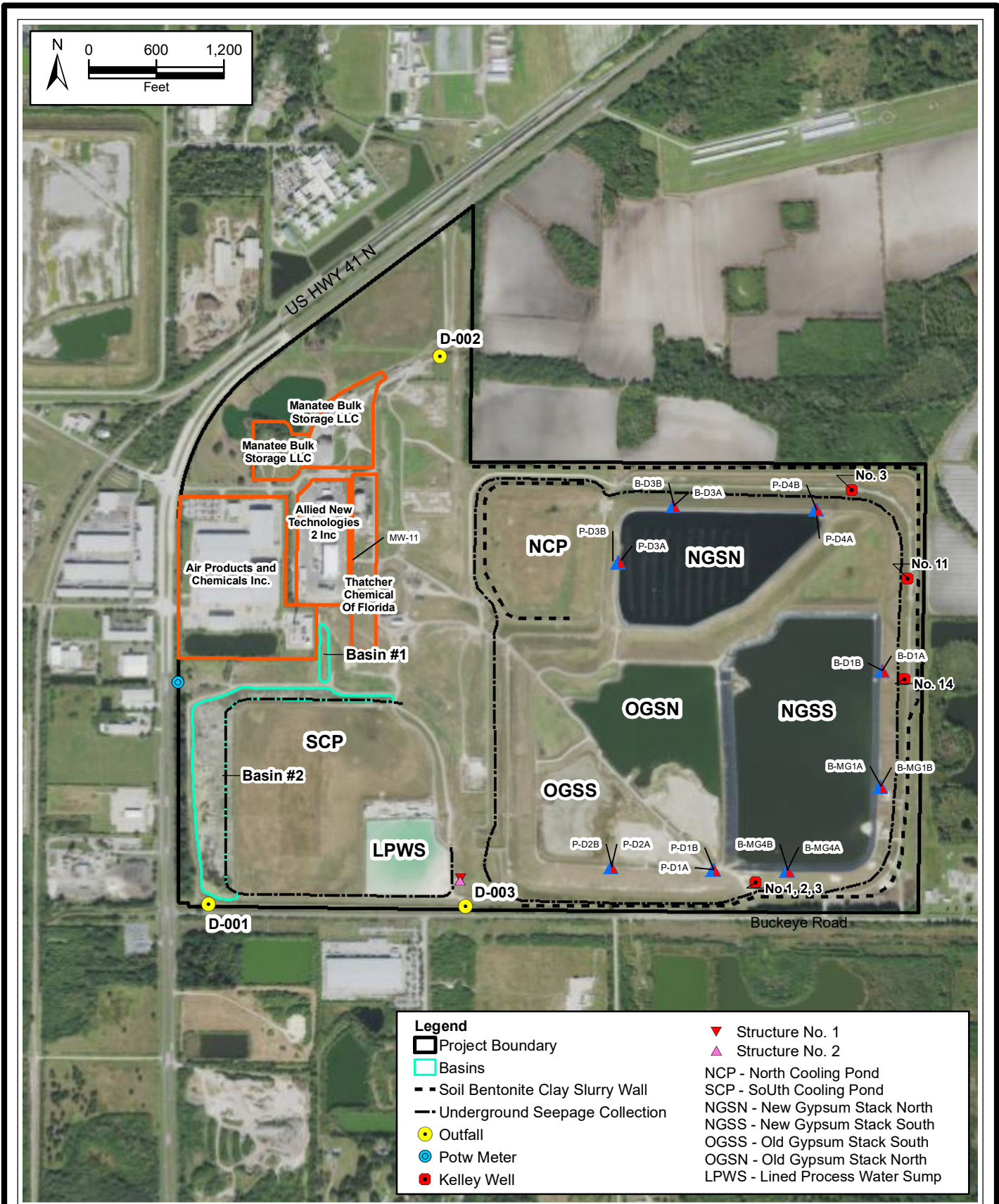


FIGURE X-PIEZ
 PIEZOMETER LOCATIONS
 FORMER PINEY POINT CHEMICAL COMPLEX
 PALMETTO, MANATEE COUNTY, FLORIDA

Sources: Hillsborough Co. Imagery, 2020; ECT, 2022.

