

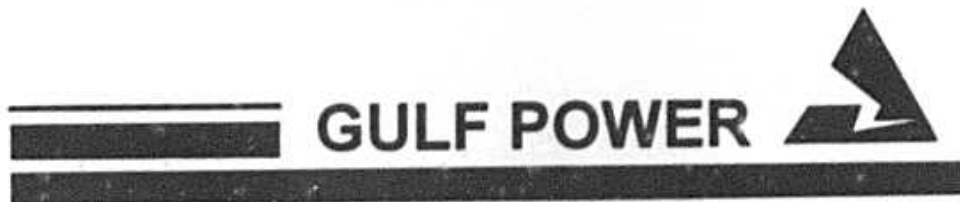
BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

DOCKET NO. 950007-EI

PREPARED DIRECT TESTIMONY
AND EXHIBIT OF
J. O. VICK

PROJECTED
ENVIRONMENTAL COST RECOVERY CLAUSE

OCTOBER 1995 - MARCH 1996
JUNE 16, 1995



DOCUMENT NUMBER-DATE

05689 JUN 16 88

FPSC-RECORDS/REPORTING

1 GULF POWER COMPANY

2 Before the Florida Public Service Commission
3 Prepared Direct Testimony of
4 James O. Vick
Docket No. 950007-EI
Date of Filing June 16, 1995

5 Q. Please state your name and business address.

6 A. My name is James O. Vick and my business address is 500 Bayfront
7 Parkway, Pensacola, Florida, 32501-0328.

8
9 Q. By whom are you employed and in what capacity?

10 A. I am employed by Gulf Power Company as the Supervisor of Environmental
11 Affairs.

12
13 Q. Mr. Vick, will you please describe your education and experience?

14 A. I graduated from Florida State University, Tallahassee, Florida, in 1975 with a
15 Bachelor of Science Degree in Marine Biology. I also hold a Bachelor's
16 Degree in Civil Engineering from the University of South Florida in Tampa,
17 Florida. In addition, I have a Masters of Science Degree in Management
18 from Troy State University, Pensacola, Florida. I joined Gulf Power Company
19 in August 1978 as an Associate Engineer. I have since held various
20 engineering positions such as Air Quality Engineer and Senior Environmental
21 Licensing Engineer. In 1989, I assumed my present position as Supervisor of
22 Environmental Affairs.

23
24 Q. What are your responsibilities with Gulf Power Company?

25 A. As Supervisor of Environmental Affairs, my primary responsibility is

1 overseeing the activities of the Environmental Affairs section to ensure the
2 Company is, and remains, in compliance with environmental laws and
3 regulations, i.e., both existing laws and such laws and regulations that may
4 be enacted or amended in the future. In performing this function, I have the
5 responsibility for numerous environmental programs and projects.
6

7 Q. Are you the same James O. Vick who has previously testified before this
8 Commission on various environmental matters?

9 A. Yes.

10
11 Q. Have you prepared an exhibit that contains information to which you will refer
12 in your testimony?

13 A. Yes. I have prepared an exhibit containing five schedules.
14

15 COUNSEL: We ask that Mr. Vick's exhibit, consisting of five
16 schedules, be marked as Exhibit No. _____ (JOV-1).
17

18 Q. What is the purpose of your testimony in this proceeding?

19 A. The purpose of my testimony is to support Gulf Power Company's projection
20 of environmental compliance amounts recoverable through the
21 Environmental Cost Recovery (ECR) clause for the period October 1995,
22 through March 1996. I will discuss the amounts included in the projection
23 period for those compliance activities previously approved by the
24 Commission. I will also describe other environmental compliance activities
25 undertaken by the Company for which Gulf seeks cost recovery through the

1 ECR. Finally, I will address new environmental compliance activities which
2 are now projected to occur in the current period, April 1995 through
3 September 1995.

4
5 Q. Mr. Vick, please describe the contents of Schedule 1 of your exhibit.

6 A. Schedule 1 provides a listing of the environmental capital projects which have
7 been included in Gulf's ECR calculations. The capital projects shown in
8 Schedule 1 are listed according to the Company's Plant Expenditure (PE)
9 reference number. Schedule 1 reflects the expenditures and clearings
10 currently projected for these projects. All of these projects are associated
11 with environmental compliance activities which have been previously
12 approved in past proceedings for recovery through the ECR clause. These
13 past proceedings have been held in Docket No. 930613-EI, Docket
14 No. 940042-EI, and Docket No. 950007-EI. With the exception of PE 1007,
15 Substation Contamination Mobile Groundwater Treatment System, all of the
16 capital projects shown on my Schedule 1 have been specifically approved for
17 recovery in the past ECR proceedings I have just described. The Mobile
18 Groundwater Treatment System does not represent a new environmental
19 compliance activity. This new capital project reflects the Company's decision
20 to purchase equipment it had been leasing for use in connection with a
21 previously approved environmental compliance activity.

22
23 Q. You stated that the capital project described in PE 1007 is associated with a
24 previously approved environmental compliance activity. What is that activity
25

1 and when was it initially approved?

2 A. The equipment is used in connection with the Substation Contamination
3 Investigation that was initially approved in Docket No. 930613-EI as part of
4 the Company's first ECR filing. This activity has been included in all of the
5 Company's ECR filings since that time. As previously discussed in my
6 May 19 true-up testimony, (Page 5, Line 1), Gulf made the decision to
7 purchase a groundwater treatment system which had been previously under
8 a lease agreement with a contractor performing groundwater treatment
9 services. This decision was based on cost-benefit analysis and, as stated in
10 my previous testimony, will ultimately reduce future project costs.

11

12 Q. Have you tabulated the investment amounts for the capital projects identified
13 for recovery through this filing?

14 A. Yes, these amounts are set forth by capital project on Schedule 1 of my
15 exhibit. The amounts on Schedule 1 were provided to Ms. Cranmer, who has
16 calculated the associated revenue requirements for our requested recovery.

17

18 Q. Please compare the Operation and Maintenance (O&M) programs and
19 projects listed on your Schedule 2 to the O&M projects and programs
20 approved for cost recovery in past ECR Dockets.

21 A. With the exception of two new items under Water Quality, State NPDES
22 Administration (Line Item 8) and Lead and Copper Rule (Line Item 9), all the
23 O&M projects and programs listed on Schedule 2 of my exhibit reflect O&M
24 projects and programs which were previously approved for recovery through
25 the ECR in past proceedings. These O&M projects and programs are all on-

1 going compliance activities and are grouped into four major categories--Air
2 Quality, Water Quality, Environmental Programs Administration, and Solid
3 and Hazardous Waste. I will discuss each O&M program and project within
4 each of these major categories and the projected expenses later in my
5 testimony.

6
7 Q. What O&M projects and programs are included in the Air Quality category?

8 A. There are five O&M projects/programs included in this category. The first,
9 Sulfur (Line Item 1), reflects an ongoing operational expense associated with
10 the burning of low sulfur coal. This item refers to the flue gas sulfur injection
11 system needed to improve the collection efficiency of the Crist Unit 7
12 electrostatic precipitator and is required due to the burning of low sulfur coal
13 at this unit pursuant to the sulfur dioxide requirements of the CAAA. The
14 expenses projected for the recovery period total \$69,000.

15 The second project/program listed on Schedule 2 of my exhibit, Air
16 Emission Fees (Line Item 2), represents the expenses projected for the
17 annual fees required by the CAAA. The expenses projected for the recovery
18 period total \$350,700.

19 The third project/program listed on Schedule 2 of my exhibit, Title V
20 Permits (Line Item 3), represents projected expenses associated with the
21 preparation of Title V permit applications and the subsequent implementation
22 of the Title V permits. The total estimated expense for the Title V Program
23 during the recovery period is \$44,805.

24 The fourth project/program listed on Schedule 2 of my exhibit,
25 Asbestos Fees (Line Item 4), reflects expenses associated with a new

1 requirement that became effective in 1994. These notification fees are
2 required to be paid to the Florida Department of Environmental Protection
3 (FDEP) for the purpose of funding the State's asbestos removal program.
4 The expenses projected for the next recovery period total \$4,494.

5 The fifth project/program listed on Schedule 2 of my exhibit, Emission
6 Monitoring (Line Item 5), reflects an ongoing O&M expense associated with
7 the new Continuous Emission Monitoring equipment (CEM) as required by
8 the CAAA. These expenses are incurred in response to the federal
9 Environmental Protection Agency's (EPA) requirements that the Company
10 perform Quality Assurance/Quality Control (QA/QC) testing for the CEMs,
11 including Relative Accuracy Test Audits (RATA) and Linearity Tests. The
12 expenses projected to occur during the recovery period for these activities
13 total \$137,642.

14
15 Q. What O&M projects/programs are included in Water Quality?

16 A. The expenses projected for all activities in General Water Quality total
17 \$886,493 during the six-month recovery period. General Water Quality (Line
18 Item 6), identified in Schedule 2 of my exhibit, includes Soil Contamination
19 Studies, Dechlorination, Groundwater Monitoring Plan Revisions, Surface
20 Water Studies, and Daniel Groundwater Monitoring. All of the programs
21 included in Line Item 6, General Water Quality, have been approved in past
22 proceedings.

23 The second activity listed in the Water Quality Category, Groundwater
24 Contamination Investigation (Line Item 7), was previously approved for
25 environmental cost recovery in Docket No. 930613-EI. This activity is

1 projected to incur incremental expenses totaling \$451,182 during the
2 recovery period.

3 Line Items 8 and 9 under the Water Quality section of Schedule 2
4 represent new environmental compliance activities. Line Item 8, State
5 NPDES Administration, is the result of a recent shift in activity from the
6 Environmental Protection Agency (EPA) to the Florida Department of
7 Environmental Protection (FDEP). In May of this year, the Environmental
8 Protection Agency (EPA) delegated authority (See Schedule 4) for the
9 Federal National Pollution Elimination Discharge Elimination System
10 (NPDES) program to the Florida Department of Environmental Protection
11 (FDEP). As a mechanism for funding the State's program, FDEP
12 implemented an annual fee structure for affected facilities. Gulf has three
13 generating plants in Florida, all of which are subject to these fees. Line
14 Item 9, Lead and Copper Rule, is a program which is a direct result of recent
15 environmental rulemaking. Chapter 62-551, F.A.C., (Schedule 5) requires
16 any facility with a non-transient, non-community potable water supply system
17 which services more than 25 employees to establish sampling and analytical
18 protocols for lead and copper levels in drinking water. Plants Crist and Smith
19 are subject to these requirements. Projected O&M costs of \$20,400 for the
20 period are included in our request for recovery in this filing.

21
22 Q. What projects/programs are included in the Environmental Affairs
23 Administration Category?

24 A. Only one O&M program is included in this category on Schedule 2 (Line
25 Item 10) of my exhibit. This Line Item refers to the Company's Environmental

1 Audit/Assessment function. This program is an on-going compliance activity
2 initially approved in Docket No. 930613-EI and is projected to incur expenses
3 totaling \$3,000 during the recovery period.

4
5 Q. What O&M projects/programs are included in the Solid and Hazardous Waste
6 category?

7 A. Only one program, General Solid and Hazardous Waste (Line Item 11), is
8 included in the Solid and Hazardous Waste category on Schedule 2 of my
9 exhibit. This activity involves the proper identification, handling, storage,
10 transportation and disposal of solid and hazardous wastes as required by
11 Federal and State regulations. This program is an on-going compliance
12 activity initially approved in Docket No. 930613-EI and is projected to incur
13 incremental expenses totaling \$58,752 during the recovery period.

14
15 Q. How did you derive the projected O&M expenses the Company identified in
16 your exhibits for consideration in the Environmental Cost Recovery Clause?

17 A. We have based this information on the projected 1995 and 1996
18 environmental expenses for the time frame of October 1995 through March
19 1996. O&M expenses resulting from environmental compliance activities
20 projected to occur from October 1, 1995, through the end of the recovery
21 period on March 31, 1996, are listed on Schedule 2. These O&M expenses
22 are summarized by FERC account on Schedule 3. This information was
23 provided to Ms. Cranmer for her to include in the calculation of the total
24 revenue requirements.

25

1 Q. During the period from April through September 1995, were there any
2 compliance costs incurred by Gulf which were not previously projected but
3 are included in this testimony.

4 A. Yes, the State NPDES Administration item listed under General Water
5 Quality falls into this category and is reflected on my schedule (Line Item 8).
6 The FDEP's initial fee assessment under the delegation of authority that
7 occurred in May is due in July 1995. An additional fee was also imposed by
8 FDEP for our Plant Smith's NPDES permit renewal application. This fee is
9 due in August 1995. The combined amounts of these NPDES fees for the
10 current period (April 1995 through September 1995) have been included by
11 Ms. Cranmer in her schedules supporting these calculations of the proposed
12 ECR funding for the projection period.

13
14 Q. Does this conclude your testimony?

15 A. Yes.
16
17
18
19
20
21
22
23
24
25

AFFIDAVIT

STATE OF FLORIDA)
)
COUNTY OF ESCAMBIA)


Docket No. 950007-EI

Before me the undersigned authority, personally appeared James O. Vick, who being first duly sworn, deposes, and says that he is the Supervisor of Environmental Affairs of Gulf Power Company, a Maine corporation, and that the foregoing is true and correct to the best of his knowledge, information, and belief. He is personally known to me.



James O. Vick
Supervisor of Environmental Affairs

Sworn to and subscribed before me this 15th day of June, 1995.



Notary Public, State of Florida at Large

Commission Number:
Commission Expires:



Docket No. 950007-EI
James O. Vick Exhibit No. _____(JOV-1)
Projected Environmental Cost Recovery Clause
Index of Schedules

Schedule #	Title	Page #
Schedule 1	Environmental Cost Recovery Investment Expenditures	1
Schedule 2	Environmental Cost Recovery Clause Operation and Maintenance Expenses Projected Projects or Programs	3
Schedule 3	Environmental Cost Recovery Clause Operation and Maintenance Expenses by FERC	4
Schedule 4	State NPDES Administration Program	5
Schedule 5	Lead and Copper Rule	51

Gulf Power Company
 Environmental Cost Recovery (E.C.R.) Case Projection Filing
 October 1995 - March 1996
 Expenditures
 (000's)

Line No.	PL No.	Description	Actual Project-to-Date Thru 3/95	Actual												Project-to-Date Thru 3/96	Law/Regulation
				Actual	Apr	May	June	July	August	Sept	Oct	Nov	Dec	Jan	Feb		
AIR QUALITY																	
1	1006	Air Quality Assurance Testing	239,115	0	0	0	0	0	0	0	0	0	0	0	0	239,115	CAAA
2	11196138	Crist 5 Precipitator Upgrade	158,225	42,899	100,000	99,000	0	0	0	0	0	0	0	0	0	400,124	CAAA
3	1216	Crist 7 Precipitator Upgrade	10,963,955	0	0	0	0	0	0	0	0	0	0	0	0	10,963,955	CAAA
4	1228	Crist 7 Flue Gas Conditioning	2,179,245	0	0	0	0	0	0	0	0	0	0	0	0	2,179,245	CAAA
5	1236	Crist 7 Low NOx Burners	8,619,237	5,662	0	0	0	0	0	0	0	0	0	0	0	8,624,899	CAAA
6	1240	Crist 7 CEMs	623,662	146	0	0	0	0	0	0	0	0	0	0	0	623,808	CAAA
7	1242	Crist 6 Low NOx Burners	7,866,782	4,516	0	0	0	0	0	0	0	0	0	0	0	7,871,298	CAAA
8	1243	Crist 6 Precipitator Replacement	13,349,620	0	0	0	0	0	0	0	0	0	0	0	0	13,349,620	CAAA
9	1245	Crist 6 CEMs	597,024	148	0	0	0	0	0	0	0	0	0	0	0	597,172	CAAA
10	12866216	Crist 1 CEMs	321,813	0	0	0	0	0	0	0	0	0	0	0	0	321,813	CAAA
11	12896215	Crist 4 CEMs	467,005	9,128	0	0	0	0	0	0	0	0	0	0	0	476,133	CAAA
12	12906220	Crist 5 CEMs	216,099	0	0	0	0	0	0	0	0	0	0	0	0	216,099	CAAA
13	1323	Scholz 1 CEMs	866,187	0	0	0	0	0	0	0	0	0	0	0	0	866,187	CAAA
14	1459	Smith 1 CEMs	778,856	0	0	0	0	0	0	0	0	0	0	0	0	778,856	CAAA
15	1460	Smith 2 CEMs	431,619	0	0	0	0	0	0	0	0	0	0	0	0	431,619	CAAA
16	1558	Daniel CEMs	565,862	0	0	0	0	0	0	0	0	0	0	0	0	565,862	CAAA
17		Subtotal Air Quality	48,244,306	62,422	100,000	99,000	0	0	0	0	0	0	0	0	0	48,505,805	
WATER QUALITY																	
18	1007	Sub. Contain. Mobile Groundwater Treat. Sys.	0	175,056	(37,000)	0	0	0	0	0	0	0	0	0	0	138,056	62 FAC
19	1232	Crist Cooling Tower Cell	906,659	0	0	0	0	0	0	0	0	0	0	0	0	906,659	NPDES/IWW
20	1248	Crist 1-5 Dechlorination	305,323	0	0	0	0	0	0	0	0	11,000	0	0	0	316,323	IWW
21	1270	Crist Diesel Fuel Oil Remediation	47,955	0	0	0	0	0	0	0	0	0	0	0	0	47,955	62 FAC
22	1271	Crist Bulk Tanker Unload Sec. Contain. Struc.	101,495	0	0	0	0	0	0	0	0	0	0	0	0	101,495	62 FAC
23	1275	Crist IWW Sampling System	59,543	0	0	0	0	0	0	0	0	0	0	0	0	59,543	IWW
24	1446	Smith Stormwater Collection System	2,156,084	67,125	0	200,000	0	0	50,000	0	0	0	0	0	0	2,473,209	NPDES
25	1466	Smith Waste Water Treatment Facility	175,200	0	0	0	0	0	0	0	0	0	0	0	0	175,200	CWA/62 FAC
26	4397	Underground Fuel Tank Replacement	256,827	0	13,000	13,000	13,000	13,000	13,000	13,000	13,000	14,000	0	0	0	361,827	62 FAC
27		Subtotal Water Quality	4,009,156	242,181	(24,000)	200,000	13,000	13,000	63,000	13,000	13,000	25,000	0	0	0	4,580,237	
SOLID AND HAZARDOUS WASTE																	
28	1515	Daniel Ash Management Project	13,242,468	0	0	0	0	0	0	0	0	0	0	0	0	13,242,468	PCVS-1
29		Subtotal Solid and Hazardous Waste	13,242,468	0	0	0	0	0	0	0	0	0	0	0	0	13,242,468	
30		TOTAL EXPENDITURES	65,495,930	104,603	76,000	112,000	13,000	13,000	63,000	13,000	13,000	25,000	0	0	0	66,178,610	

