

F. Proposed Modifications to Wastewater Treatment and Effluent Disposal Facilities:

Buckeye will construct and operate modifications to the existing wastewater treatment and effluent disposal system including adequate wastewater holding capacity (potentially a 30 million gallon wastewater holding pond), secondary clarification/filtration system, an effluent pump station, a 15.3 mile treated wastewater pipeline, an effluent oxygenation system, and an outfall/diffuser structure discharging treated effluent to the Fenholloway River through Outfall D-002 at mile point 1.7 upstream of the River mouth. These technologies and mill process changes are collectively referred to as the "Fenholloway Project," more specifically defined as the Scenario C technologies listed on pages 35 and 36 of Department's Use Attainability Analysis (UAA) - Fenholloway River, December 1994. Pages 35 and 36 of the UAA are incorporated as attachment A.

For a sketch showing the location of the discharge point and a flow diagram of treatment prior to discharge, see attachment B.

Following appropriate pilot studies to determine the technical and economical viability of various potential modifications, the permittee will modify its existing wastewater treatment system to achieve the necessary dissolved oxygen levels in the lower Fenholloway River and the Gulf near shore area. These modifications will consist of converting the existing aerated stabilization basin system to a modified activated sludge wastewater treatment system, including the isolation of the biosolids in the existing No. 2 lagoon.

G. Description of Discharge (as reported by applicant)

Outfall D-001: Process Wastewater, Storm Water Runoff, and Boiler Feedwater

Average Winter Temperature	-	24.0°C
Average Summer Temperature	-	31.0°C
pH Range (std. units)	-	7.0-8.4

Pollutants which are present in significant quantities or which are subject to effluent limitations are as follows:

Effluent <u>Characteristics</u>	<u>Reported Data*</u>		
	<u>Annual Average</u>	<u>Maximum 30 Day</u>	<u>Daily Maximum</u>
Flow, MGD	44.1	48.6	74.8
BOD5, lb/d	8,167	9,358	14,409
TSS, lb/d	4,987	6,397	11,853
Oil and Grease, mg/l	<5.0	-	<5.0
Specific Conductance, umhos/cm	2,692	-	3,000
Total Phosphorus, mg/l	1.4	-	1.8
Total Nitrogen, mg/l	7.1	-	9.3
Color, PCU	1,191	1,352	1,466

*2004 calendar year data. Due to process changes within the mill, the most representative numbers are from 2004 rather than 1999 through 2004.

2. BASIS FOR FINAL EFFLUENT LIMITS AND PERMIT CONDITIONS

A. Background

In 2000, Buckeye completed major manufacturing process modifications which eliminated the use of elemental chlorine, substituted the use of 100% chlorine dioxide, and added the use of oxygen and peroxide in the bleaching process. These improvements went beyond those identified by the Department's UAA and are consistent with the Best Available Technology (BAT) basis used in the EPA Cluster Rule to establish the effluent limitations promulgated for the Bleached Papergrade Kraft and Soda Subcategory. In addition, Buckeye has replaced the brownstock screening and knotter process for Mill No. 2 and the knotter process for Mill No. 1.

Buckeye has proposed the following additional improvements to achieve and maintain water quality standards in the receiving waters.

1. In-Plant Process Improvements:

Buckeye will install a new brownstock washing system for Mill No. 2 that will result in the closure of the washing operations. The new washing system will eliminate the decker seal tank discharge and will lower the washable salt cake carry-over to the bleaching process to approximately 9 kg/ADMt of unbleached pulp.

Buckeye will upgrade the existing brownstock washing and screening operations on Mill No. 1. The upgraded system will eliminate the decker seal tank discharge and will lower the washable salt cake carry-over to the bleaching process to approximately 9 kg/ADMt of unbleached pulp.

With the year 2000 as a baseline, the anticipated improvements in effluent quality due to the installation of the above-described equipment are:

- Effluent flow reduction of approximately 10%
- BOD mass reduction of approximately 10%
- Color mass reduction of approximately 30%
- Sodium mass reduction of approximately 5%
- Marginal mass reduction in adsorbable organic halides (AOX).