Gulf Power Company
 Environmental Cost Recovery (ECR) Clause Projection Filing
 October 1995 - March 1996
 Clearings to Plant-in-Service
 (000's)

Line No.	PL No.	Description	Actual Project- to-Date Thru 3/95	Projected												Project- to-Date Thru 3/96
				Apr	May	June	July	August	Sept	Oct	Nov	Dec	Jan	Feb	March	
AIR QUALITY																
1	1006	Air Quality Assurance Testing	239,115	0	0	0	0	0	0	0	0	0	0	0	239,115	
2	1119/6138	Crit 5 Precipitator Upgrade	0	0	0	0	0	400,124	0	0	0	0	0	0	400,124	
3	1216	Crit 7 Precipitator Upgrade	10,963,955	0	0	0	0	0	0	0	0	0	0	0	10,963,955	
4	1228	Crit 7 Flue Gas Conditioning	2,179,245	0	0	0	0	0	0	0	0	0	0	0	2,179,245	
5	1736	Crit 7 Low NOx Burners	8,619,237	5,662	0	0	0	0	0	0	0	0	0	0	8,624,899	
6	1240	Crit 7 CEMs	623,662	146	0	0	0	0	0	0	0	0	0	0	623,808	
7	1242	Crit 6 Low NOx Burners	7,866,782	4,516	0	0	0	0	0	0	0	0	0	0	7,871,298	
8	1243	Crit 6 Precipitator Replacement	13,182,286	0	0	167,334	0	0	0	0	0	0	0	0	13,349,620	
9	1245	Crit 6 CEMs	597,024	148	0	0	0	0	0	0	0	0	0	0	597,172	
10	1286/6216	Crit 1 CEMs	321,813	0	0	0	0	0	0	0	0	0	0	0	321,813	
11	1289/6219	Crit 4 CEMs	467,005	9,128	0	0	0	0	0	0	0	0	0	0	476,133	
12	1290/6220	Crit 5 CEMs	216,099	0	0	0	0	0	0	0	0	0	0	0	216,099	
13	1323	Scholz 1 CEMs	866,187	0	0	0	0	0	0	0	0	0	0	0	866,187	
14	1459	Smith 1 CEMs	778,856	0	0	0	0	0	0	0	0	0	0	0	778,856	
15	1460	Smith 2 CEMs	431,619	0	0	0	0	0	0	0	0	0	0	0	431,619	
16	1558	Daniel CEMs	565,862	0	0	0	0	0	0	0	0	0	0	0	565,862	
17		Subtotal Air Quality	47,918,747	19,690	0	167,334	0	400,124	0	0	0	0	0	0	48,502,802	
WATER QUALITY																
18	1007	Sub Contam. Mobile Groundwater Treat. Sys.	0	175,056	(37,000)	0	0	0	0	0	0	0	0	0	138,056	
19	1232	Crit Cooling Tower Cell	906,659	0	0	0	0	0	0	0	0	0	0	0	906,659	
20	1248	Crit 1-5 Dechlorination	305,323	0	0	0	0	0	0	0	0	11,000	0	0	316,323	
21	1270	Crit Diesel Fuel Oil Remediation	47,955	0	0	0	0	0	0	0	0	0	0	0	47,955	
22	1271	Crit Bulk Tanker Unload Sec. Contam. Struc.	101,495	0	0	0	0	0	0	0	0	0	0	0	101,495	
23	1275	Crit IWW Sampling System	59,543	0	0	0	0	0	0	0	0	0	0	0	59,543	
24	1446	Smith Stormwater Collection System	0	0	0	0	0	0	0	0	450,000	2,023,209	0	0	2,473,209	
25	1466	Smith Waste Water Treatment Facility	175,200	0	0	0	0	0	0	0	0	0	0	0	175,200	
26	4197	Underground Fuel Tank Replacement	256,897	0	0	0	0	0	0	0	0	105,000	0	0	361,897	
27		Subtotal Water Quality	1,833,072	175,056	(37,000)	0	0	0	0	0	450,000	2,128,209	0	0	4,289,237	
SOLID AND HAZARDOUS WASTE																
28	(100)	Daniel Ash Management Project	13,242,409	0	0	0	0	0	0	0	0	0	0	0	13,242,409	
29		Subtotal Solid and Hazardous Waste	13,242,409	0	0	0	0	0	0	0	0	0	0	0	13,242,409	
30		TOTAL CLEARINGS	62,014,288	124,656	(37,000)	167,334	0	400,124	0	0	450,000	2,128,209	0	0	66,278,611	

GULF POWER COMPANY
 ENVIRONMENTAL COST RECOVERY CLAUSE
 OPERATION AND MAINTENANCE EXPENSES
 PROJECTED PROJECTS OR PROGRAMS

DESCRIPTION	OCT 1995	NOV 1995	DEC 1995	JAN 1996	FEB 1996	MAR 1996	6 MO TOTAL RECOVERY	ASSOCIATED REGULATION
AIR QUALITY								
1 Sulfur/Amonium	4,000	4,000	4,000	19,000	19,000	19,000	69,000	CAAA
2 Air Emission Fees	0	0	0	0	350,700	0	350,700	CAAA
3 Title V	7,986	7,986	8,015	6,939	6,939	6,940	44,805	CAAA
4 Asbestos Fees	749	749	749	749	749	749	4,494	62-257 F.A.C.
5 Emission Monitoring	22,742	22,742	22,759	23,133	23,133	23,133	137,642	CAAA/AOP
TOTAL AIR QUALITY	35,477	35,477	35,523	49,821	400,521	49,822	606,641	
WATER QUALITY								
6 General Water Quality	105,068	105,068	105,082	40,031	40,031	40,031	435,311	62 F.A.C.
7 Groundwater Contamination Investigation	59,772	59,772	59,772	90,622	90,622	90,622	451,182	62 F.A.C.
8 State NPDES Administration	0	0	0	34,500	0	0	34,500	NPDES/62 F.A.C.
9 Lead & Copper Rule	3,400	3,400	3,400	3,400	3,400	3,400	20,400	62 F.A.C.
TOTAL WATER QUALITY	168,240	168,240	168,254	168,553	134,053	134,053	941,393	
ENVIRONMENTAL PROGRAMS ADMINISTRATION								
10 Environmental Auditing/Assessment	500	500	500	500	500	500	3,000	SEC
TOTAL ENVIRONMENTAL PROGRAMS ADMIN	500	500	500	500	500	500	3,000	
SOLID AND HAZARDOUS WASTE								
11 General Solid and Hazardous Waste	9,570	9,570	9,579	10,011	10,011	10,011	58,752	RCRA/TSCA/62 F.A.C.
TOTAL SOLID AND HAZARDOUS WASTE	9,570	9,570	9,579	10,011	10,011	10,011	58,752	
TOTAL ENVIRONMENTAL RECOVERY CLAUSE EXPENSES	213,787	213,787	213,856	228,885	545,065	194,386	1,609,786	

**GULF POWER COMPANY
ENVIRONMENTAL COST RECOVERY CLAUSE
OPERATION AND MAINTENANCE EXPENSES BY FERC**

	FERC ACCOUNT	OCT 1995	NOV 1995	DEC 1995	JAN 1996	FEB 1996	MAR 1996	6 MO RECOVERY TOTAL
1	502	2,000	2,000	2,000	1,965	1,965	1,965	11,895
2	506	135,481	135,481	135,537	104,404	420,604	69,905	1,001,412
3	512	2,000	2,000	2,000	17,035	17,035	17,035	57,105
4	514	13,284	13,284	13,297	13,566	13,566	13,566	80,563
5	562	(34,003)	(34,003)	(34,003)	(34,003)	(34,003)	(34,003)	(204,018)
6	569	9,065	9,065	9,065	12,150	12,150	12,150	63,645
7	591	81,585	81,585	81,585	109,350	109,350	109,350	572,805
8	595	1,250	1,250	1,250	1,293	1,293	1,293	7,629
9	920	0	0	0	0	0	0	0
10	921	0	0	0	0	0	0	0
11	923	0	0	0	0	0	0	0
12	935	3,125	3,125	3,125	3,125	3,125	3,125	18,750
	TOTAL	213,787	213,787	213,856	228,885	545,085	194,386	1,609,780

PERMIT NO. FL0002267
Major, Non-POTW

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IV

AUTHORIZATION TO DISCHARGE UNDER THE
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM

In compliance with the provisions of the Clean Water Act, as amended (33 U.S.C. 1251 et seq.; the "Act"),

Gulf Power Company
Post Office Box 1151
Pensacola, Florida 32520

is authorized to discharge from a facility located at

Lansing Smith Electric Generating Plant
End of Bay County Road No. 2600
Bay County
Lynn Haven, Florida 32444

to receiving waters named

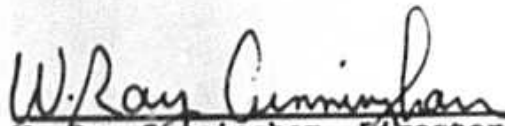
Warren Bayou (West Bay of St. Andrews Bay)

in accordance with effluent limitations, monitoring requirements, and other conditions set forth herein. The permit consists of this cover sheet, Part I 6 pages, Part II 16 pages, Part III 3 pages, Part IV 2 pages, and Attachment 1.

This permit shall become effective on April 1, 1991.

This permit and the authorization to discharge shall expire at midnight, February 29, 1996.

February 5, 1991
Date Issued


W. Ray Cunningham, Director
Water Management Division

11. Duty to Reapply

If the permittee wishes to continue an activity regulated by this permit after the expiration date of this permit, the permittee must apply for and obtain a new permit. The application should be submitted at least 180 days before the expiration date of this permit. The Permit Issuing Authority may grant permission to submit an application less than 180 days in advance but not later than the permit expiration date.

Where EPA is the Permit Issuing Authority, the terms and conditions of this permit are automatically continued in accordance with 40 CFR 122.6, only where the permittee has submitted a timely and complete application for a renewal permit and the Permit Issuing Authority is unable through no fault of the permittee to issue a new permit before the expiration date.

12. Signatory Requirements

All applications, reports, or information submitted to the Permit Issuing Authority shall be signed and certified.

a. All permit applications shall be signed as follows:

- (1) For a corporation: by a responsible corporate officer. For the purpose of this section, a responsible corporate officer means: (1) a president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation, or (2) the manager of one or more manufacturing production facilities employing more than 250 persons or having gross annual sales or expenditures exceeding 25 million (in second quarter 1980 dollars), if authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.
- (2) For a partnership or sole proprietorship: by a general partner or the proprietor, respectively; or
- (3) For a municipality, State, Federal, or other public agency: by either a principal executive officer or ranking elected official.

b. All reports required by the permit and other information requested by the Permit Issuing Authority shall be signed by a person described above or by a duly authorized representative of that person. A person is a duly authorized representative only if:

- (1) The authorization is made in writing by a person described above;



Department of Environmental Protection

6-5-95

Lawton Chiles
Governor

Twin Towers Office Building
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

Virginia B. Wetherell
Secretary

June 1, 1995

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. M. L. Gilchrist
Manager of Fuels and Environmental Affairs
Gulf Power Company
500 Bay Front Parkway
Post Office Box 1151
Pensacola, Fl 32520-0328

Re: Gulf Power Company
Crist Electric Generating Plant
State I.D. 1017P00570, NPDES No. FL0002275

Dear Mr. Gilchrist:

On May 1, 1995, the Florida Department of Environmental Protection (Department) was granted authority by the U.S. Environmental Protection Agency (EPA) to administer the National Pollutant Discharge Elimination System (NPDES) permitting program. Effective that date, the Department assumed permitting and enforcement authority for the NPDES permit(s) issued by EPA for point source discharges from your wastewater facility(ies) to waters of the United States. Also on May 1, the new wastewater permitting rule, Chapter 62-620, Florida Administrative Code, became effective. The rule applies to all state wastewater permitting and supersedes previous rule provisions.

Pursuant to Rule 62-620.105(10), Florida Administrative Code (F.A.C.), the EPA-issued NPDES permit and State-issued wastewater permit for each facility are being combined into one document (Order). Enclosed is an Order identifying the Department as the permitting agency, providing the address to which your monitoring reports should be sent, and assigning a new permit number to this combined document. The permittee should affix the referenced individual permits to the enclosed Order(s) as Section I (Federal NPDES permit) and Section II (State issued permit). If you recently received an NPDES permit from EPA with an effective date later than May 1, 1995, you should also attach the newly issued permit. Duplicate permit conditions will be addressed upon renewal of this Order or, in the interim, upon a request by the permittee for a substantial revision under Rule 62-620.325, F.A.C.

Pursuant to Chapter 403.087, Florida Statutes, and Rule 62-4.052, F.A.C., an initial pro-rated regulatory program and surveillance fee is due July 30, 1995, for the facilities referenced above.

Each year thereafter, the annual regulatory program and surveillance fee will be due January 15. Enclosed is a work sheet identifying the annual fee(s) applicable to your facility(ies) according to information on file at our office. If you have questions about these fees, please contact this office by June 20, 1995. Invoices for the initial annual fees will be mailed after that date.

Please note that the Department did not request authorization for the federal sewage sludge management program. The EPA will issue sludge only permits for facilities with NPDES permits containing sludge management related permit conditions.

If there are any questions about your monitoring requirements or the annual fees, please contact Craig Diltz of my staff at telephone number (904) 488-4522.

Sincerely



Richard M. Harvey
Director
Division of Water Facilities

RMH/cd/mh
Enclosures

cc: Daryll Joyner, DEP Tallahassee
Jerry Owen, DEP Jacksonville

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
NOTICE OF AGENCY ACTION

In the Matter of an Order for:

WASTEWATER PERMIT
NO. FLO002275

Gulf Power Company
500 Bay Front Parkway
Post Office Box 1151
Pensacola, Fl 32520-0328
Escambia County

Pursuant to Rule 62-620.105(10)(a), Florida Administrative Code (F.A.C.), this order constitutes issuance of Wastewater Permit No. FLO002275 to Gulf Power Company - Crist Electric Generating Plant which combines NPDES permit FLO002275 (Section I) and State permit IO17-189377 (Section II). The NPDES permit in Section I is adopted under Section 403.0885, Florida Statutes (F.S.). The State permit in Section II remains in effect under Sections 403.087 and 403.088, F.S. This agency action combining these permits is limited to identifying the Department as the permitting agency, providing addresses to send monitoring reports, providing an expiration date, and assigning a new permit number.

All permit conditions of both sections remain in effect and are unchanged. All of the conditions in Sections I and II are enforceable under Chapter 403, F.S. In addition, the conditions in Section I are enforceable under the Federal Clean Water Act by the Environmental Protection Agency.

The permittee shall continue all monitoring required by both sections of this Order. Monitoring required under Section I shall continue to be reported on EPA form 3320-1. EPA form 3320-1 for the months of April, May, and June shall be sent to the EPA. Effective with the report for the month of July 1995, the permittee shall submit EPA form 3320-1 to the Department of Environmental Protection, Mail Station 3551, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400. All monitoring required under Section II shall continue to be reported on the forms required in Section II, but shall be sent to the Department at this Tallahassee address rather than to the District Office. Other than the monitoring reports for April - June, all correspondence and requests regarding Section I of this wastewater permit should be directed to this office beginning immediately.

In accordance with Rule 62-620.105, F.A.C., this Order expires on September 30, 1997, unless revised under Rule 62-620.325,

F.A.C., or renewed under Rule 62-620.335, F.A.C.

A person whose substantial interests are affected by this agency action may petition for an administrative proceeding (hearing) in accordance with Section 120.57, F.S. The petition must contain the information set forth below and must be filed (received) in the Office of General Counsel of the Department at 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, within 14 days of receipt of this permit. Petitioner shall mail a copy of the petition to the permittee at the address indicated above at the time of filing. Failure to file a petition within this time period shall constitute a waiver of any right such person may have to request an administrative determination (hearing) under Section 120.57, F.S. The Petition shall contain the following information:

- (a) The name, address, and telephone number of each petitioner, the permittee's name and address, the Department Permit number, and the county in which the project is located;
- (b) A statement of how and when each petitioner received notice of the Department's action or proposed action;
- (c) A statement of how each petitioner's substantial interests are affected by the Department's action or proposed action;
- (d) A statement of the material facts disputed by Petitioner, if any;
- (e) A statement of facts which petitioner contends warrant reversal or modification of the Department's action or proposed action;
- (f) A statement of which rules or statutes petitioner contends require reversal or modification of the Department's action or proposed action; and
- (g) A statement of the relief sought by petitioner, stating precisely the action petitioner wants the Department to take with respect to the Department's action or proposed action.

If a petition is filed, the administrative hearing process is designed to formulate agency action. Accordingly, the Department's final action may be different from the position taken by it in this agency action. Persons whose substantial interests will be affected by any decision of the Department with regard to the agency action have the right to petition to become a party to the proceeding. The petition must conform to the requirements specified above and be filed (received) within 14 days of receipt of this notice in the Office of General Counsel at the above address of the Department. Failure to petition within the allowed time frame constitutes a waiver of any right such person has to request a hearing under Section 120.57, F.S., and to participate as a party to this proceeding. Any subsequent intervention will only be at the approval of the presiding officer upon motion filed pursuant to Rule 28-5.207, F.A.C.

This Order is final and effective on the date filed with the Clerk of the Department unless a petition is filed in accordance with the above paragraphs or unless a request for extension of time in which to file a petition is filed within the time specified for

filing a petition and conforms to Rule 62-103.070, F.A.C. Upon timely filing of a petition or a request for an extension of time this agency action combining the existing permits will not be effective until further Order of the Department.

When the agency action is final, any party to the Order has the right to seek judicial review of the Order pursuant to Section 120.68, F.S., by the filing of a Notice of Appeal pursuant to Rule 9.110, Florida Rules of Appellate Procedure, with the Clerk of the Department in the Office of General Counsel, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400; 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 of the Final Order is filed with the Clerk of the Department.

Executed in Tallahassee, Florida.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION



Richard M. Harvey
Director
Division of Water Facilities

CERTIFICATE OF SERVICE

The undersigned duly designated deputy agency clerk hereby certifies that this NOTICE OF AGENCY ACTION and all copies were mailed by certified mail before the close of business on June 2, to the listed persons.

(Clerk Stamp)

FILING AND ACKNOWLEDGMENT

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

Copies furnished to: J. Skille (Clerk) 6-2-95 (Date)

ANNUAL FEE WORKSHEET
Industrial Wastewater

Facility Name: Gulf Power Company, 2211 E. 6th Ave.
I.D.#: 16-000275 DEP District: North Central
(Henderson)

Is this facility classified as Major? Yes
=====

PART I. Regular Surface Water Discharge

A. Process wastewater discharge specified in Groups 1 through 5 of Rule 62-4.050(4)(c), F.A.C.

1. Note the Group and Subgroup (e.g. 5a) 1
2. Annual fee based on this group. \$ 11,500

B. Once-through Non-contact Cooling Water Discharge

1. Note the Group and Subgroup (e.g. 6a) N/A
2. Annual fee based on this group. \$ N/A

C. Process water not specified in groups 1 through 5 or non-process wastewater.

1. Note the Group and Subgroup (e.g. 7a) N/A
2. Annual Fee based on this group. \$ N/A

Applicable Fee for PART I. (highest of above) \$ 11,500
=====

PART II. Special Discharge Types

A. UIC disposal with surface discharge authorized during Mechanical Integrity Tests only, enter \$200. \$ N/A

B. Percolation Pond disposal with discharge after specified storm events or during control structure testing:
No effluent limits on internal waste streams, enter \$200, or with effluent limits on internal waste streams, enter \$2,400. \$ N/A

C. Surface discharge authorized only during specified emergencies, enter \$200. \$ N/A
=====

PART III. Stormwater Outfalls

A. Enter the number of stormwater-only outfalls regulated in the NPDES permit. N/A

B. Enter the amount equal to the number of stormwater-only outfalls times \$200. \$ N/A

Part IV. Total Calculated Annual Fee

TOTAL ANNUAL FEE (Sum of either the applicable fee
of PART I or the fee from Part II, plus the
stormwater outfall fee.

\$ 11,500

Note: The annual fee will be the lesser of the amount in Part
IV or the Statutory Cap of \$11,500.



Department of Environmental Protection

received
6-5-95 jra

Lawton Chiles
Governor

Twin Towers Office Building
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

Virginia B. Wetherell
Secretary

June 1, 1995

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. M. L. Gilchrist
Manager of Fuels and Environmental Affairs
Gulf Power Company
500 Bay Front Parkway
Post Office Box 1151
Pensacola, Fl 32520-0328

Re: Gulf Power Company
Scholz Electric Generating Plant
State I.D. 1032P37371, NPDES No. FL0002283

Dear Mr. Gilchrist:

On May 1, 1995, the Florida Department of Environmental Protection (Department) was granted authority by the U.S. Environmental Protection Agency (EPA) to administer the National Pollutant Discharge Elimination System (NPDES) permitting program. Effective that date, the Department assumed permitting and enforcement authority for the NPDES permit(s) issued by EPA for point source discharges from your wastewater facility(ies) to waters of the United States. Also on May 1, the new wastewater permitting rule, Chapter 62-620, Florida Administrative Code, became effective. The rule applies to all state wastewater permitting and supersedes previous rule provisions.

Pursuant to Rule 62-620.105(10), Florida Administrative Code (F.A.C.), the EPA-issued NPDES permit and State-issued wastewater permit for each facility are being combined into one document (Order). Enclosed is an Order identifying the Department as the permitting agency, providing the address to which your monitoring reports should be sent, and assigning a new permit number to this combined document. The permittee should affix the referenced individual permits to the enclosed Order(s) as Section I (Federal NPDES permit) and Section II (State issued permit). If you recently received an NPDES permit from EPA with an effective date later than May 1, 1995, you should also attach the newly issued permit. Duplicate permit conditions will be addressed upon renewal of this Order or, in the interim, upon a request by the permittee for a substantial revision under Rule 62-620.325, F.A.C.

Pursuant to Chapter 403.087, Florida Statutes, and Rule 62-4.052, F.A.C., an initial pro-rated regulatory program and surveillance

fee is due July 30, 1995, for the facilities referenced above. Each year thereafter, the annual regulatory program and surveillance fee will be due January 15. Enclosed is a work sheet identifying the annual fee(s) applicable to your facility(ies) according to information on file at our office. If you have questions about these fees, please contact this office by June 20, 1995. Invoices for the initial annual fees will be mailed after that date.

Please note that the Department did not request authorization for the federal sewage sludge management program. The EPA will issue sludge only permits for facilities with NPDES permits containing sludge management related permit conditions.

If there are any questions about your monitoring requirements or the annual fees, please contact Craig Diltz of my staff at telephone number (904) 488-4522.

Sincerely,



Richard M. Harvey
Director
Division of Water Facilities

RMH/cd/mh
Enclosures

cc: Daryll Joyner, DEP Tallahassee
Jerry Owen, DEP Jacksonville

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
NOTICE OF AGENCY ACTION

In the Matter of an Order for:

WASTEWATER PERMIT
NO. FL0002283

Gulf Power Company
500 Bay Front Parkway
Post Office Box 1151
Pensacola, Fl 32520-0328
Gadsen County

Pursuant to Rule 62-620.105(10)(a), Florida Administrative Code (F.A.C.), this order constitutes issuance of Wastewater Permit No. FL0002283 to Gulf Power Company - Scholz Electric Generating Plant which combines NPDES permit FL0002283 (Section I) and State permit IO32-189371 (Section II). The NPDES permit in Section I is adopted under Section 403.0885, Florida Statutes (F.S.). The State permit in Section II remains in effect under Sections 403.087 and 403.088, F.S. This agency action combining these permits is limited to identifying the Department as the permitting agency, providing addresses to send monitoring reports, providing an expiration date, and assigning a new permit number.

All permit conditions of both sections remain in effect and are unchanged. All of the conditions in Sections I and II are enforceable under Chapter 403, F.S. In addition, the conditions in Section I are enforceable under the Federal Clean Water Act by the Environmental Protection Agency.

The permittee shall continue all monitoring required by both sections of this Order. Monitoring required under Section I shall continue to be reported on EPA form 3320-1. EPA form 3320-1 for the months of April, May, and June shall be sent to the EPA. Effective with the report for the month of July 1995, the permittee shall submit EPA form 3320-1 to the Department of Environmental Protection, Mail Station 3551, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400. All monitoring required under Section II shall continue to be reported on the forms required in Section II, but shall be sent to the Department at this Tallahassee address rather than to the District Office. Other than the monitoring reports for April - June, all correspondence and requests regarding Section I of this wastewater permit should be directed to this office beginning immediately.

In accordance with Rule 62-620.105, F.A.C., this Order expires on September 30, 1997 unless revised under Rule 62-620.325, F.A.C.

or renewed under Rule 62-620.335, F.A.C.

A person whose substantial interests are affected by this agency action may petition for an administrative proceeding (hearing) in accordance with Section 120.57, F.S. The petition must contain the information set forth below and must be filed (received) in the Office of General Counsel of the Department at 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, within 14 days of receipt of this permit. Petitioner shall mail a copy of the petition to the permittee at the address indicated above at the time of filing. Failure to file a petition within this time period shall constitute a waiver of any right such person may have to request an administrative determination (hearing) under Section 120.57, F.S. The Petition shall contain the following information:

(a) The name, address, and telephone number of each petitioner, the permittee's name and address, the Department Permit number, and the county in which the project is located;

(b) A statement of how and when each petitioner received notice of the Department's action or proposed action;

(c) A statement of how each petitioner's substantial interests are affected by the Department's action or proposed action;

(d) A statement of the material facts disputed by Petitioner, if any;

(e) A statement of facts which petitioner contends warrant reversal or modification of the Department's action or proposed action;

(f) A statement of which rules or statutes petitioner contends require reversal or modification of the Department's action or proposed action; and

(g) A statement of the relief sought by petitioner, stating precisely the action petitioner wants the Department to take with respect to the Department's action or proposed action.

If a petition is filed, the administrative hearing process is designed to formulate agency action. Accordingly, the Department's final action may be different from the position taken by it in this agency action. Persons whose substantial interests will be affected by any decision of the Department with regard to the agency action have the right to petition to become a party to the proceeding. The petition must conform to the requirements specified above and be filed (received) within 14 days of receipt of this notice in the Office of General Counsel at the above address of the Department. Failure to petition within the allowed time frame constitutes a waiver of any right such person has to request a hearing under Section 120.57, F.S., and to participate as a party to this proceeding. Any subsequent intervention will only be at the approval of the presiding officer upon motion filed pursuant to Rule 28-5.207, F.A.C.


This Order is final and effective on the date filed with the Clerk of the Department unless a petition is filed in accordance with the above paragraphs or unless a request for extension of time in which to file a petition is filed within the time specified for

filing a petition and conforms to Rule 62-103.070, F.A.C. Upon timely filing of a petition or a request for an extension of time this agency action combining the existing permits will not be effective until further Order of the Department.

When the agency action is final, any party to the Order has the right to seek judicial review of the Order pursuant to Section 120.68, F.S., by the filing of a Notice of Appeal pursuant to Rule 9.110, Florida Rules of Appellate Procedure, with the Clerk of the Department in the Office of General Counsel, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400; 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 of the Final Order is filed with the Clerk of the Department.

Executed in Tallahassee, Florida.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION


Richard M. Harvey
Director
Division of Water Facilities

CERTIFICATE OF SERVICE

The undersigned duly designated deputy agency clerk hereby certifies that this NOTICE OF AGENCY ACTION and all copies were mailed by certified mail before the close of business on June 2 to the listed persons.

(Clerk Stamp)

FILING AND ACKNOWLEDGMENT

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

Copies furnished to:

(Clerk)

(Date)

J. Shields

6-2-95

ANNUAL FEE WORKSHEET
Industrial Wastewater

Facility Name: _____

I.D.#: _____ DEP District: _____

Is this facility classified as Major? ✓ _____

PART I. Regular Surface Water Discharge

A. Process wastewater discharge specified in Groups 1 through 5 of Rule 62-4.050(4)(c), F.A.C.

1. Note the Group and Subgroup (e.g. 5a) /

2. Annual fee based on this group. \$

B. Once-through Non-contact Cooling Water Discharge

1. Note the Group and Subgroup (e.g. 6a)

2. Annual fee based on this group. \$

C. Process water not specified in groups 1 through 5 or non-process wastewater.

1. Note the Group and Subgroup (e.g. 7a)

2. Annual Fee based on this group. \$

Applicable Fee for PART I. (highest of above) \$

PART II. Special Discharge Types

A. UIC disposal with surface discharge authorized during Mechanical Integrity Tests only, enter \$200. \$

B. Percolaton Pond disposal with discharge after specified storm events or during control structure testing:
No effluent limits on internal waste streams, enter \$200, or with effluent limits on internal waste streams, enter \$2,400. \$

C. Surface discharge authorized only during specified emergencies, enter \$200. \$

PART III. Stormwater Outfalls

A. Enter the number of stormwater-only outfalls regulated in the NPDES permit.

B. Enter the amount equal to the number of stormwater-only outfalls times \$200. \$

.....
Part IV. Total Calculated Annual Fee

TOTAL ANNUAL FEE (Sum of either the applicable fee
of PART I or the fee from Part II, plus the
stormwater outfall fee. \$ 1,000)

Note: The annual fee will be the lesser of the amount in Part
IV or the Statutory Cap of \$11,500.



Department of Environmental Protection

6-5-95 JAZ

Lawton Chiles
Governor

Twin Towers Office Building
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

Virginia B. Wetherell
Secretary

June 1, 1995

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. M. L. Gilchrist
Manager of Fuels and Environmental Affairs
Gulf Power Company
500 Bay Front Parkway
Post Office Box 1151
Pensacola, Fl 32520-0328

Re: Gulf Power Company
Smith Electric Generating Plant
State I.D. 1003P02800, NPDES No. FL0002267

Dear Mr. Gilchrist:

On May 1, 1995, the Florida Department of Environmental Protection (Department) was granted authority by the U.S. Environmental Protection Agency (EPA) to administer the National Pollutant Discharge Elimination System (NPDES) permitting program. Effective that date, the Department assumed permitting and enforcement authority for the NPDES permit(s) issued by EPA for point source discharges from your wastewater facility(ies) to waters of the United States. Also on May 1, the new wastewater permitting rule, Chapter 62-620, Florida Administrative Code, became effective. The rule applies to all state wastewater permitting and supersedes previous rule provisions.

Pursuant to Rule 62-620.105(10), Florida Administrative Code (F.A.C.), the EPA-issued NPDES permit and State-issued wastewater permit for each facility are being combined into one document (Order). Enclosed is an Order identifying the Department as the permitting agency, providing the address to which your monitoring reports should be sent, and assigning a new permit number to this combined document. The permittee should affix the referenced individual permits to the enclosed Order(s) as Section I (Federal NPDES permit) and Section II (State issued permit). If you recently received an NPDES permit from EPA with an effective date later than May 1, 1995, you should also attach the newly issued permit. Duplicate permit conditions will be addressed upon renewal of this Order or, in the interim, upon a request by the permittee for a substantial revision under Rule 62-620.325, F.A.C.

Pursuant to Chapter 403.087, Florida Statutes, and Rule 62-4.052, F.A.C., an initial pro-rated regulatory program and surveillance

fee is due July 30, 1995, for the facilities referenced above. Each year thereafter, the annual regulatory program and surveillance fee will be due January 15. Enclosed is a work sheet identifying the annual fee(s) applicable to your facility(ies) according to information on file at our office. If you have questions about these fees, please contact this office by June 20, 1995. Invoices for the initial annual fees will be mailed after that date.

Please note that the Department did not request authorization for the federal sewage sludge management program. The EPA will issue sludge only permits for facilities with NPDES permits containing sludge management related permit conditions.

If there are any questions about your monitoring requirements or the annual fees, please contact Craig Diltz of my staff at telephone number (904) 488-4522.

Sincerely,



Richard M. Harvey
Director
Division of Water Facilities

RMH/cd/mh
Enclosures

cc: Daryll Joyner, DEP Tallahassee
Jerry Owen, DEP Jacksonville

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
NOTICE OF AGENCY ACTION

In the Matter of an Order for:

WASTEWATER PERMIT
NO. FL0002267

Gulf Power Company
500 Bay Front Parkway
Post Office Box 1151
Pensacola, Fl 32520-0328
Bay County

Pursuant to Rule 62-620.105(10)(a), Florida Administrative Code (F.A.C.), this order constitutes issuance of Wastewater Permit No. FL0002267 to Gulf Power Company - Smith Electric Generating Plant which combines NPDES permit FL0002267 (Section I) and State permit IO03-189373 (Section II). The NPDES permit in Section I is adopted under Section 403.0885, Florida Statutes (F.S.). The State permit in Section II remains in effect under Sections 403.087 and 403.088, F.S. This agency action combining these permits is limited to identifying the Department as the permitting agency, providing addresses to send monitoring reports, providing an expiration date, and assigning a new permit number.

All permit conditions of both sections remain in effect and are unchanged. All of the conditions in Sections I and II are enforceable under Chapter 403, F.S. In addition, the conditions in Section I are enforceable under the Federal Clean Water Act by the Environmental Protection Agency.

The permittee shall continue all monitoring required by both sections of this Order. Monitoring required under Section I shall continue to be reported on EPA form 3320-1. EPA form 3320-1 for the months of April, May, and June shall be sent to the EPA. Effective with the report for the month of July 1995, the permittee shall submit EPA form 3320-1 to the Department of Environmental Protection, Mail Station 3551, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400. All monitoring required under Section II shall continue to be reported on the forms required in Section II, but shall be sent to the Department at this Tallahassee address rather than to the District Office. Other than the monitoring reports for April - June, all correspondence and requests regarding Section I of this wastewater permit should be directed to this office beginning immediately.

In accordance with Rule 62-620.105, F.A.C., this Order expires on February 29, 1996, unless revised under Rule 62-620.325, F.A.C.,

or renewed under Rule 62-620.335, F.A.C.