These improvements are also consistent with the Cluster Rule BAT basis for the Bleached Papergrade Kraft and Soda Subcategory.

2. Wastewater Treatment System Improvements:

The "Fenholloway River Evaluation Initiative Wastewater Treatment Workgroup Report" describes the type of modifications and upgrades to Buckeye's wastewater treatment facility necessary to achieve water quality standards in the lower Fenholloway and near Gulf Shore area.

Changes that Buckeye will be evaluate for technical and economic viability via appropriate pilot studies will include:

- Increasing dissolved oxygen levels and mixing in No.1 lagoon.
- Elimination of all or part of No.2 lagoon from the flow through service.
- Additional secondary clarification and/or filtration.
- Chemical addition for phosphorous treatment.
- Return of biological sludge to the No.1 lagoon to increase the mixed liquor suspended solids levels.
- Wasting of biological sludge.
- Conversion of all or part of the No.2 lagoon to sludge dewatering, treatment, and storage and stormwater storage.

3. Relocation of the Discharge Point and Construction of Pipeline

Buckeye will relocate its effluent discharge out of the freshwater portion of the Fenholloway River (D-001) to an estuarine location at river mile 1.7 (D-002).

The project will include:

- The construction of a 15.3-mile long effluent transmission pipeline including a sub-aqueous diffuser discharge. Buckeye has already received a Florida Environmental Resource Permit as well as a U. S. Army Corps of Engineers Dredge and Fill Permit.
- Evaluation of the potential elimination of the oxygen injection and pumping stations, through modifications of the wastewater treatment system. Any such modification will be subject to the Department's review and approval. If the elimination of the oxygen injection system is possible, the oxygen injection rates required in Part I.A. 9 of the permit will not apply.

4. Fenholloway River Enhancement

Buckeye will also undertake a project to improve the river's headwater hydroperiod through enhancement of a roughly 7,000-acre wetland site in the San Pedro Bay (headwaters for the Fenholloway River) allowing the freshwater portion of the river to more closely resemble background conditions. Buckeye has already received a Florida Environmental Resource Permit (ERP169184-001) and a U. S. Army Corps of Engineers Permit (200004830(NW-RHL)) to implement this enhancement.

B. Effluent Guideline Requirements - BOD (5- DAY) and TSS

In 1977, the Clean Water Act (CWA) introduced Best Conventional Pollutant Control Technology (BCT) effluent guidelines for direct dischargers. These technology-based performance standards specified levels of control primarily for BOD5 and TSS. The CWA required compliance with BCT on or before July 1, 1984. However, for the pulp and paper industry, BCT guidelines were not promulgated until December 17, 1986. The guidelines covering discharges from this industry are addressed in the Pulp, Paper, and Paperboard Point Source Category, 40 CFR 430.

1. Best Conventional Pollutant Control Technology (BCT):

BCT effluent guidelines for dissolving Kraft, Subpart F, S430.63 are as follows:

	lb/1000 lb production	
	Maximum	30-day Average
BOD5	23.6	12.25
TSS	37.3	20.05
PH	Within the Range of 6.5 to 8.5 at all times	

Variability factors are incorporated into the values for BOD5 and TSS above. Using these and the actual production level, which is defined in S430.01 as the annual off-the-machine production divided by the number of operating days during that year (or a 12-month period), BOD5 and TSS effluent limitations can be calculated.

Production is required to be measured in air-dry-tons (10% moisture content). Production is determined for each mill based upon past production practices, present trends or committed growth.

Dissolving Kraft Subcategory F

1250 tons/day = 2500 thousand lbs/day

<u>BOD (5-Day)</u>	Production <u>(1000 lb/d)</u>	Guideline Factor		Limits (lb/d)	
		<u>Ave.</u>	<u>Max</u>	<u>Ave.</u>	<u>Max.</u>
	2500	12.25	23.6	30625	59000
		Total Limitation:		<u>30625</u>	<u>59000</u>
<u>TSS</u>					
	2500	20.5	37.3	51250	93250
		Total Limitation:		<u>51250</u>	<u>93250</u>

If the proposed permit were based on effluent guidelines, the permit would contain the effluent limitations for BOD5 and TSS as calculated above.