A person whose substantial interests are affected by this agency action may petition for an administrative proceeding (hearing) in accordance with Section 120.57, F.S. The petition must contain the information set forth below and must be filed (received) in the Office of General Counsel of the Department at 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, within 14 days of receipt of this permit. Petitioner shall mail a copy of the petition to the permittee at the address indicated above at the time of filing. Failure to file a petition within this time period shall constitute a waiver of any right such person may have to request an administrative determination (hearing) under Section 120.57, F.S. The Petition shall contain the following information:

(a) The name, address, and telephone number of each petitioner, the permittee's name and address, the Department Permit number, and the county in which the project is located;

(b) A statement of how and when each petitioner received notice of the Department's action or proposed action;

(c) A statement of how each petitioner's substantial interests are affected by the Department's action or proposed action;

(d) A statement of the material facts disputed by Petitioner, if any;

(e) A statement of facts which petitioner contends warrant reversal or modification of the Department's action or proposed action;

(f) A statement of which rules or statutes petitioner contends require reversal or modification of the Department's action or proposed action; and

(g) A statement of the relief sought by petitioner, stating precisely the action petitioner wants the Department to take with respect to the Department's action or proposed action.

If a petition is filed, the administrative hearing process is designed to formulate agency action. Accordingly, the Department's final action may be different from the position taken by it in this agency action. Persons whose substantial interests will be affected by any decision of the Department with regard to the agency action have the right to petition to become a party to the proceeding. The petition must conform to the requirements specified above and be filed (received) within 14 days of receipt of this notice in the Office of General Counsel at the above address of the Department. Failure to petition within the allowed time frame constitutes a waiver of any right such person has to request a hearing under Section 120.57, F.S., and to participate as a party to this proceeding. Any subsequent intervention will only be at the approval of the presiding officer upon motion filed pursuant to Rule 28-5.207, F.A.C.

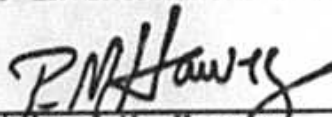
This Order is final and effective on the date filed with the Clerk of the Department unless a petition is filed in accordance with the above paragraphs or unless a request for extension of time in which to file a petition is filed within the time specified for

filing a petition and conforms to Rule 62-103.070, F.A.C. Upon timely filing of a petition or a request for an extension of time this agency action combining the existing permits will not be effective until further Order of the Department.

When the agency action is final, any party to the Order has the right to seek judicial review of the Order pursuant to Section 120.68, F.S., by the filing of a Notice of Appeal pursuant to Rule 9.110, Florida Rules of Appellate Procedure, with the Clerk of the Department in the Office of General Counsel, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400; 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 of the Final Order is filed with the Clerk of the Department.

Executed in Tallahassee, Florida.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION



Richard M. Harvey
Director
Division of Water Facilities

CERTIFICATE OF SERVICE

The undersigned duly designated deputy agency clerk hereby certifies that this NOTICE OF AGENCY ACTION and all copies were mailed by certified mail before the close of business on June 2, to the listed persons.

(Clerk Stamp)

FILING AND ACKNOWLEDGMENT

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

Copies furnished to:

(Clerk)

(Date)

Y. Shields

6-2-75

ANNUAL FEE WORKSHEET
Industrial Wastewater

Facility Name: _____

I.D.#: _____ DEP District: _____

Is this facility classified as Major? /

PART I. Regular Surface Water Discharge

A. Process wastewater discharge specified in Groups 1 through 5 of Rule 62-4.050(4)(c), F.A.C.

1. Note the Group and Subgroup (e.g. 5a) _____

2. Annual fee based on this group. \$ 11,000

B. Once-through Non-contact Cooling Water Discharge

1. Note the Group and Subgroup (e.g. 6a) _____

2. Annual fee based on this group. \$ _____

C. Process water not specified in groups 1 through 5 or non-process wastewater.

1. Note the Group and Subgroup (e.g. 7a) _____

2. Annual Fee based on this group. \$ _____

Applicable Fee for PART I. (highest of above) \$ _____

PART II. Special Discharge Types

A. UIC disposal with surface discharge authorized during Mechanical Integrity Tests only, enter \$200. \$ _____

B. Percolation Pond disposal with discharge after specified storm events or during control structure testing:
No effluent limits on internal waste streams, enter \$200, or with effluent limits on internal waste streams, enter \$2,400. \$ _____

C. Surface discharge authorized only during specified emergencies, enter \$200. \$ _____

PART III. Stormwater Outfalls

A. Enter the number of stormwater-only outfalls regulated in the NPDES permit. _____

B. Enter the amount equal to the number of stormwater-only outfalls times \$200. \$ _____

.....
Part IV. Total Calculated Annual Fee

TOTAL ANNUAL FEE (Sum of either the applicable fee
of PART I or the fee from Part II, plus the
stormwater outfall fee. \$ _____

Note: The annual fee will be the lesser of the amount in Part
IV or the Statutory Cap of \$11,500.

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62-4.050 Procedure to Obtain Permits; Application.

(1) Any person desiring to obtain a permit from the Department shall apply on forms prescribed by the Department and shall submit such additional information as the Department by law may require.

(2) All applications and supporting documents shall be filed in quadruplicate with the Department.

(3) To ensure protection of public health, safety, and welfare, any construction, modification, or operation of an installation which may be a source of pollution, or of a public drinking water supply, shall be in accordance with sound professional engineering practices pursuant to Chapter 471, F. S. and all final geological papers or documents involving the practice of the profession of geology shall be in accordance with sound professional geological practices pursuant to Chapter 492, F.S. All applications for a Department permit shall be certified by a professional engineer registered in the State of Florida except when the application is for renewal of an air pollution operation permit at a non-Title V source as defined in Rule 62-210.200, F.A.C., or where professional engineering is not required by Chapter 471, F.S. Where required by Chapter 471 or 492, F.S., applicable portions of permit applications and supporting documents which are submitted to the Department for public record shall be signed and sealed by the professional(s) who prepared or approved them.

(4) Processing fees are as follows:

(a) Air Pollution Permits.

1. Construction Permits Fee for an Emissions Unit Requiring Prevention of Significant Deterioration or Nonattainment Area Preconstruction Review.

The processing fee for a construction permit for an emissions unit requiring Prevention of Significant Deterioration (PSD) or Nonattainment Area (NAA) preconstruction review pursuant to Rule 62-212.400 or 62-212.500, F.A.C., respectively, shall be \$7500.

2. Construction Permit Fee for an Emissions Unit Not Requiring Prevention of Significant Deterioration or Nonattainment Area Preconstruction Review. No processing fee shall be required for a construction permit for an emissions unit not requiring Prevention

of Significant Deterioration (PSD) or Nonattainment Area (NAA) preconstruction review, if the facility containing the emissions unit holds an air operation permit issued pursuant to Chapter 62-213, F.A.C. For any such emissions unit at a facility not holding a Chapter 62-213, F.A.C., air operation permit, the processing fee shall be as follows:

a. Construction permit for an emissions unit having potential emissions of 100 or more tons per year of any single pollutant \$ 5000

b. Construction permit for an emissions unit having potential emissions of 50 or more tons per year, but less than 100 tons per year, of any single pollutant \$ 4500

c. Construction permit for an emissions unit having potential emissions of 25 or more tons per year, but less than 50 tons per year, of any single pollutant \$ 2000

d. Construction permit for an emissions unit having potential emissions of 5 or more tons per year, but less than 25 tons per year, of any single pollutant \$ 1000

e. Construction permit for an emissions unit having potential emissions of less than 5 tons per year of each pollutant \$ 250

3. Operation Permit Fee for an Emissions Unit at a Non-Title V Source.

a. Operation permit for an emissions unit required to measure actual emissions by stack sampling \$ 1500

b. Operation permit for an emissions unit required to measure actual emissions by any method other than stack sampling (such as visible emissions observation or continuous emissions monitoring) \$ 1000

c. Operation permit for an emissions unit not required to measure actual emissions \$ 750

4. Similar Emissions Unit Fee. - Where new or existing multiple emissions units located at the same facility are substantially similar in nature, the applicant may submit a single application and permit fee for construction or operation of the emissions

units at the facility. To be considered substantially similar each of the emissions units must be substantially similar in regard to each of the following: nominal description or type of emissions unit; type of fuel burned; type of material processed, stored, or handled; type of air pollution control equipment; regulated pollutants emitted; applicable emissions standards; and applicable regulatory control criteria. For a construction permit, the single application fee shall be the fee that would apply for a single emissions unit with emissions that equal the total of the potential emissions of all of the substantially similar emissions units at the facility. The fee for an operation permit for a group of similar emissions units at the same facility, submitted under the same application and with the same emissions testing or monitoring requirements, shall be the fee that would apply to any emissions unit in the group if each emissions unit were being permitted singly.

5. Multiple Emissions Unit Fee. If the Department issues a single construction or operation permit covering multiple emissions units or groups of similar emissions units at a facility, the permit processing fee shall be the sum of the fees applicable to each emissions unit and group of similar emissions units covered by the permit.

(b) Domestic Wastewater Facility Permits.

1. Construction Permits for Types I, II, and III domestic wastewater facilities as defined in Rule 62-600.200, F.A.C.

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		Type I	Type II	Type II
a.	Treatment plant with or without reuse/disposal system	\$5000	\$3750	\$1200
b.	Reuse/land application system and associated transmission/distribution facilities, when applied for separately from the treatment facility	\$5000	\$3750	\$1200
c.	Residuals/septage management facility	\$7500	\$4000	\$1200
d.	Limited wet weather discharge	\$1000	\$ 800	\$ 600
e.	Minor modifications	\$1000	\$ 800	\$ 600

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2. Operation permits for Types I, II, and III domestic wastewater facilities as defined in Rule 62-600.200, F.A.C.

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		Type I	Type II	Type I
a.	Treatment plant with or without reuse/disposal system	\$5000	\$3000	\$1000
b.	Reuse/land application system and associated transmission/distribution facilities, when applied for separately from the treatment facility	\$5000	\$3000	\$1000
c.	Residuals/septage management facility	\$7500	\$4000	\$1000
d.	Limited wet weather discharge	\$1000	\$ 800	\$ 600
e.	Minor modifications	\$1200	\$ 800	\$ 600

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f. Operation permits for Type III facilities having a permitted capacity of less than 10,000 gallons per day shall be \$600.

g. Minor modifications for Type III facilities having a permitted capacity of less than 10,000 gallons per day shall be \$250.

h. Minor modifications that only involve changes to staffing requirements or changes to monitoring frequencies.

(I) Type I facility \$ 500

(II) Type II facility \$ 300

(III) Type III facility \$ 100

3. 10-year operation permits issued pursuant to Rule 62-600.730(5), F.A.C., shall be 50 percent over the operation permit listed above for the facility to be permitted.

4. Permit for a surface water discharge, when applied for separately from the treatment facility.

a. Type I facility \$ 2000

b. Type II facility \$ 1000

c. Type III facility \$ 500

5. Construction Permit for domestic wastewater collection/transmission system.

a. Domestic wastewater collection/transmission system serving 10 or more Equivalent Dwelling Units (EDUs). An EDU is equal to 3.5 persons. \$ 500

b. Domestic wastewater collection/transmission system serving less than 10 EDUs \$ 300

(c) Industrial Wastewater Facility Permits.

1. Construction and Operation permits for Group 1 industrial wastewater treatment facilities which include the following: Citrus Processing; Textiles; Organic Chemicals, Plastics, and Synthetic Fibers; Inorganic Chemicals; Soaps and Detergents; Fertilizer Manufacturing; Petroleum Refining; Iron and Steel Manufacturing; Nonferrous Metals; Phosphate Manufacturing; Steam Electric Power Generating; Asbestos Manufacturing; Pulp, Paper, and Paper Board; Builders Paper and Board Mills; Coal Mining; Phosphate Mining and Beneficiation; Ore Mining and Dressing; Paint Formulating; Ink Formulating; Gum and Wood Chemicals Manufacturing; Pesticides Chemicals Manufacturing; Explosives Manufacturing; Battery Manufacturing; Mechanized Scallop Processing; Distilled, Rectified, and Blended Liquors; Sugar Cane Processing.

a. Surface water discharges \$ 7500

b. Non-surface water discharges \$ 6000

2. Construction and Operation permits for Group 2 industrial wastewater treatment facilities which include the following: Cement Manufacturing; Leather Tanning and Finishing; Glass Manufacturing; Rubber Processing; Meat Products; Meat Rendering; Metal Finishing; Paving and Roofing Materials; Carbon Black Manufacturing; Photographic Processing; Hospitals; Metal Molding and Casting; Coil Coating; Porcelain Enameling; Aluminum Forming; Copper Forming; Electrical and Electronic Components; Nonferrous Metals Forming and Metal Powders; Bulk Oil Terminals, Drawdown and Loading Rack Discharges.

a. Surface water discharges \$ 5000

b. Non-surface water discharges \$ 4000

3. Construction and Operation permits for Group 3 industrial wastewater treatment facilities which include the following: Dairy Products; Canned and Preserved Fruits and Vegetables; Fruit and Vegetable Packaging; Canned and Preserved Seafood; Cement Batch Plants; Fertilizer Blending Only; Timber Products; Mineral Mining and Processing; Peat Mining; Plastic Molding and Forming; Car Washes; Coin Operated Laundromats; Animal Holding Facilities and Kennels; Aquaculture Facilities.

a. Surface water discharges \$ 2500

b. Non-surface water discharges \$ 2000

4. Construction and Operation permits for Group 4 industrial wastewater treatment facilities which include the following: Animal Feeding Operations, Feedlots, Egg Production Facilities.

a. Feedlots with greater than the number of animals listed in Rule 62-670.200(3), F.A.C. \$ 2500

b. Feedlots, Other \$ 1500

c. Egg Production Facility, Major \$ 2500

d. Egg Production Facility, Other \$ 1500

5. Construction and Operation permits for Group 5 industrial wastewater treatment facilities which include facilities discharging concentrate and regenerant from Reverse Osmosis, Membrane Softening, Ultrafiltration, and Ion Exchange Units at Drinking Water Treatment Facilities.

a. Design daily flow of greater than 500,000 gpd \$ 6000

b. Design daily flow of greater than 100,000 gpd up to 500,000 gpd \$ 4000

c. Design daily flow of 100,000 gpd or less \$ 2000

6. Construction and Operation permits for Group 6 industrial wastewater treatment facilities which

include facilities discharging non-contact cooling water

- a. 1 million BTU/hour, or less, heat loss \$ 500
- b. Greater than 1 million BTU/hour, up to 20 million BTU/hour heat loss \$ 1500
- c. Greater than 20 million BTU/hour, up to 100 million BTU/hour \$ 3000
- d. Greater than 100 million BTU/hour heat loss \$ 6000

7. Construction and Operation permits for other industrial wastewater treatment facilities not specified in Groups 1 through 6 that discharge to surface waters.

- a. Design daily flow of greater than 500,000 gpd \$ 5000
- b. Design daily flow of greater than 100,000 gpd up to 500,000 gpd \$ 3000
- c. Design daily flow of greater than 50,000 gpd up to 100,000 gpd \$ 2000
- d. Design daily flow of 50,000 gpd or less \$ 1000

8. Construction and Operation permits for other industrial wastewater facilities not specified in Groups 1 through 6 that do not discharge to surface waters.

- a. Design daily flow of greater than 500,000 gpd \$ 4000
- b. Design daily flow of greater than 100,000 gpd up to 500,000 gpd \$ 2500
- c. Design daily flow of greater than 50,000 gpd up to 100,000 gpd \$ 1500
- d. Design daily flow of 50,000 gpd or less \$ 750

9. Construction and Operation permits for industrial wastewater treatment facilities which recycle the wastewater and have no discharge to surface or ground waters, and are not otherwise exempt from permitting.

a. Facilities recycling greater than 10,000 gpd
\$ 500

b. Facilities recycling 10,000 gpd or less \$
100

10. Modifications to existing industrial wastewater permits.

a. Modifications which do not affect the quantity, quality, or location of the discharge shall be 20 percent of the permit fee.

b. Modifications which affect the quantity, quality, or location of the discharge, but do not require an antidegradation determination as specified in Rule 62-4.240, F.A.C., shall be 50 percent of the permit fee.

c. Modifications which require an antidegradation determination shall require a new construction permit application and applicable fee.

11. Industrial wastewater general permits.

a. General permits requiring Professional Engineer or Professional Geologist certification \$
500

b. General permits not requiring Professional Engineer or Professional Geologist certification \$
100

12. Collection systems for industrial wastewater treatment facilities. \$ 500

(d) Wetland Resource Management (Dredge and Fill) Permits.