The effluent limitations for BOD5 in Part I.A.2. of the permit are based on the Department’s approval of an Alternative Dissolved Oxygen Criterion (ADOC) for a segment of the Fenholloway River, the Henderson River, and adjacent coastal waters located in Taylor County. The ADOC was established in accordance with the requirements of Rule 62-302.500(2)(f), Florida Administrative Code (F.A.C.), (OGC Case No.05-1699).

DEP believes that lower levels for cBOD5 and TSS in the draft permit are more appropriate than the BCT limits based on consideration of the following factors:

- new dissolved oxygen water quality criteria associated with reclassification of the Fenholloway River
- the current performance of the wastewater treatment system, and expected improvements in performance associated with implementation of the Fenholloway Project

2. Best Available Technology (BAT):

Effluent guidelines specify controls on pentachlorophenol (PCP) and trichlorophenol (TCP) at mills where chlorophenolic-containing biocides are used. Buckeye previously has submitted to the EPA a statement that chlorophenolic biocides are not used at the mill. Under studies conducted for the Use Attainability Analysis (UAA), the treated wastewater was analyzed for the specific chlorinated phenolic compounds listed in Rule 62-302.530(53), F.A.C. Only 2,4,6 tri-chlorophenol was detected at a level that warranted inclusion. In addition, analyses of chlorinated phenolic compounds of the treated wastewater effluent were not detected under studies for the UAA. Therefore, effluent monitoring for PCP and TCP is not being required in the proposed permit.

In 2004, EPA announced in the Federal Register, Volume 69, #170, page 53716 that it did not intend to complete the development of effluent guidelines limitations for the Dissolving Kraft Subcategory. Instead, EPA decided to allow the individual states in which these facilities are located to complete this effort on a case-by-case basis. Accordingly, the Department has concluded that the process improvements described in part 2. A. 1. – 3. above represent BAT for Buckeye’s Dissolving Kraft mill.

C. Water Quality Standards and Effluent Standards/Requirements Applied to the Discharge

During the period beginning upon issuance of this permit and lasting until placing the modified wastewater treatment plant (WWTP) and discharge relocation transmission pipeline into full operation, the permittee is authorized to discharge treated wastewater from existing Outfall D-001. The discharge from this outfall location shall not result in a violation of applicable water quality standards. For the purposes of this fact sheet, full operation is defined as constructed, operational, and verified.

During the period beginning upon placing the modified WWTP and the discharge relocation transmission pipeline into operation and lasting through the expiration date of this permit, the Permittee is authorized to discharge final effluent from existing Outfall D-001 to the Fenholloway River as an emergency outfall. An emergency is defined as an upset or bypass in accordance with 62-620, F.A.C. Monitoring for this discharge will be conducted at EFF-1 for the parameters listed below.

The Fenholloway was reclassified from a Class V to Class III water body in January, 1998. The applicable Class III water quality standards are in Chapter 62-302, F.A.C.. The inclusion of the following parameters are also based upon the previous NPDES Permit and DEP Permit No. I062-158779. The following water quality standards apply to Outfall D-002:

1. Oil & Grease - F.A.C. 62-302.530(50). Dissolved or emulsified oils and grease shall not exceed 5 milligrams per liter.
2. 2,4,6-trichlorophenol - F.A.C. 62-302.530(53)(c)4. 2,4,6-trichlorophenol - shall not exceed 6.5 micrograms per liter annual average.
3. pH - F.A.C. 62-302.530(52)(c) pH shall not be less than 6.5 standard units, nor greater than 8.5 standard units. pH.
4. Dissolved Oxygen - F.A.C. 62-302.530(31). Buckeye submitted a petition for Site Specific Alternative Criteria (SSAC) pursuant to Rule 62-302.800, F.A.C. in May 1995 and amended their petition and provided additional water quality information in September 2003. The Department has determined that an alternative dissolved oxygen criterion (ADOC) in accordance with Rule 62-302.500(2)(f), F.A.C. based on the analysis of the SSAC application can be granted.