1. Dredge and fill construction projects up to and including 5 years:

a. Standard form projects including dredge and fill activities that affect 10 or more acres of jurisdictional area pursuant to Rule 62-312.070(2), F.A.C. \$ 4000

b. Standard form construction projects that involve the construction of new docking facilities pursuant to Rule 62-312.070, F.A.C., that provide:

(I) 50 or more new boat slips \$ 4000

(II) 25 - 49 new boat slips \$ 3000

(III) 10 - 24 new boat slips \$ 1500

(IV) 3 - 9 new boat slips \$ 500

(V) 0 - 2 new boat slips \$ 300

c. Short form construction projects involving dredging and filling activities that affect 9.99 acres or less of jurisdictional area, pursuant to Rule 62-312.070(2), F.A.C. \$ 500

d. Short form construction projects involving the construction of new docking or boardwalk facilities, pursuant to Rule 62-312.070, F.A.C., that provide:

(I) 0 - 2 new boat slips \$ 300

(II) 3 - 9 new boat slips \$ 500

(III) The addition of 3 to 20 docking slips to existing functional docking facilities where the total facility will not exceed 50 slips and the existing and proposed slips are not associated with commercial facilities or facilities which provide supplies or services required for boating activities. \$ 500

e. 5 year permits pursuant to Section 403.816, F.S., and permits for dredging of river channels pursuant to Section 403.816, F.S. \$ 3000

2. Dredge and fill construction permits in excess of 5 years:

a. Short form permits from 6 years up to and including 10 years \$ 3000

b. Standard form permits for 6 years \$ 6000

c. Standard form permits for 7 years \$ 7000

d. Standard form permits for 8 years \$ 8000

e. Standard form permits for 9 years \$ 9000

- f. Standard form permits for 10 years \$10,000
- g. Standard form permits for 11 years \$11,000
- h. Standard form permits for 12 years \$12,000
- i. Standard form permits for 13 years \$13,000
- j. Standard form permits for 14 years \$14,000
- k. Standard form permits for 15 years \$15,000
- l. Standard form permits for 16 years \$16,000
- m. Standard form permits for 17 years \$17,000
- n. Standard form permits for 18 years \$18,000
- o. Standard form permits for 19 years \$19,000
- p. Standard form permits for 20 years \$20,000
- q. Standard form permits for 21 years \$21,000
- r. Standard form permits for 22 years \$22,000
- s. Standard form permits for 23 years \$23,000
- t. Standard form permits for 24 years \$24,000
- u. Standard form permits for 25 years \$25,000

v. 6 to 10-year permits pursuant to Section 403.816, F.S., which are not located within river channels, except river channels within a deep water port \$ 5000

w. Minor modification involving 5-year or 10-year permits issued pursuant to Section 403.816, F.S. \$ 1000

x. 6 to 25-year permits pursuant to Chapter 62-45, F.A.C. \$ 5000

y. Modifications to permits pursuant to Chapter 62-45, F.A.C. \$ 1000

3. Mangrove alteration permits:

a. Mangrove alteration permits which involve the alteration of less than 20 mangroves \$ 250

b. Mangrove alteration permits which involve the alteration of 20 or more mangroves \$ 500

4. For the purposes of determining the fee for wetlands resource management permits, the term of duration for the permit shall be reduced by the period of time (in yearly increments) during which no dredging or filling activity occurs or no reclamation, restoration, or mitigation occurs and only minor monitoring and maintenance activities are required. The fee for the full term shall be submitted with the application. After the Department determines the period of time that the term of the permit can be reduced, the excess fee shall be returned.

5. For permit applications which involve a combination of the project fee categories listed above, the highest fee that applies to the appropriate standard form or short form project, pursuant to Rule 62-312.070, F.A.C., shall be charged.

6. Variances from permitting standards, permit conditions, or water quality standards associated with a wetland resource or mangrove alteration permit application:

a. Variances from the prohibition of Rule 62-312.080(7), F.A.C. \$ 100

b. Variances from the provisions of Chapter 62-321, F.A.C. \$ 100

c. Other variances \$ 500

(e) Stormwater Permits.

1. Construction Permit for Stormwater facilities \$ 1000

2. Operation Permit for a stormwater facility \$ 100

(f) MSSW permits.

1. For MSSW facilities located within the boundaries of the St. Johns River Water Management District, the processing fee used by the Department shall be the same as set forth in Rule 40C-1.603(4)(a) - (d) and (5), F.A.C., which is adopted and incorporated by reference.

2. For MSSW facilities located within the boundaries of the South Florida Water Management District, the processing fee used by the Department shall be the same

as set forth in Rule 40E-1.607(5) and (6), F.A.C., which is adopted and incorporated by reference.

3. For MSSW facilities located within the boundaries of the Southwest Florida Water Management District, the processing fee used by the Department shall be the same as set forth in Rule 40D-0.201(1) and (2), F.A.C., which is adopted and incorporated by reference.

(g) Environmental Resource Permits.

1. Mitigation Bank and Mitigation Bank conceptual Permits. \$ 4,000

(h) Solid Waste Permits.

1. Construction permit for a Class I facility. \$10,000

2. Construction permit for a Class II facility. \$10,000

3. Construction permit for a Class III facility \$ 6000

4. Construction permit for a waste-to-energy facility not covered by the Electric Power Plant Siting Act. \$10,000

5. Construction permit for other resource recovery facilities. \$ 2000

6. Construction permit for an incinerator. \$ 3000

7. Construction permit for a yard trash composting facility. \$ 2000

8. Construction permit for a manure composting facility. \$ 2000

9. Construction permit for a solid waste composting facility. \$ 5000

10. Construction/operation permit for a waste tire processing facility. \$ 1250

11. Construction permit for all other solid waste facilities. \$ 1000

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12. Construction permit for an offsite Biohazardous Waste Treatment Facility other than a biohazardous waste incinerator. \$ 2000

13. Construction permit and/or an operation permit for a facility which has multiple solid waste management components which normally would require individual solid waste permits. A single application may be submitted and the permit fee will be the sum of each individual permit however, the total permit fees for the facility shall not exceed \$25,000, exclusive of modifications and renewals.

14. Operation permit for a Class I facility. \$10,000

15. Operation permit for a Class II facility.
\$10,000

16. Operation permit for a Class III facility. \$
4000

17. Operation permit for a waste-to-energy facility not covered by the Electric Power Plant Siting Act.
\$10,000

18. Operation permit for other resource recovery facilities. \$ 1000

19. Operation permit for an incinerator. \$ 1000

20. Operation permit for a yard trash composting facility. \$ 1000

21. Operation permit for a manure composting facility \$ 1000

22. Operation permit for a solid waste composting facility. \$ 3000

23. Operation permit for an offsite Biohazardous Waste Treatment Facility other than a biohazardous waste incinerator. \$ 1000

24. Operation permit for all other solid waste facilities. \$ 500

25. Request for an Alternate Procedure.

a. Landfill \$ 2000

b. Other \$ 500

26. Research, Development and Demonstration permits (one year permit). \$ 1000

27. Closure permit for a Class I facility. \$ 7500

28. Closure permit for a Class II facility. \$ 7500

29. Closure permit for all other solid waste facility. \$ 4000

30. Closure permit for all other solid waste facilities. \$ 1000

31. Renewal of Closure permit for landfills which address only long term care. \$ 1000

32. Construction or Operation permits for Materials Recovery Facility. \$ 2000

33. Ground Water Monitoring Plan Approvals for solid waste landfills with no other Department permit. \$ 500

(i) Petroleum Cleanup General Permits.

1. Soil thermal treatment - mobile. \$ 500

2. Soil thermal treatment - stationary. \$ 500

(j) Hazardous Waste Permits.

1. Construction of container and/or tank hazardous waste storage facilities. \$15,000

2. Construction of container and/or tank hazardous waste facility storage and treatment facilities. \$20,000

3. Construction of landfill, surface impoundment, waste pile, land treatment, and miscellaneous unit facilities. \$25,000

4. Construction of hazardous waste storage, treatment and/or disposal facilities with an incinerator, boiler or industrial furnace for treatment of hazardous wastes generated on-site. \$25,000

5. Construction of commercial treatment, storage, and/or disposal facility with a commercial incinerator, boiler or industrial furnace managing hazardous waste generated off-site. \$32,500

6. Operation of container and/or tank hazardous

waste storage facilities. \$10,000

7. Operation of container and/or tank hazardous waste storage and treatment facilities. \$10,000

8. Operation of landfill, surface impoundment, waste pile, land treatment, and miscellaneous unit facilities. \$15,000

9. Operation of hazardous waste storage, treatment and/or disposal facilities with an incinerator, boiler or industrial furnace for treatment of hazardous wastes generated on site. \$15,000

10. Operation of commercial treatment, storage, and/or disposal facilities with a commercial incinerator, boiler or industrial furnace managing hazardous waste generated off-site. \$32,500

11. Closure of container and/or tank hazardous waste storage facilities. \$10,000

12. Closure of container and/or tank hazardous waste storage and treatment facilities. \$10,000

13. Closure of landfill, surface impoundment, waste pile, land treatment, previously closed units required to demonstrate equivalent clean closure, and miscellaneous unit facilities. \$20,000

14. Closure of hazardous waste storage, treatment and/or disposal facilities with an incinerator, boiler or industrial furnace for treatment of hazardous wastes generated on-site. \$15,000

15. Closure of commercial treatment, storage, and/or disposal facilities with a commercial incinerator, boiler or industrial furnace managing hazardous waste generated off-site. \$32,500

16. Hazardous waste research, development and demonstration facilities. \$ 4,000

17. Fees for modifications to hazardous waste permits proposed by the permittee or required by Department rules shall be determined as stated below. All modifications listed below require public notice. Contact the appropriate District Office for guidance on how to determine which fee applies before submitting the required information.

a. Substantial modifications that require

significant changes to the existing permit and require an extensive evaluation by the Department. These shall require the same fee as a new application. Examples in this category include alteration of the existing facility, change in the facility plan, ground water monitoring program assessment or remediation/engineering design or other general facility standard. The fee schedule for new permit applications is listed above.

b. Substantial modifications that require a moderate technical evaluation by the Department. Examples in this category include alterations of the existing facility or its operation which will require additional site-specific evaluation.
\$10,000

c. Moderate modifications that require moderate technical evaluation by the Department. These require a new site inspection, lead to different environmental impacts, or lessen the impacts of the original permit. \$ 5,000

d. Minor modifications, as defined in this subsection, that are not otherwise specified, including common or frequently occurring changes needed to maintain a facility's capacity to manage wastes safely, minor changes in ground water monitoring plans, or modifications to conform to new requirements. \$ 1,000

18. Department variance from federal regulations under 40 CFR 260.30. \$32,500

19. All other hazardous waste facility permits or authorizations for which a specific fee is not specified. \$32,500

(k) Underground Injection Control Permits.

1. Construction permit for each Class I test/injection well. \$12,500

2. Construction permit for each Class I exploratory well. \$ 5000

3. Construction permit for each monitoring well associated with a Class I injection facility when not permitted under a Class I exploratory well or Class I test/injection well permit. \$ 1000

per well not to exceed \$10,000 for the facility

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4. Permit to convert each well from a Class I to a Class V well. \$10,000
5. Operation permit for each Class I well. \$10,000
6. Permit to convert a Class I injection well or exploratory well to a monitoring well when not proposed under a construction permit. \$ 500
7. Abandonment permit for each Class I well. \$ 100
8. Construction permit for each Class III well. \$ 1000
9. Operation permit for each Class III well. \$ 1000
10. Abandonment permit for each Class III well. \$ 100
11. Construction permit for each Class V well. \$ 750
12. Operation permit for each Class V well. \$ 750
13. Abandonment permit for each Class V well. \$ 25
14. General permit for each Class V well.
 - a. General permits requiring Professional Engineer or Professional Geologist certification \$ 250
 - b. General permits not requiring Professional Engineer or Professional Geologist certification \$ 25
15. Major modifications are modifications to an injection facility requiring substantial technical evaluation by the Department, and which will not lead to substantially different environmental impacts (unless those impacts will lessen the impacts of the original permit).
 - a. Major modification to a Class I injection facility. \$ 1000
 - b. Major modification to a Class III injection facility. \$ 500
 - c. Major modification to a Class V injection facility. \$ 250

16. Minor modifications are modifications to an injection facility that do not require a substantial technical evaluation by the Department, will not result in increased capacity of the injection system, do not require a new site inspection by the Department, and will not lead to substantially different environmental impacts or will lessen the impacts of the original permit.

a. Minor modification to a Class I or Class III injection facility. \$ 250

b. Minor modification to a Class V injection facility. \$ 100

17. Rerating of the permitted capacity of a Class I injection well to the maximum injection velocity allowed under Rule 62-28.230(1)(e), F.A.C. \$ 250

(1) Drinking Water (Public Water Supply) Permits.

1. Construction permit for each Category I through III treatment plant, as defined in Rule 62-699.310, F.A.C., with treatment other than disinfection only.

a. Treatment plant - 5 MGD and above \$ 7500

b. Treatment plant - 1 MGD up to 5 MGD \$ 6000

c. Treatment plant - 0.25 MGD up to 1 MGD \$ 4000

d. Treatment plant - 0.1 MGD up to 0.25 MGD \$ 2000

e. Treatment plant - up to 0.1 MGD \$ 1000

2. Construction permit for each Category IV treatment plant, as defined in Rule 62-699.310, F.A.C., with treatment other than disinfection only.

a. Treatment plant - 5 MGD and above \$ 7500

b. Treatment plant - 1 MGD up to 5 MGD \$ 6000

c. Treatment plant - 0.25 MGD up to 1 MGD \$ 4000

d. Treatment plant - 0.1 MGD up to 0.25 MGD \$ 2000

e. Treatment plant - .01 up to 0.1 MGD \$ 1000

f. Treatment plant - up to 0.01 MGD \$ 400

3. Construction permit for each Category V treatment plant, as defined in Rule 62-699.310, F.A.C., - Disinfection only.

a. Treatment plant - 5 MGD and above \$ 5000

b. Treatment plant - 1 MGD up to 5 MGD \$ 3000

c. Treatment plant - 0.25 MGD up to 1 MGD \$ 1000

d. Treatment plant - 0.1 MGD up to 0.25 MGD \$ 500

e. Treatment plant - up to 0.1 MGD \$ 300

4. Distribution and transmission systems, including raw water lines into the plant, except those under general permit.

a. Serving a community public water system \$ 500

b. Serving a non-transient non-community public water system \$ 350

c. Serving a non-community public water system \$ 250

5. Construction permit for each public water supply well.

a. Well located in a delineated area pursuant to Chapter 62-524, F.A.C. \$ 500

b. Any other public water supply well. \$ 250

6. Major modifications to systems that alter the existing treatment without expanding the capacity of the system and are not considered substantial changes pursuant to Rule 62-4.050(7) below.

a. 1 MGD and above \$ 2000

b. 0.1 MGD up to 1 MGD \$ 1000

c. 0.01 up to 0.1 MGD \$ 500

d. up to 0.01 MGD \$ 100

7. Minor modifications to systems that result in no change in the treatment or capacity.

a. 0.1 MGD and above \$ 300

b. up to 0.1 MGD \$ 100

(m) Temporary operation permits shall be 20 percent over the fee for the operation permit for the activity to be permitted.

(n) General Permit fee for any General Permit not specifically listed in subsections (a) through (j)

a. General permits requiring Professional Engineer or Professional Geologist certification. \$ 250

b. General permits not requiring Professional Engineer or Professional Geologist certification. \$ 100

(o) Unless otherwise specified in this rule, the fee for applications for relief mechanisms shall be as follows:

1. Site specific alternative criteria for each water quality criteria \$15,000

2. Variance or exemption for each water quality criteria \$ 6000

3. Variance or exemption for public water system from maximum contaminant level/treatment techniques \$ 1000

4. Variance from other permitting standards or conditions \$ 2000

5. Aquifer exemption - major \$15,000

6. Aquifer exemption - minor \$ 7500

(p) Permits to construct or operate any other type of facility or stationary installation not specifically listed in (a) through (l) \$ 100

(q) Minor modifications of permits that do not require substantial technical evaluation by the Department, do not require a new site inspection by the Department, and will not lead to substantially different environmental impacts or will lessen the impacts of the original permit:

1. to correct minor errors or typographical mistakes

and that do not involve technical review \$ 0

2. to incorporate changes requested by the Department or required through permits issued by other regulatory agencies, and to change due dates for reporting or performance deadlines when such changes in the due date do not involve any new work, any new work locations, or any new activities, and will not alter, replace, or otherwise eliminate the requirements for otherwise performing the work required by the permit \$ 0

3. that consist of transfers of permits or time extensions \$ 50

4. involving minor technical changes which involve new work, new work locations, new activities, or any other change which alters, replaces, or otherwise eliminates the work authorized by the permit when the original permit fee of the issued permit is less than \$300, except for modifications to permits issued pursuant to Section 403.816, F.S. \$ 50

5. involving minor technical changes which involve new work, new work locations, new activities, or any other change which alters, replaces, or otherwise eliminates the work authorized by the permit when the original permit fee of the issued permit is more than or equal to \$300, except for Domestic Wastewater Facility Permits, Industrial Wastewater Facility Permits, Drinking Water (Public Water Supply) Permits, Underground Injection Control Permits and permits issued pursuant to Section 403.816, F.S. \$ 250

(r) For purposes of requiring a permit application and fee for the following facility types, each non-contiguous project shall be considered a stationary installation and shall require a separate application and fee.

1. Domestic wastewater collection system.

>
2. Drinking water distribution system.

(s) All fees shall be deposited in the Florida Permit Fee Trust Fund created pursuant to Section 403.087(5), F.S.

(t) If the department requires by rule or permit condition that any specific permit be renewed more frequently than once every five years, the permit fee shall be prorated based upon the permit fee schedule in effect at

the time of permit renewal. Upon issuance of such a permit, a prorated refund of the fee shall be returned to the applicant. This provision does not apply to permits issued for less than five years which could be extended to five years without the filing of an application for renewal. However, applications for permits to continue operation of a facility where an existing permit has or is about to expire in accordance with Section 403.087(1), F.S., shall be accompanied by the appropriate processing fee.

(u) This fee schedule does not apply to applications for certification pursuant to Sections 288.501-288.518, F.S., Florida Industrial Siting Act; Sections 341.321 - 341.386, F.S., the High Speed Rail Transportation Commission, except that fees may be assessed for the permitting of Ancillary Facilities under the Act for which a master plan approval was granted under the Act; to Sections 403.501-403.519, F.S., Florida Electrical Power Plant Siting Act; or to Sections 403.52-403.539, F.S., the Transmission Line Siting Act.

(v) This fee schedule will supersede all other references to fees in Department rules or forms, where in conflict except as noted in Rule 62-4.050(4)(m), F.A.C.

(w) In the jurisdiction of an approved local program which in accordance with an interagency agreement assists the Department in the processing of permits the fee paid to the Department shall be reduced by the amount specified in the agreement. That amount shall be commensurate with the savings to the Department resulting from the assistance of the local program.