In order to meet the DO limitation, the permit requires Buckeye to meet a carbonaceous BOD5 mass loading of 4,020 pounds per day monthly average and 6.330 pounds per day daily maximum, which is based on the monthly average of 11 milligrams per liter carbonaceous BOD5 as per HydroQual's report submitted July 21, 2005. In addition, an ammonia nitrogen limitation of 410 pounds per day monthly average will be required which is based on the monthly average of 1 milligram per liter ammonia nitrogen as per HydroQual's report submitted July 22, 2005.

DO will also be monitored in the Lower Fenholloway to verify the ADOC is being met. The permittee will submit a plan of study (POS) to determine the appropriate sampling locations and frequency. The POS will be reviewed and approved by the department prior to implementation.

5. Temperature - F.A.C. 62-302.520(1)(a). The temperature of the effluent shall not increase the temperature of the receiving body water (RBW) so as to cause substantial damage or harm to the specific life or gauge station therein or interfere with beneficial uses assigned to the RBW. Compliance with this standard will be achieved pursuant to the biological community monitoring specified in Permit Condition 1.A.10.
6. Total Phosphorus and Total Nitrogen – F.A.C. 62-302.530(48). Total Phosphorus shall not exceed 365 lbs per day annual average. Total Nitrogen shall not exceed 1095 lbs per day annual average. These loading numbers were calculated based on a concentration of 3 mg/L of Nitrogen and 1 mg/L Phosphorus with a flow of 43.8 MGD and are intended to allow for water conservation efforts and necessary operational flexibility in the wastewater treatment system. The Department has concluded that an imbalance of aquatic flora and fauna in the Fenholloway River offshore system is occurring and the nutrient criteria are not being met [“Basis for Nutrient Limitations for Buckeye Mill Discharge”, April 27, 2004 by Dr. Wayne Magley]. The Department has established effluent limitations that are based on the natural conditions found in the area offshore from the cognate Econfina River as reflected in Part I.A.2. of the permit. Buckeye has ongoing nutrient limits and loading evaluations which may establish an alternative basis for nutrient limitations as part of the Administrative Order. Any alternative basis for nutrient limitations will be subject to the Department's review and approval.

7. Whole Effluent Toxicity – F.A.C. 62-302.530(21). Whole effluent Chronic Toxicity shall not exceed an No Observable Effect Concentration of less than 25% in any routine or additional definitive test. The effluent limitation has been calculated to ensure compliance with the applicable water quality criteria at the boundary of the mixing zone. The length of the mixing zone specified below is centered along the outfall diffuser structure and equates to a spatial area of 125,600 square meters. This spatial area is consistent with Rule 62-4.244(1)(g), F.A.C., as contained in Buckeye’s application. The permittee’s discharge shall not cause an exceedance of the Chapter 62-302.530(21), F.A.C., Class III marine water quality criteria outside the described mixing zone.

<u>Parameter</u>	<u>Mixing zone length centered on the diffuser structure</u>
Chronic Toxicity	2,250 meters

8. 2,3,7,8,-TCDD – F.A.C. 62-302.500 2,3,7,8-TCDD shall not exceed 0.014 parts per quadrillion quarterly. The sample shall consist of three 24-hour composite samples. This limit is also based on the national ambient water quality criterion for protection of human health from consumption of contaminated fish at a risk level of 10-6 (EPA EPA/440/5-84-007). This national criterion is applicable to Class III waters for discharges authorized under the NPDES program and is based on EPA’s promulgation of a numeric criterion for TCDD for Class III waters in Florida on December 22, 1992.

The draft permit requires that the discharge of 2,3,7,8 - TCDD, expressed as a daily maximum value, not exceed 0.014 picograms per liter (pg/l). The proposed limitation of 0.014 pg/l is below the presently attainable minimum levels of the best analytical procedures presently available. The approved analytical methods and corresponding Department established MDL (method detection limit) and PQL (practical quantification limit) is 10 pg/l. If the results for a given sample analysis are such that the parameter is less than the MDL a value of zero will be used for that sample in calculating an average for that parameter. Values less than the MDL demonstrate compliance with an effluent limit or monitoring requirement.