(5)

(a) To be considered by the Department, each application must be accompanied by the proper processing fee, except for applications filed by state agencies created pursuant to Chapter 20, F.S., water management districts created pursuant to Chapter 373, F.S., and the U.S. Army Corps of Engineers. The fee shall be paid by check, payable to the Department of Environmental Protection. The fee is non-refundable except as provided in Section 120.60, F.S., and in this section.

(b) When an application is received without the required fee, the Department shall acknowledge receipt of the application and shall immediately notify the applicant by certified mail that the required fee was not received and advise the applicant of the correct fee. The Department shall take no further action until the correct fee is

received. If a fee was received by the Department which is less than the amount required, the Department shall return the fee along with the written notification.

(c) Upon receipt of the proper application fee, the permit processing time requirements of Sections 120.60(2) and 403.0876, F.S., shall begin.

(d) If the applicant does not submit the required fee within ten days of receipt of written notification, the Department shall either return the unprocessed application or arrange with the applicant for the pick up of the application.

(e) If an applicant submits an application fee in excess of the required fee, the permit processing time requirements of Sections 120.60(2) and 403.0876, F.S. shall begin upon receipt, and the Department shall refund to the applicant the amount received in excess of the required fee.

(6) Any substantial modification to a complete application shall require an additional processing fee determined pursuant to the schedule set forth in Section 62-4.050, F.A.C., and shall restart the time requirements of Sections 120.60 and 403.0876, F.S. For purposes of this Subsection, the term "substantial modification" shall mean a modification which is reasonably expected to lead to substantially different environmental impacts which require a detailed review.

(7) Modifications to existing permits proposed by the permittee which require substantial changes in the existing permit or require substantial evaluation by the Department of potential impacts of the proposed modifications shall require the same fee as a new application for the same time duration except for modification under chapter 62-45, F.A.C.

(8) The difference between the processing fee for applications for individual permits and the processing fee for general permits shall be refunded only for those applications that qualify for a general permit solely as a result of a change in Department rules while the application is being processed. Processing fees for applications for individual permits shall not be refunded in whole or in part where an applicant modifies a project to qualify for a general permit when the project did not qualify for a general permit when processing commenced.

Chapter 551 - Control of Lead and Copper

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Florida Administrative Code

Title 17 - Department of Environmental Regulation

Chapter 17-551 Control of Lead and Copper

>
Part I Purpose and Intent

>
17-551.100 Scope of Lead and Copper Control.
These rules are intended to implement the National Primary Drinking Water Regulations related to the control of lead and copper in drinking water as promulgated under Title 40 of the Code of Federal Regulations Parts 141 and 142. These rules establish a treatment technique that includes requirements for corrosion control treatment, source water treatment, lead service line replacement, and public education, which are triggered, in some cases, by lead and copper action levels measured in samples collected at consumers' taps. These rules establish action levels and treatment requirements for community and non-transient non-community public water systems and refer to the analytical methods required to be used by certified laboratories.

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17-551.103 Effective Date.
The effective date for this chapter shall be January 1, 1993.

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Part II Definitions

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17-551.200 Definitions for Lead and Copper Control.
For the purposes of this Chapter, the definitions found in 17-550.200, F.A.C., shall apply. In addition, the following definitions shall also apply.

(1) "Action level" is the concentration of lead or copper in water specified in Section 17-551.310, F.A.C., which determines the treatment requirements that a system is required to complete.

(2) "Corrosion inhibitor" means a substance capable of reducing the corrosivity of water toward metal plumbing materials, especially lead and copper, by forming a protective film on the interior surface of those materials.

(3) "Effective corrosion inhibitor residual," for the purpose of this Chapter only, means a concentration sufficient to form a passivating film on the interior walls of a pipe.

(4) "First draw sample" means a one-liter sample of tap water

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that has been standing in plumbing pipes at least 6 hours and is collected without flushing the tap.

(5) "Large system" means a water system that serves more than 50,000 people.

(6) "Lead service line" means a service line made of lead which connects the water main to the building inlet and any lead pigtail, gooseneck or other fitting which is connected to such a lead line.

(7) "Medium system" means a water system that serves greater than 3,300 and less than or equal to 50,000 people.

(8) "Optimal corrosion control treatment" means the corrosion control treatment that minimizes the lead and copper concentrations at users' taps while ensuring that the treatment does not cause the system to violate any national primary drinking water regulations.

(9) "Service line sample" means a one-liter sample of water that has been standing for at least 6 hours in a service line and is collected in accordance with Rule 17-551.430(5), F.A.C.

(10) "Single family structure" means a building constructed as a single-family residence that is currently used as either a residence or a place of business.

(11) "Small system" means a water system that serves 3,300 people or less.

(12) "Source water sample," for the purpose of this Chapter only, means a sample that is collected at an entry point to the distribution system and is representative of a source of supply after treatment.

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Part III General Requirements

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17-551.300 Requirements for Lead and Copper Control.

(1) Applicability. Unless otherwise indicated, each of the provisions of Chapter 17-551, F.A.C., apply to community water systems and non-transient non-community water systems, hereinafter referred to as "systems".

(2) Consecutive water systems. Consecutive public water systems are systems that receive 100 percent of their potable water from another public water system, which is called the primary system.

(a) Consecutive systems not exceeding an action level after completion of the two initial six-month monitoring periods may consolidate their sampling, monitoring, treatment and reporting requirements under this chapter with that of another consecutive system or its primary system.

(b) Consecutive systems that exceed an action level may only consolidate corrosion control treatment and reporting requirements, and source water monitoring, treatment and reporting requirements under this chapter with that of a primary system.

(c) To consolidate any requirement under this chapter, systems must receive written approval from the Department based on a written showing by the systems that they are interconnected in a manner that justifies treating them as a single system. Such a written showing must also include an agreement between the systems that establishes responsibility for meeting the requirements of this chapter. In any agreement, the responsibility for any public education delivery and reporting shall not be consolidated. The responsibility for source water monitoring, treatment and reporting shall reside with the primary system. The responsibility for any corrosion control study or treatment and lead service line replacement shall be specified in the agreement.

(3) Lead and copper action levels:

(a) The lead action level is exceeded when the concentration of lead in more than 10 percent of tap samples collected during any monitoring period conducted in accordance with Section 17-551.450, F.A.C., is greater than 0.015 milligrams per liter and, therefore, the 90th percentile lead level is greater than 0.015 milligrams per liter.

(b) The copper action level is exceeded when the concentration of copper in more than 10 percent of tap samples collected during any monitoring period conducted in accordance with Section 17-551.450, F.A.C., is greater than 1.3 milligrams per liter and, therefore, the 90th percentile copper level is greater than 1.3 milligrams per liter.

(4) Corrosion control treatment requirements.

(a) All large systems shall install and operate optimal corrosion control treatment as defined in Rule 17-551.200(8), F.A.C. All medium and small systems shall complete the corrosion control treatment steps outlined in Section 17-551.330, F.A.C.

(b) Any system that complies with the applicable corrosion control treatment requirements specified under Section 17-551.540, F.A.C., shall be deemed in compliance with the requirements of paragraph (4)(a) above.

(5) Alternative remedial actions. Non-transient non-community public water systems may replace faucets and fixtures containing lead, lead-lined water coolers, lead pipe, lead based solder and flux and other plumbing components containing lead in lieu of performing the corrosion control treatment steps outlined in (4) above. After performing such remedial actions, a system must demonstrate that for two successive six month monitoring periods that it does not exceed the lead or copper action level. In such case, the Department shall deem such system to be in compliance with the corrosion control requirements of Rule 17-551.550(1), F.A.C., until such time that the lead or copper action level is exceeded. If a system cannot make this showing, it must complete the corrosion control treatment steps required under (4) above. Systems shall use the sampling protocol outlined in pages 26 through 48 of "Lead in School Drinking Water," U.S. Environmental Protection Agency, Office of Drinking Water, Washington, D.C., January 1989, Doc. No. EPA 570/9-89-001, Source: Superintendent of Documents, U.S. Government Printing Office, Washington, DC 20442, herein adopted and incorporated as a reference, when evaluating interior plumbing.

(6) Source water monitoring and treatment requirements. Any system exceeding the lead or copper action level shall implement all applicable source water monitoring and treatment requirements specified under Part VI of this chapter.

(7) Lead service line replacement requirements. Any system which exceeds the lead action level after implementation of applicable corrosion control and source water treatment requirements shall complete the lead service line replacement requirements contained in Part VII of this chapter.

(8) Public education requirements. Any system which exceeds the lead action level shall implement the public education requirements contained in Part VIII.

(9) Monitoring and analytical requirements. Tap monitoring for lead and copper and monitoring for water quality parameters shall be completed in compliance with Part IV of this chapter. Analyses for lead, copper, pH, conductivity, calcium, alkalinity, orthophosphate, silica, and temperature shall be conducted using standard methods referenced in Rule 10D-41.053, F.A.C., and in accordance with the provisions of Section 17-550.500, F.A.C. Monitoring data collected by large and medium systems during 1990 may be used by a system to demonstrate compliance with initial monitoring requirements, if the data were collected and analyzed in accordance with the requirements of this chapter.

(10) Reporting requirements. All systems shall report to the Department all information as required in Part IX of this chapter.

(11) Recordkeeping requirements. Systems shall maintain records in accordance with Rule 17-550.720(6), F.A.C.

(12) Violation of primary drinking water regulations. Failure to comply with the applicable requirements of this Chapter shall constitute a violation of the primary drinking water regulation for lead or copper unless a variance or exemption has been granted pursuant to Rule 17-560.510 or 17-560.520, F.A.C.

(13) Modification of treatment decisions. Any Department modification, revocation, or rejection determinations made pursuant to the requirements of this chapter will be in accordance with the administrative procedures of Chapters 17-4 and 17-103, F.A.C.

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17-551.310 Measurement of Action Level Compliance.
The 90th percentile lead and copper action levels shall be computed as follows:

(1) The results of all 1 liter first draw lead or copper samples taken during a monitoring period shall be ranked in ascending order, from the sample with the lowest concentration to the sample with the highest concentration. Each sampling result shall be assigned a number, ascending by single integers beginning with the number 1 for the sample with the lowest contaminant level. Therefore, the number assigned to the sample with the highest contaminant level will equal the total number of samples taken.

(2) If additional first draw samples are reported to the Department under Rule 17-551.450(6), F.A.C., only those meeting the system's lowest tier number (i.e. 1 is the lowest tier, 4 is the highest tier) characteristics shall be included when calculating the 90th percentile. In this case, the total number of samples considered may exceed the minimum number required for standard monitoring.

(3) In order to compute the 90th percentile sample rank, the number of samples taken during the monitoring period shall be multiplied by 0.9. This result shall be rounded to the nearest whole number. This will be the rank of the 90th percentile sample.

(4) The contaminant concentration of the numbered sample yielded by the calculation in subsection (3) above is the 90th percentile contaminant level.

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(5) For systems that collect 5 or fewer samples per monitoring period, the 90th percentile is computed by taking the average of the highest and second highest concentrations.

(6) For systems that collect only one sample, the 90th percentile sample will be based on the value reported.

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17-551.320 Corrosion Control Compliance Steps for Large Systems.

Except as provided in Rule 17-551.540(1), F.A.C., large systems shall complete the following compliance steps by the indicated dates.

(1) The system shall conduct initial monitoring for lead and copper pursuant to Rule 17-551.450(1), F.A.C., and for water quality parameters, pursuant to Rule 17-551.470(2), F.A.C., during two consecutive six-month monitoring periods ending January 1, 1994. Initial tap monitoring for lead and copper and water quality parameter monitoring, performed during 1992, that meets the requirements of 40 CFR 141.86, or 141.87, respectively, on pages 26555 through 26559 of the June 7, 1991 Federal Register shall constitute compliance with this requirement.

(2) The system shall complete and submit to the Department corrosion control studies pursuant to Section 17-551.510, F.A.C., by July 1, 1994.

(3) The Department shall approve or deny a system's study's recommendation that it has optimized corrosion control or its application for a permit to construct a corrosion control treatment facility pursuant to Section 17-551.520, F.A.C.

(4) The system shall construct any approved corrosion control treatment facility pursuant to Section 17-551.530, F.A.C., by January 1, 1997.

(5) The system shall complete follow-up sampling pursuant to Rules 17-551.450(2), and 17-551.470(1)(b), F.A.C., by January 1, 1998.

(6) The Department shall review installation of treatment pursuant to Rule 17-551.540(1), F.A.C., and designate optimal water quality control parameters pursuant to Rule 17-551.540(3), F.A.C., by July 1, 1998.

(7) The system shall operate in compliance with the optimal water quality control parameters specified pursuant to Rule 17-551.540(3), F.A.C., and continue to conduct tap sampling for lead and copper according to Rule 17-551.450(4), F.A.C., and

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monitoring for water quality parameters according to Rule 17-551.470(1)(c), F.A.C.

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17-551.330 Corrosion Control Treatment Steps for Small and Medium Systems.

Except as provided in Rules 17-551.540(1), and 17-551.550(1), F.A.C., small and medium systems shall complete the following corrosion control treatment steps by the indicated deadlines.

(1) Systems shall conduct tap sampling for lead and copper pursuant to Rule 17-551.450(1), F.A.C., until the system either exceeds the lead or copper action level or becomes eligible for reduced monitoring under Rule 17-551.450(5), F.A.C. Tap sampling for lead and copper that is performed during 1992 and that meets the requirements of 40 CFR 141.86 on pages 26555 through 26557 of the June 7, 1991 Federal Register shall be used to determine compliance with this requirement.

(2) A system shall conduct tap and entry point monitoring for water quality parameters during two-successive six-month monitoring periods after an action level is exceeded and after the installation of corrosion control.

(3) A system shall complete corrosion control studies pursuant to Section 17-551.510, F.A.C., within 18 months after it exceeds the lead or copper action level and shall submit a recommendation for optimal corrosion control treatment to the Department.

(4) The Department shall review and take final agency action pursuant to Section 17-551.520, F.A.C., on the system's corrosion control treatment recommendation and permit application submitted under subsection (3) above.

(5) The system shall install optimal corrosion control treatment, within 24 months after the Department approves its recommended treatment pursuant to Rule 17-551.530, F.A.C.

(6) The system shall complete follow-up sampling pursuant to Rules 17-551.450(2) and 17-551.470(1)(b), F.A.C., within 36 months after the Department designates optimal corrosion control treatment.

(7) The Department shall review the system's installation of treatment under Rule 17-551.540(1), F.A.C., and designate optimal water quality control parameters under Rule 17-551.540(3), F.A.C., within 90 days after the system has completed the requirements of subsection (6) above.

(8) The system shall operate in compliance with the optimal water quality control parameters designated by the Department under Rule 17-551.540(3), F.A.C., and continue to conduct tap

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sampling for lead and copper according to Rule 17-551.450(4), and water quality parameter monitoring according to Rule 17-551.470(1)(c), F.A.C.

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Part IV Tap and Entry Point Monitoring

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17-551.400 Tap Monitoring Requirements for Lead and Copper.

(1) Tap monitoring for lead and copper and analyses of the monitoring results shall be completed by all community and non-transient non-community public water systems according to the schedules established in Section 17-551.450, F.A.C., and in compliance with the requirements of this part.

(2) Thirty days prior to the applicable date for the start of lead and copper monitoring, each system shall submit to the Department a written Sampling Plan for Lead and Copper Tap Samples and Water Quality Parameters. The Department shall approve a sampling plan and provide written notice to the system based on the following:

(a) The plan identifies a pool of available sampling sites that meets the requirements of Section 17-551.410, F.A.C., and which is sufficiently large to ensure that the system can collect the number of lead and copper tap samples required in Section 17-551.440, F.A.C.

(b) Lead and copper tap sampling sites are categorized as tier 1, 2, 3 or 4 sampling sites pursuant to Section 17-551.410, F.A.C., and, within each tier, sites are identified as a single family (SFR) or multi-family residence (MFR) or a building (BLDG).

(c) Lead and copper tap sampling sites are designated in the plan and selected from the pool of available sampling sites.

(d) Site tier categorizations are based on the results of the materials survey and records review made pursuant to the requirements of Rules 17-551.420(1), and 17-551.420(2), F.A.C.

(e) The supplier of water has reviewed all connections to the distribution system and identified the total number of lead service lines.

(f) The supplier of water has identified a sufficient number of water quality parameter sampling locations that meet the requirements of Section 17-551.460, F.A.C., and has proposed to use sampling and analytical techniques

specified in Rule 10D-41.053, F.A.C.

(g) Any replacement sites shall meet the requirements of Rule 17-551.410, F.A.C. When any selected sampling sites are changed, the reasons for any change are reported prior to sampling using Part VI of Form 17-551.950(1) and meet one or more of the conditions below.

1. A previously sampled site is unavailable because the site no longer exists or the owner of the building has refused to allow it to be sampled.

2. The service line or interior plumbing materials have been replaced so that the tier category of the site has changed.

3. No sampling results at the site have exceeded the lead action level.

(h) The system has submitted the lead and copper tap and water quality parameter sampling plan using Form 17-551.950(1).

(3) A system shall submit a revised sampling plan for approval prior to any reduced monitoring and prior to any six-month monitoring period when the selected sampling site locations or sites in the sampling pool are changed.

(4) Systems may consult Chapter 3 of the U.S. EPA, "Lead and Copper Rule Guidance Manual, Volume 1, Monitoring," September 1991, for detailed guidance on how to prepare sampling plans, and conduct materials surveys, record reviews and tap sampling for lead and copper.

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17-551.410 Selecting Lead and Copper Tap Sampling Sites.

(1) Sampling sites may not include faucets that have point-of-use or point-of-entry treatment devices designed to remove inorganic contaminants, unless the system serves only such sites.

(2) Community water system sites.

(a) All sampling sites selected for a community water system's sampling pool shall be tier 1 sites that consist of child care facilities or single family structures that:

1. contain copper pipes with lead solder installed after 1982 or contain lead pipes; or

2. are served by a lead service line.

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(b) When multiple-family residences comprise at least 20 percent of the structures served by a system, the system may include these types of structures in its sampling pool.

(c) Tier 1 sample distribution.

1. Any system which has a distribution system containing lead service lines shall draw 50 percent of the samples it collects during each monitoring period from sites that contain lead pipes, or copper pipes with lead solder, and 50 percent of the samples from sites served by a lead service line.

2. A system which cannot identify a sufficient number of sampling sites served by a lead service line shall document in its sampling plan why the system was unable to locate a sufficient number of such sites. Such a system shall collect lead service line samples from all of the sites identified as being served by such lines.

(d) Any community water system with too few tier 1 sampling sites shall complete its sampling pool with tier 2 sampling sites. Tier 2 sampling sites consist of buildings, including multiple-family residences that:

1. contain copper pipes with lead solder installed after 1982 or contain lead pipes; or
2. are served by a lead service line.

(e) Any community water system with too few tier 1 and tier 2 sampling sites shall complete its sampling pool with tier 3 sampling sites. Tier 3 sampling sites consists of single family structures that contain copper pipes with lead solder installed before 1983. A system with too few tier 1 through tier 3 sites shall complete its sampling pool with tier 4 sites that are identified as susceptible to lead or copper contamination based on the following:

1. the site is a multi-family residential structure with lead solder built before 1983,
2. tap sampling results from sampling taken pursuant to the Lead Contamination Control Act exceed the lead action level,
3. the site has a service line with a lead gooseneck or pigtail,
4. the site has brass, bronze or chrome-plated brass

faucets, with or without brass valves, and the water system is otherwise made of plastic piping components,

5. the tap is served by a distribution system that contains lead components or lead caulking that are located within 100 feet of the site's service connection, or

6. the system only has sites with faucets that are served by point-of-use or point-of-entry treatment devices designed to remove inorganics.

(3) Non-transient non-community system tap sampling sites.

(a) Tier 1 sampling sites selected by a non-transient non-community water system shall consist of buildings that:

1. Contain copper pipes with lead solder installed after 1982 or contain lead pipes; or

2. Are served by a lead service line.

(b) A non-transient non-community water system with too few tier 1 sites shall complete its sampling pool with tier 2 sampling sites that contain copper pipes with lead solder installed before 1983. When there are too few tier 2 sites, tier 3 sites shall be selected from tap locations that are susceptible to high lead or copper concentrations based on the criteria in Rules 17-551.410(2) (e)2., through 6., F.A.C.

(4) Any system with a sampling plan that does not consist exclusively of tier 1 sites shall document in its written sampling plan why it is unable to locate a sufficient number of tier 1 sites by the date tap monitoring for lead and copper is required to begin.

(5) Systems shall replace sampling sites where plumbing modifications at the site have changed its sampling pool tier.

> 17-551.420 Conducting a Materials Survey and Records Review.

(1) Materials survey.

(a) When developing a lead and copper tap sampling plan, a system shall collect the following information to document the existence of tier 1 sampling sites.

1. Distribution system.

a. Location and extent of the use of lead

piping,

b. Number, location and length of lead service lines, and

c. Location of where lead in solder, solder caulking, the interior lining of distribution mains, and alloys is found.

2. Interior plumbing.

a. Location and number of buildings that contain lead pipe, and

b. Location and number of buildings that contain lead solder.

(b) The results of the Materials Survey shall be submitted to the Department using Part III of Form 17-551.950(1). The location of any materials reported shall be indicated on a map kept at the system and available for inspection by the Department.

(2) Records Review. In addition to evaluating the distribution system materials to locate sampling sites, the system shall review the records listed below to identify sites. The system shall seek to collect such information where possible in the course of its normal operations by using the following:

(a) all plumbing codes, permits, and records in the files of the building department(s) which indicate the plumbing materials that are installed within publicly and privately owned structures connected to the distribution system;

(b) all inspections and records of the distribution system that indicate the material composition of the service connections that connect a structure to the distribution system; and

(c) the results of all prior tap sampling of the system or individual buildings connected to the system, indicating locations that may be particularly susceptible to high lead or copper concentrations.

(d) The results of the records review shall be submitted to the Department using Part II of Form 17-551.950(1).

>
17-551.430 Lead and Copper Tap Sample Collection and Analytical Methods.

(1) All tap samples for lead and copper, with the exception of
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lead service line samples, shall be first draw samples.

(2) Each first draw tap sample for lead and copper shall be one liter in volume and have remained motionless in the plumbing system of each sampling site for at least six hours.

(3) First draw samples from residential housing shall be collected from the cold water kitchen tap or bathroom sink tap. First draw samples from a nonresidential building shall be collected at an interior tap from which water is typically drawn for consumption, such as a drinking water fountain or cooler at schools.

(4) First draw tap samples may be collected by the system or the system may allow residents to collect first draw tap samples after instructing the residents of the sampling procedures specified in this section. To avoid problems of residents handling nitric acid, acidification of first draw samples may be done up to 14 days after the sample is collected. If the sample is not acidified immediately after collection, then the sample must stand in the original container for at least 28 hours after acidification. If a system allows residents to perform sampling, the system may not challenge the accuracy of sampling results based on alleged errors in sample collection.

(5) Each lead service line sample shall be one liter in volume and have remained motionless in the lead service line for at least six hours. Lead service line samples shall be collected by the system in one of the following three ways:

(a) At the tap after flushing the volume of water between the tap and the lead service line. The volume of water shall be calculated based on the interior diameter and length of the pipe between the tap and lead service line. Systems should consult Section 4.3 of the EPA "Lead And Copper Rule, Guidance Manual, Volume I, Monitoring," incorporated as a guideline under Rule 17-555.335(2), F.A.C., for additional information on monitoring lead service lines;

(b) Tapping directly into the lead service line; or

(c) If the sampling site is a building constructed as a single family residence, allowing the water to run until there is a noticeable change in temperature which would be indicative of water that has been standing in the lead service line.

(6) After collecting an initial sample, the system shall collect each subsequent sample from the same sampling site. If, for any reason, the system cannot gain entry to a sampling site in order to collect a follow-up tap sample, the system shall collect the follow-up tap sample from another sampling site in

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its sampling pool, as long as the new site meets the same site selection criteria described in Rule 17-551.410, F.A.C. The follow-up tap sample shall be as close to the original site as possible.

(7) Analyses for lead and copper tap samples shall be conducted by a laboratory approved under Section 17-550.550, F.A.C., using standard methods referenced in Rule 10D-41.053, F.A.C. Sample compositing is not allowed. Monitoring data collected by large and medium systems during 1992 shall be used to demonstrate compliance with initial monitoring requirements, if the data were collected and analyzed in accordance with the requirements of this section or 40 CFR 141.89 (1991). Certified laboratories shall use the format specified in Rule 17-551.951(1), F.A.C., to submit lead or copper tap sample analyses to a system.

>

17-551.440 Number of Lead and Copper Tap Samples.

(1) Systems shall collect at least one sample during each monitoring period from the number of sites or buildings listed in the column titled standard monitoring in subsection (3) below.

(2) A system conducting reduced monitoring under Rule 17-551.450(5), F.A.C., shall, as a minimum, collect samples from the number of sites specified in the reduced monitoring column below, during each monitoring period specified in Rule 17-551.450(5) (d), F.A.C. Consecutive systems that qualify for reduced monitoring may consolidate their sampling plan with that of other consecutive systems connected to the same primary system or the primary system. The consolidated systems shall be considered one system for the purpose of determining the number of reduced sites. Any consolidated plan shall never have less than five samples from each system.

(3) Number of samples.

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NUMBER 0

SYSTEM SIZE PEOPLE SERVED
Greater than 100,000
10,001 to 100,000
3,301 to 10,000
501 to 3,300
101 to 500
Less than 101

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(4) Systems shall only take one first draw sample for lead and copper from each sampling site at a single family residence or building.

(5) When too few sampling sites are available, a system sampling multi-family residences shall take no more than one per residence within the building.

(6) When too few sampling sites are available, a system shall take samples from additional taps.

(7) Only if fewer than the required number of taps are available, shall a system take more than one sample per tap.

>
17-551.450 Lead and Copper Tap Monitoring Schedule and Frequency.

(1) Initial tap sampling.

(a) The initial six-month monitoring period for large and medium systems shall begin on January 1, 1993. Small systems shall begin on July 1, 1993.

(b) All large systems shall complete two consecutive six-month monitoring periods by December 31, 1993.

(c) All small and medium systems shall monitor during each six-month monitoring period until:

1. the system meets the lead and copper action levels during two consecutive six-month monitoring periods, in which case, the system may reduce monitoring in accordance with subsection (5), or

2. the system exceeds the lead or copper action level, in which case, the system may continue standard monitoring and shall implement the corrosion control study and treatment requirements of Section 17-551.330, F.A.C. After completing these requirements, the system shall then resume monitoring in accordance with subsection (2) below.

(2) After installation of corrosion control treatment, a system shall monitor during two consecutive six-month monitoring periods by the date specified in Rule 17-551.320(5), F.A.C., for large systems and in Rule 17-551.330(6), F.A.C., for medium and small systems.

(3) Any system which installs source water treatment shall monitor during two consecutive six-month monitoring periods by the date specified in Rule 17-551.600(3), F.A.C.

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(4) After the Department approves values for water quality control parameters, the system shall monitor during each subsequent six-month monitoring period, with the first monitoring period to begin on the date the Department approves the water quality parameter values, pursuant to Rule 17-551.540, F.A.C..

(5) Reduced monitoring.

(a) For a system to reduce monitoring, it shall have submitted a request for reduction in monitoring using Form 17-551.950(4), together with a revised sampling plan prepared using Form 17-551.950(1), and have received written approval from the Department based on meeting the requirements of paragraphs (b) or (c) below.

(b) For a system to extend the monitoring frequency from once per six months to annually and to reduce the number of sampling sites to the reduced number of sites listed in subsection (3):

1. A small or medium system shall have met the lead and copper action levels during each of two consecutive six-month monitoring periods, or

2. Any system shall have maintained water quality parameters within the approved range of values specified in Rule 17-551.540(3), F.A.C., for two consecutive six-month monitoring periods.

(c) For a system to extend the frequency of reduced monitoring from annually to once every three years:

1. A small or medium system shall have met the lead and copper action levels during three consecutive years, or

2. Any system shall have maintained water quality parameters within the approved range of values specified in Rule 17-551.540(3), F.A.C., for three consecutive years.

(d) A system which samples annually or less frequently shall conduct lead and copper tap sampling during the months of June, July, August or September. Systems which are not able to monitor during these four months may not perform reduced monitoring. Any system that reduces the number and frequency of sampling shall collect these samples from:

1. Sites whose interior plumbing materials and service line materials have been verified by field test, and

2. Sites with the highest reported lead results from those included in the sampling plan approved under Rule 17-551.400(2), F.A.C., or

3. Sites included in the sampling plan that have not yet been sampled and are at the same tier level as any site they replace as a selected sampling site.

(e) A small or medium system which has reduced monitoring and afterwards exceeds the lead or copper action level shall resume standard monitoring in accordance with paragraph (1)(c) of this section and collect the number of samples specified for standard monitoring under Rule 17-551.440(3), F.A.C. Such a system shall also conduct water quality parameter monitoring in accordance with Rule 17-551.470(2), F.A.C. Any system which has reduced monitoring and that fails to operate within the range of values for the water quality parameters approved by the Department under Rule 17-551.540, F.A.C., shall resume standard lead and copper tap sampling and collect the number of samples specified for standard monitoring.

(6) Additional Lead and Copper Tap Monitoring by Systems. The results of any additional one liter, first draw sample monitoring taken by the system shall be considered by the system and the Department in making any calculations of the 90th percentile lead or copper level. All additional lead and copper tap samples shall be categorized by their sampling pool characteristics pursuant to Section 17-551.410, F.A.C., and provided for review by the Department. All such lead and copper tap samples meeting the system's lowest tier number characteristics shall be included when calculating the 90th percentile and will become a part of each system's sampling pool. All additional lead and copper tap sample results shall be provided to the Department within 10 days after the end of each monitoring period and clearly labeled as "ADDITIONAL LEAD AND COPPER TAP SAMPLE RESULTS" if they are one liter, first draw samples. Results shall be reported by using the format specified in Rule 17-551.951(1), F.A.C.

>
17-551.460 Tap and Entry Point Monitoring Requirements for Water Quality Parameters.

All large systems, and those medium and small systems that exceed the lead or copper action level, shall monitor for the applicable water quality parameters as specified in Rule 17-551.470, F.A.C., in addition to lead and copper. Before the initial sampling, systems shall submit a written sampling plan using Form 17-551.950(1) for Department written approval. The general requirements for monitoring for water quality parameters to be included in the sampling plan are:

(1) Sample collection objectives. Samples shall be representative of water quality throughout the distribution system, taking into account the number of persons served, the different sources of water, and the different treatment methods employed by the system. A system shall collect samples evenly throughout the year so as to reflect seasonal variability.

(2) Sampling location.

(a) Systems may find it convenient to conduct sampling for water quality parameters at sites used for coliform sampling. A map showing the location of sampling sites shall be prepared and made available to the Department upon request.

(b) Samples collected at an entry point to the distribution system shall be from locations representative of each source after treatment. If a system draws water from more than one source and the sources are combined before distribution, the system shall sample at an entry point to the distribution system during periods of normal operating conditions when water representative of all sources is being used.

(3) Number of samples.

(a) Distribution system tap samples. Systems shall collect two samples for applicable water quality parameters during each monitoring period from the number of sites shown in the table for standard monitoring.

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PEOPLE SERVED	NUMBER OF SITES FOR STANDARD MONITORING	NUMBER OF SITES FOR REDUCED MONITORING
Greater than 100,000	25	10
10,001 to 100,000	10	7
3,301 to 10,000	3	3
PEOPLE SERVED	NUMBER OF SITES FOR STANDARD MONITORING	NUMBER OF SITES FOR REDUCED MONITORING
501 to 3,300	2	2
101 to 500	1	1
Less than 101	1	1

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(b) Entry point samples. During each monitoring period, systems shall collect two samples for each applicable water quality parameter at each entry point to the distribution system.

(4) Analytical procedures. An analyses of the applicable corrosion control water quality parameters does not require the use of a certified laboratory. All analysis shall be done according to the methods set forth in Rule 10D-41.053, F.A.C. The system may take a confirmation sample for any water quality parameter value. Such confirmation sample shall be taken no later than 3 days after receipt of the results of the first sample. If a confirmation sample is taken, the result shall be averaged with the first sampling result and the average must be used for any compliance determinations made under Rule 17-551.540(1), F.A.C. The Department shall delete results of obvious sampling errors from this averaging calculation.

>
17-551.470 Sampling for Water Quality Parameters.

(1) Systems, including consecutive systems, shall measure the water quality parameters at the locations and frequencies as specified in subsection (3) during the following periods:

- (a) the initial monitoring period,
- (b) after the installation of corrosion control treatment,
- (c) after approval of water quality parameter values for optimal corrosion control, and
- (d) after approval to reduce monitoring.

(2) Large systems shall monitor during each six-month monitoring period beginning on January 1, 1993. Medium and small systems shall monitor during the two successive six-month monitoring periods after which the system exceeds the lead or copper action level and in the six-month monitoring periods beginning after the system has installed corrosion control treatment.

(3) The following table details the monitoring requirements for water quality parameters for the periods specified in subsection (1).

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MONITORING PERIOD

(a) Initial Monitoring

WATER QUALITY PARAMETE
pH, alkalinity, orthophosphate
silica, calcium, conductivit

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- (b) After Installation of Corrosion Control, and
- (c) After Approval of Parameter Values for Optimal Corrosion Control
- (d) After Approval to Reduce Monitoring

temperatur
 pH, alkalinity, orthophosphate c
 silica, calciu
 pH, alkalinity dosage rate an
 concentration, inhibitor dosag
 rate and concentratio
 pH, alkalinity, orthophosphate c
 silica, calciu

pH, alk, 104, 103

pH, alkalinity dosage rate an
 concentration, inhibitor dosag
 rate and concentratio

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*Entry point to Dist.
 pH, ~~alk~~ inhibitor dosage*

(e) Monitoring provisions for inhibitors. Orthophosphate or silica shall be measured only when an inhibitor containing a phosphate or silicate compound is used. Inhibitor dosage rates and inhibitor residual concentrations of orthophosphate or silica shall be measured only when an inhibitor is used.

(f) Monitoring after calcium and alkalinity adjustment. After the initial monitoring, calcium shall be measured only when calcium carbonate stabilization is used as part of corrosion control. The alkalinity dosage rate and concentration in water shall be measured at entry points only if alkalinity is adjusted as part of corrosion control.

(4) Additional monitoring by systems. The results of monitoring conducted by the system in addition to the minimum requirements of this section shall be considered by the system and the Department in making any determinations under this section or Section 17-551.540, F.A.C.

(5) Reduced monitoring.

(a) For a system to reduce monitoring, it shall have submitted a request for reduction in monitoring using Form 17-551.950(4), together with a revised sampling plan prepared using Form 17-551.950(1), and have received written approval from the Department based on meeting the requirements of paragraph (b), (c), or (d) below.

(b) Any system that maintains the approved range of values for the water quality parameters for two consecutive six-month monitoring periods shall continue monitoring at entry points to the distribution system and may collect distribution system tap samples from the reduced number of sites listed in Rule 17-551.460(3)(a), F.A.C., during each

subsequent six-month monitoring period.