9. Total Recoverable Iron – F.A.C. 62-320.530(39) Iron shall not exceed 0.3 milligrams per liter daily maximum quarterly.
10. Color/Transparency – F.A.C. 62-302.530(68) Based on studies conducted under the UAA and subsequent modeling, a color level of 1100 PCUs annual average in the effluent must be maintained with an annual average effluent flow of 43.8 MGD to demonstrate compliance with the transparency water quality standard. In order to encourage water conservation, an equivalent mass limit is established by treating PCUs as equivalent to mg/l. This allows the establishment of a color mass limit of 401,821 (lb equivalents per day) annual average in order to achieve the transparency standard in the estuary. The annual average will be calculated using the color measured in PCUs and multiplying by that day’s flow and 8.34 conversion. The data for the month will be averaged together and then used in the 12 month rolling annual average.
11. Total Coliform – F.A.C. 62-302.530(7) Total Coliform shall not exceed 2400/100 milliliters daily maximum or 1000/100 milliliters monthly geometric mean.
12. Enterococci – 40 CFR 131.41 Enterococci shall not exceed 35/100 milliliters monthly geometric mean with a daily maximum limit of 276/100 milliliters.
13. Best Management Practices (BMP) - Part VII D. of the proposed permit requires Buckeye to continue to implement the BMP plan to prevent and control spills of toxic or hazardous substances listed under Sections 307 (a) (1) and 311 of the Clean Water Act that may reach surface waters or upset the wastewater treatment process. A BMP plan requirement is incorporated into this permit under the authority of Sections 304 (e) and 402 (a) (1) of the Clean Water Act. As a part of the BMP plan,

Buckeye is required to address any toxic chemicals used at the facility. If the Department determines the BMP plan to be insufficient, specific changes to the BMP plan shall be incorporated by permit modification. Buckeye has already developed a BMP plan based on the requirements contained in the previous permit. However, in addition to the existing BMP plan, the permittee is required to monitor and sample groundwater quality.

14. The applicant will be required to monitor for flow and the above parameters with sufficient frequency to ensure compliance with the permit conditions. Frequency, methods of sampling, and reporting dates will be specified in the final permit. Any requirements in this permit to only monitor and report data are based on Section 308 (a) of the Clean Water Act.

4. REQUESTED VARIANCES OR ALTERNATIVES TO REQUIRED STANDARDS

In May 1995, Buckeye submitted a petition to the Department requesting the establishment of a SSAC for dissolved oxygen in the Fenholloway River to accurately reflect natural background conditions. The petition was amended on January 28, 2005.

The Department has determined that the establishment of an ADOC under Rule 62-302.500(2)(f) , F.A.C., is more appropriate in this case than the establishment of a SSAC under Rule 62-302,800, F.A.C. By separate final order, the Department has approved the establishment of a Alternative Dissolved Oxygen Criteria (ADOC) for a segment of the Fenholloway River, the Henderson River, and adjacent coastal waters located in Taylor County. The ADOC were established in accordance with the requirements of Rule 62-302.500(2)(f), F.A.C. (OGC Case No.05-1699). An ADOC is a type of SSAC and the issuance of an ADOC under Rule 62-302.500(2)(f), F.A.C., must take into consideration the factors contained in Rule 62-302.800(1)(a)1 - 4, F.A.C. The issuance of an ADOC is a change to state surface water quality standards and is subject to formal approval by the U.S. Environmental Protection Agency.

5. PERMITTING SCHEDULES

In addition to effluent monitoring requirements, part VI of the Permit requires Buckeye to conduct the following Plans of Study or Plans of Evaluation to verify that water quality standards are being met in the Lower Fenholloway River and the Gulf near shore area.

A. Dioxin Fish Tissue Plan of Study

Buckeye will submit for Department's review and approval a Dioxin Fish Tissue Plan of Study (POS) to annually assess the levels of TCDD/TCDF in ambient fish tissue in the receiving waters of the Lower Fenholloway River Estuary and near shore area of the Gulf of Mexico. The data will be evaluated to determine requirements for additional fish tissue testing during the next permit cycle.

B. Sea Grass Plan of Evaluation

Buckeye will submit for Department's review and approval a Plan to monitor the restoration of seagrasses in the Lower Fenholloway and near shore area of the Gulf of Mexico. The Department may also submit the report to other agencies it deems appropriate (such as National Marine Fisheries Service, US Fish and Wildlife Service, Florida Wildlife Commission, Florida Marine Research Institute, and the EPA).

C. Dissolved Oxygen Plan of Study

Buckeye will submit for Department's review and approval a Dissolved Oxygen (DO) Plan of Study (POS) designed to verify the ADOC is being met in the Lower Fenholloway River. The POS shall include, but is not limited to, the appropriate sampling locations and frequency.

D. Potential Masculinization Effects Plan of Study

Buckeye will submit for Department's review and approval a plan of study (POS). The POS shall be designed to evaluate if modifications to process technology and wastewater treatment eliminate the historically observed masculinization effects. The POS shall include an assessment of such effect at Outfall D-001.

E. Biological Integrity Monitoring Plan of Study

Buckeye will submit for Department's review and approval a plan of study (POS), including a proposed implementation schedule, designed to monitor biological integrity in accordance with Rule 62-302.530(11), F.A.C., from the proposed effluent discharge. The POS shall also be designed to monitor the restoration of the Fenholloway River and the estuary.

6. DISCUSSION OF PREVIOUS PERMIT EFFLUENT LIMITATIONS

The proposed NPDES permit is based, in part, on the State Industrial Wastewater Permit (I062-158779) that was issued on July 27, 1990 with an expiration date of July 27, 1995. The proposed NPDES permit is also based, in part, on EPA NPDES Permit (FL0000876) that was issued on June 26, 1992 with an expiration date of June 30, 1997.

In May 1995, the EPA approved the Department's NPDES program. In July 1997, the Department consolidated the State Industrial Wastewater Permit and the EPA's NPDES Permit.

In May 1995, Buckeye submitted a permit renewal application in accordance with Chapter 62-620, F.A.C. Various parties filed administrative challenges with respect to the Department's Intent to Issue the proposed NPDES permit. The consolidated permit (the State Industrial Wastewater Permit and the EPA NPDES permit) remains in effect pending final agency action on Buckeye's application for the renewal of its NPDES permit.

Rule 62-620.620(1)(o), F.A.C., provides that limitations and conditions in a renewal of a State issued wastewater permit must be at least as stringent as those limitations and conditions in the previous permit unless circumstances on which the previous permit was based have materially or substantially changed are applicable.

7. NEW OR EXPANDED DISCHARGES TO SURFACE WATERS; ANTIDegradation REQUIREMENTS

Buckeye has proposed relocating the effluent discharge point. In accordance with the anti-degradation Rules, 62-4.242 and 62-302.300, F.A.C., Buckeye submitted, on January 24, 1996, a report entitled "Fenholloway River Anti-Degradation Analysis Discharge Point Relocation". The Department has determined that Buckeye has provided reasonable assurance that the anti-degradation requirements have been met. This determination is based the review of the Report and the results of the Fenholloway River UAA, December 1994.

8. **EFFECTS OF SURFACE WATER DISCHARGE ON THREATENED OR ENDANGERED SPECIES**

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

9. **ADMINISTRATIVE ORDERS (AO) and CONSENT ORDERS (CO)**

This permit is accompanied by an Administrative Order (AO) issued under the authority of Sections 403.088(2)(e) and (f), Florida Statutes. The AO establishes interim effluent limitations and a reasonable compliance schedule, which requires, in part, the implementation of those actions that will bring the facility into compliance with the Department's applicable water quality standards and criteria. As proposed these steps have been determined by the Department to be the most environmentally sound means of achieving long-term compliance with water quality standards. In consideration of the nature of the project, which requires extensive construction including a pipeline, the scheduled proposed is found to be reasonable.

Pending the implementation of the actions required by the Administrative Order, the industrial wastewater effluent from Buckeye's facility may not meet the following permit water quality based effluent limitations and/or specific conditions of the Department's proposed NPDES Permit FL0000876:

- A. Part I.A.1., of the proposed Permit for Outfall D-001.
- B. Part I.A.2., of the proposed Permit for Outfall D-002, at end of the transmission pipeline for the following parameters:
 - 1. Carbonaceous Biological Oxygen Demand (lbs/day)
 - 2. Dissolved Oxygen (mg/l)
 - 3. Total Nitrogen (lbs/day as N)
 - 4. Total Phosphorous (lbs/day as P)
 - 5. Biological Integrity
 - 6. Specific Conductance (umhos/cm)
 - 7. Chronic Toxicity
 - 8. Transparency
 - 9. Total Recoverable Iron (mg/l)
 - 10. 2,3,7,8 – tetrachlorodibenzo-p-dioxin (TCDD) (pg/l)
 - 11. Color (lb equivalents/day)
 - 12. Unionized Ammonia (mg/l)
 - 13. Ammonia Nitrogen (lbs/day as N)

10. DEP CONTACT

Additional information concerning the permit may be obtained during normal business hours from:

Melissa Long, P.E.
Industrial Wastewater Engineer
Department of Environmental Protection Northeast District Office
7825 Baymeadows Way, Suite 200B
Jacksonville, Florida 32256-7590
Telephone No.: (904) 807-3300,

11. THE ADMINISTRATIVE RECORD

The administrative record including application, draft permit, fact sheet, public notice (after release), comments received and additional information is available for public inspection during normal business hours at the location specified in item 10.

12. PROPOSED SCHEDULE FOR PERMIT ISSUANCE

Draft permit to Applicant and EPA	August 16, 2005
Applicant to Publish Public Notice	August 19, 2005
Beginning of Proposed Public Comment Period	August 19, 2005
Public Meeting	September 29, 2005
Ending of Proposed Public Comment Period	October 6, 2005
Notice of Agency Action	November 28, 2005
Applicant to Publish Notice of Agency Action	December 2, 2005
Proposed Permit to EPA	January 6, 2006
Proposed Issuance Date of Permit	February 6, 2006

13. PROCEDURES FOR THE FORMULATION OF FINAL DECISION ON PERMIT ISSUANCE

a. Public Comment Period

The Department of Environmental Protection proposes to issue a wastewater facility permit to this applicant subject to the aforementioned reclaimed water or effluent limitations and conditions. This decision is tentative and open to comment from the public.

Interested persons are invited to submit written comments regarding permit issuance on the draft permit limitations and conditions to the following address:

Florida Department of Environmental Protection
Northwest District Office Attn.: Melissa Long, P.E.
Industrial Wastewater Engineer
Department of Environmental Protection Northeast District Office
7825 Baymeadows Way, Suite 200B
Jacksonville, Florida 32256-7590

All comments received within 30 days following the date of public notice, pursuant to Rule 62-620.550, F.A.C., will be considered in the formulation of the final decision with regard to permit issuance.

Any interested person may submit written comments on the Department's proposed permitting decision to the address specified above, in accordance with Rule 62-620.555, F.A.C. The comments must contain the

information set forth below and must be received in the above named District office of the Department within 30 days of receipt or publication of the public notice. Failure to submit comments within this time period will constitute a waiver of any right such person may have to submit comments under Rule 62-620.555, F.A.C.

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

- (1) 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;
- (2) A description of any changes the commenter proposes for the draft permit; and
- (3) A full explanation of the factual and legal reasons for each proposed change to the draft permit.

b. Public Meeting

The Department will hold a public meeting. Public notice of such a meeting shall be published by the applicant at least 30 days prior to the meeting.

When a public meeting is scheduled the public comment period is extended until the close of the public meeting. When a public meeting is held any person may submit oral or written statements and data at the meeting on the Department's proposed action.

c. Issuance of the Permit

The Department will make its decision regarding permit issuance after consideration of all written comments, including comments from the United States Environmental Protection Agency on surface water discharge aspects of the draft or proposed permit; the requirements of Chapter 403, F.S., and appropriate rules; and after consideration of all comments, statements and data presented at the public meeting. The Department will respond to all significant comments in writing. The Department's response to significant comments will be included in the administrative record of the permit and will be available for public inspection at the above named District office of the Department.

The Department will take final agency action by issuing the permit or denying the permit application, and will at that time provide an opportunity for substantially affected persons to challenge the Department's actions under Chapter 120, F.S.