(c) Any system that maintains the range of values for the water quality parameters reflecting optimal corrosion control treatment during three consecutive years of monitoring every six months may reduce the frequency with which it collects the number of tap samples for water quality parameters from every six months to annually.

(d) Any system that maintains the range of values for the water quality parameters reflecting optimal corrosion control treatment during three consecutive years of annual monitoring may reduce the frequency with which it collects the number of tap samples for water quality parameters from annually to every three years.

(e) Any system subject to reduced monitoring that fails to operate within the range of values for the water quality parameters shall resume tap sampling in accordance with the standard number of sites and frequency requirements in Rules 17-551.460(3) and 17-551.470(3)(c), F.A.C.

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Part V Corrosion Control Treatment

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17-551.500 Description of Corrosion Control Treatment Requirements.

Each system, including consecutive systems, shall complete the following applicable corrosion control study and treatment requirements. Primary systems, providing water to a consecutive system, may perform a joint study with its consecutive systems provided there is a written agreement between such systems that is approved by the Department.

(1) Large systems. All large systems shall:

(a) perform corrosion control studies which the system believes constitutes optimal corrosion control for that system, or demonstrate that the system has optimized corrosion control pursuant to Rule 17-551.540(1)(b), F.A.C.,

(b) complete the corrosion control treatment steps specified in Section 17-551.320, F.A.C., unless the Department has determined that it has optimized corrosion control under Rule 17-551.540(1)(b), F.A.C., and

(c) complete the applicable corrosion control treatment requirements by the deadlines for large systems established in Section 17-551.320, F.A.C.

(2) Small and medium systems. Any small or medium system that exceeds the lead or copper action level shall:

(a) perform corrosion control studies, under Section 17-551.510, F.A.C., to identify optimal corrosion control treatment,

(b) recommend installation of one or more of the corrosion control treatments listed in Rule 17-551.510(1), F.A.C., which the system believes constitutes optimal corrosion control for that system,

(c) complete the corrosion control treatment steps specified in Section 17-551.330, F.A.C., unless it has optimized corrosion control under Rule 17-551.540(1), F.A.C., and

(d) complete applicable corrosion control treatment requirements by the deadlines in Section 17-551.330, F.A.C.

>

17-551.510 Performance of Corrosion Control Studies.

(1) Any system that performs corrosion control studies shall evaluate the effectiveness of each of the following treatments, and combinations of the following treatments to identify the optimal corrosion control treatment for that system and any consecutive systems it supplies:

(a) alkalinity and pH adjustment;

(b) calcium hardness adjustment; and

(c) the addition of a phosphate or silicate based corrosion inhibitor at a concentration sufficient to maintain an effective residual concentration in all test tap samples.

(2) The system shall evaluate each of the corrosion control treatments using either pipe rig/loop tests, metal coupon tests, partial-system tests, or analyses based on documented analogous treatments with other systems of similar size, water chemistry and distribution system configuration. Systems are advised to consult the "Lead and Copper Rule Guidance Manual, Volume II, Corrosion Control Treatment," incorporated as a guideline under Rule 17-555.335(3), F.A.C., for additional information on evaluating corrosion control treatment.

(3) The system shall measure lead, copper and the water quality parameters listed in Rule 17-551.470(3)(a), F.A.C., in any tests conducted under this section before and after evaluating the corrosion control treatments listed above in

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subsection (1). A consecutive system shall also measure lead, copper and applicable water quality parameters at the entry points to its distribution system during any tests it conducts under this section.

(4) The system shall identify all chemical or physical constraints that limit or prohibit the use of a particular corrosion control treatment and document such constraints with at least one of the following:

(a) data and documentation showing that a particular corrosion control treatment has adversely affected other water treatment processes when used by another system with comparable water quality characteristics; or

(b) data and documentation demonstrating that the system has previously attempted to evaluate a particular corrosion control treatment and has found that the treatment is ineffective or adversely affects other water quality treatment processes.

(5) The system shall evaluate the effect of the chemicals used for corrosion control treatment on other water quality treatment processes.

(6) On the basis of an analysis of the data generated during each evaluation, the system shall recommend to the Department, in a written engineering report that is certified by a professional engineer registered in the State of Florida, the treatment option that the corrosion control studies indicate constitutes optimal corrosion control treatment for that system. The system shall provide a rationale for its recommendation along with all supporting documentation specified in subsections (1) through (5) above.

(7) All systems that have completed the corrosion control studies required under Rules 17-551.500(1) and 17-551.500(2), F.A.C., and that recommend the installation of additional treatment facilities or modifications to existing treatment facilities, shall submit an application for a permit to construct the recommended corrosion control treatment facility to the Department using Form 17-555.910(1).

(8) All systems that have completed the corrosion control studies required under Rules 17-551.500(1) and (2), F.A.C., and which recommend that their existing corrosion control treatment facility be deemed optimal shall submit a report summarizing their recommendation pursuant to subsection (6) above.

>
17-551.520 Approval of Corrosion Control Treatment.

(1) When approving a system's recommendation of optimal corrosion control, the Department shall either:

(a) Issue a construction permit, for which an application was submitted pursuant to Rules 17-551.510(7), and 17-4.070, F.A.C., to construct or modify a corrosion control treatment facility, based upon consideration of available information including:

1. the permit application, submitted by the system to describe its recommended treatment alternative,

2. the supporting studies performed under Section 17-551.510, F.A.C., and

3. that the recommended corrosion control treatment option is from among those listed in Rule 17-551.510(1), F.A.C., or

(b) Approve a system's recommendation in writing that it has optimized corrosion control pursuant to Rule 17-551.540(1)(c), F.A.C.

(2) If the Department denies a system's application for a permit to construct a corrosion control treatment facility or a system's recommendation that it has optimized corrosion control, the system shall recommend an alternative corrosion control treatment from among those listed in Rule 17-551.510(1), F.A.C., within 90 days after receipt of the Department's denial.

(3) Any permit issued under (1)(a) above shall constitute authority to construct a corrosion control treatment facility within a specified timeframe no later than 24 months.

>
17-551.530 Installation and Operation of Corrosion Control.

(1) Each system shall properly install and operate throughout its distribution system the optimal corrosion control treatment approved by the Department under Section 17-551.520, F.A.C.

(2) All systems shall maintain water quality parameter values at or above minimum values or within approved ranges in each sample collected. As specified in Rule 17-551.460(4), F.A.C., the system may take a confirmation sample.

(3) If the water quality parameter value of any sample is below the minimum value or outside the approved range, then the system is out of compliance with this subsection.

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(4) Within 36 months after installing corrosion control treatment, a system shall provide the Department a report explaining how corrosion control has been installed and how it is being maintained to ensure minimal lead and copper concentrations at consumers' taps. This report shall update the information submitted in the report prepared under Rule 17-551.510(6), F.A.C., to include the following additional information:

(a) the results of all additional test samples collected for each of the water quality parameters since the corrosion control treatment was installed,

(b) an update of any changes to the explanation of the test methods used by the system to evaluate the corrosion control treatments,

(c) the results of any other tests conducted,

(d) the basis for the system's evaluation of its corrosion control treatment as optimal,

(e) the results of tap samples collected at least once every six months for one year after corrosion control has been installed, and

(f) if warranted by the results of (d), an application for a permit to modify a corrosion control treatment facility using Form 17-555.910(1).

>

17-551.540 Optimization of Corrosion Control Treatment and Approval of Water Quality Parameters.

The Department shall evaluate the information submitted by the system under Rule 17-551.530(4), F.A.C., and determine whether the system has properly installed and operated the corrosion control treatment approved by the Department under Section 17-551.520, F.A.C.

(1) Any system shall be deemed to have optimized corrosion control and is not required to complete the applicable corrosion control treatment steps specified in Rule 17-551.320 or 17-551.330, F.A.C., if the system satisfies one of the following criteria:

(a) A small or medium system meets the lead and copper action levels during each of two consecutive six-month monitoring periods conducted in accordance with Rule 17-551.450(1)(c)2., F.A.C., and submits the test results to the Department.

(b) A system demonstrates for each of two consecutive

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six-month monitoring periods that the difference between the 90th percentile tap lead level computed under Section 17-551.310, F.A.C., and the highest source water lead concentration, is less than the Practical Quantitation Level for lead, which is 0.005 milligrams per liter.

(c) A system provides an affirmative written demonstration pursuant to Rule 17-551.530(4), F.A.C., that it has conducted activities equivalent to the corrosion control steps applicable to such system under this part.

(2) If the Department determines that a system has properly installed and operated corrosion control treatment, it shall notify the system in writing explaining the basis for its decision that the system has optimized its corrosion control treatment.

(3) The written notice shall specify which water quality control parameters and their levels or ranges that represent optimal corrosion control. This determination will be based upon a review of the results of lead and copper monitoring and water quality parameter monitoring by the system, both before and after the system installs optimal corrosion control treatment. The Department shall approve:

(a) a minimum value or range of values for pH at the entry point to the distribution system;

(b) a minimum pH value, measured in all tap samples. Such value shall be equal to or greater than 7.0, unless the Department, under Rule 17-551.520, F.A.C., approves a written request made by a system included as part of the report under Rule 17-551.510(6), or 17-551.530(4), F.A.C., that meeting a pH level of 7.0 is not technologically feasible or is not necessary for the system to optimize corrosion control;

(c) if a corrosion inhibitor is used, a minimum concentration or a range of concentrations for the inhibitor that the system demonstrates is necessary to form a passivating film on the interior walls of the pipes of the distribution system;

(d) if alkalinity is adjusted as part of optimal corrosion control treatment, a minimum concentration or a range of concentrations for alkalinity;

(e) if calcium carbonate stabilization is used as part of corrosion control, a minimum concentration or a range of concentrations for calcium.

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17-551.550 Reduction of Corrosion Control Treatment.

(1) Any small or medium system that must complete the corrosion control steps because it exceeds lead or copper action levels may stop implementing the treatment steps whenever the system meets both action levels during each of two consecutive monitoring periods conducted pursuant to Rule 17-551.450(1)(c)2., F.A.C., after it submits the results to the Department.

(2) If any such system thereafter exceeds the lead or copper action level during any monitoring period, the system shall recommence progress on the applicable treatment steps, beginning with the first treatment step which was not previously completed in its entirety.

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Part VI Source Water Monitoring and Treatment

>

17-551.600 Monitoring Requirements for Lead and Copper in Source Water.

(1) All systems, except consecutive systems, shall conduct source water monitoring for lead and copper in accordance with Rules 17-550.500, and 17-550.513, and 17-550.520, F.A.C.

(2) Any system which exceeds the lead or copper action level on the basis of samples collected in accordance with Rule 17-551.450(1), F.A.C., shall collect one sample from each entry point to the distribution system within six months after exceeding the action level. A consecutive system may use the results of sampling performed under this subsection by its primary system to demonstrate compliance with this requirement.

(3) Any system which installs source water treatment pursuant to Rule 17-551.610(2), F.A.C., shall collect an additional sample from each entry point to the distribution system during two consecutive six-month monitoring periods after treatment is installed.

(4) A system shall monitor at the frequency specified below in cases where the Department specifies maximum permissible lead and copper concentrations for finished water pursuant to Rule 17-551.610(4), F.A.C., or determines that the system is not required to install source water treatment pursuant to Rule 17-551.610(1)(c), F.A.C.

(a) A water system using only ground water shall monitor for lead once during each three-year compliance period as specified in Rules 17-550.500 and 17-550.513, F.A.C., and shall monitor for copper once during each three-year

compliance period as specified in Rules 17-550.500 and 17-550.520, F.A.C.

(b) A water system using surface water or a combination of surface and ground water shall monitor for lead annually as specified in Rules 17-550.500 and 17-550.513, F.A.C. and shall monitor for copper annually.

(5) Source water samples may be composited pursuant to Rule 17-550.550, F.A.C.

>

17-551.610 Source Water Treatment Installation.

(1) Within six months after exceeding 0.005 milligram per liter for lead or 1.0 milligram per liter for copper in any samples taken under Rule 17-551.600(2), F.A.C., a system shall submit to the Department a written engineering report certified by a professional engineer registered in the State of Florida.

(a) The report prepared under (1) shall recommend the installation and operation of source water treatment from among ion exchange, reverse osmosis, lime softening or coagulation/filtration and also shall recommend the maximum level for lead in accordance with subsection (4) below, or may recommend that no treatment be installed to remove lead below 0.015 milligrams per liter based upon a demonstration that source water treatment is not necessary to minimize lead levels at users' taps.

(b) Any recommendation made under (a) shall be based on an evaluation of the results of all source water samples submitted by the system or taken by the Department.

(c) If the Department requests additional information to aid in its review of the system's recommendation, the system shall provide the information within 30 days. The Department shall notify the system in writing of its determination and set forth the basis for its decision.

(d) After providing a written notice to the Department, a system may elect to have the study required under this subsection incorporated into the corrosion control study required under Rule 17-551.320(2) or 17-551.330(3), F.A.C.

(2) If the Department determines, based on a review of the information submitted under (1) above, that treatment is needed, the system shall submit, within six months after the determination, an application for a permit to construct the approved source water treatment using Form 17-555.910(1).

(3) The Department shall take final action on such permit

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pursuant to Rule 17-555.530, F.A.C. The system shall install the treatment within 24 months after notification, under (2) above, by the Department.

(4) The Department shall review the source water samples taken by the system both before and after the system installs source water treatment and shall determine whether the system has properly installed and operated the source water treatment. Based upon its review, the Department shall approve maximum permissible lead and copper concentrations for finished water entering the distribution system. The maximum permissible lead concentration for finished water shall be equal to or less than 0.015 milligrams per liter and shall reflect the contaminant removal capability of the treatment properly operated and maintained, and the maximum permissible copper concentration for finished water shall be equal to 1 milligram per liter. The Department shall notify the system in writing and explain the basis for its decision.

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17-551.620 Operation and Monitoring after Installation of Source Water Treatment.

The terms, conditions, requirements, limitations, and restrictions set forth in this section are conditions that apply to the operation and monitoring of source water treatment after its installation.

(1) The system shall complete follow-up tap monitoring pursuant to Rule 17-551.450(2), F.A.C., and source water monitoring pursuant to Rule 17-551.600(2), F.A.C., within 36 months after notification by the Department to install source water treatment.

(2) The system shall operate source water treatment facilities to not exceed maximum permissible source water levels within 6 months after completion.

(3) The system shall operate in compliance with the maximum permissible lead and copper source water levels and continue source water monitoring pursuant to Rule 17-551.600(3), F.A.C.

(4) Each system shall maintain lead and copper levels below the maximum permissible concentrations approved by the Department at each sampling point monitored in accordance with Rule 17-551.600(3), F.A.C. The system is out of compliance if the level of lead or copper at any sampling point is greater than the maximum permissible concentration.

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Part VII Lead Service Line Replacement

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17-551.700 Lead Service Line Replacement Requirements.

(1) Systems that fail to meet the lead action level in tap samples taken after installing corrosion control and applicable source water treatment, whichever comes later, shall replace lead service lines in accordance with the requirements of this part. If a system is in violation of either Rule 17-551.530, F.A.C., or 17-551.610(3), F.A.C., for failure to install timely corrosion control or source water treatment, the system shall commence lead service line replacement.

(2) The system shall identify the initial number of lead service lines in its distribution system based upon a materials survey made pursuant to Section 17-551.420, F.A.C. The initial number of lead service lines is the number of lead lines in place at the time the replacement program begins.

(3) A system is required to replace an individual lead service line if the lead concentration in any service line samples from that line, taken pursuant to Rule 17-551.430(5), F.A.C., is greater than 0.015 milligrams per liter.

(4) A system shall replace the entire service line up to the building inlet unless it demonstrates pursuant to Rule 17-551.930(4), F.A.C., that it legally controls less than the entire service line. In such cases, the system shall replace the portion of the line which is under the system's control. The system shall notify the user served by the line that the system will replace the portion of the service line under its control and shall offer to replace the building owner's portion of the line, but is not required to bear the cost of replacing the building owner's portion of the line. For buildings where only a portion of the lead service line is replaced, the system shall inform the residents in writing that the system will collect a service line sample after partial replacement of the service line is completed if any resident so desires. In cases where the residents accept the offer, the system shall collect the sample and report the results to the residents within 14 days following partial lead service line replacement. For purposes of this chapter, the building inlet is considered to be that point on a line that is 5 feet horizontally distant from the outside face of the building that intersects the service line.

(5) Prior to the replacement of a lead service line, a system shall submit a replacement schedule to the Department, using Form 17-551.950(4).

17-551.710 Lead Service Line Replacement Schedule.

(1) The first year of lead service line replacement shall begin on the date the action level was exceeded in tap sampling

taken pursuant to Rule 17-551.450(2), F.A.C., or Rule 17-551.450(3), F.A.C., whichever comes later.

(2) A system shall replace annually at least 15 lead service lines or 10 percent of the initial number of lead service lines in its distribution system, whichever is greater.

(3) A system with less than 150 service connections may schedule replacement of its total number of lead service lines over a three-year period in cases where subsection (2) above requires that its total number of lead service lines be replaced in less than three years.

(4) Any system may cease replacing lead service lines whenever first draw samples collected pursuant to Rule 17-551.450(4), F.A.C., meet the lead action level during each of the most recent two consecutive monitoring periods.

(5) If first draw tap samples collected in any such system thereafter exceed the lead action level, the system shall recommence replacing lead service lines.

(6) To demonstrate compliance with the requirements of this part, a system shall report to the Department the information specified in Section 17-551.930, F.A.C.

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Part VIII Public Education Requirements

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17-551.800 Public Education Requirements.

All community systems shall comply with the notification requirements of Rule 17-551.810(2), F.A.C. All non-transient non-community systems shall comply with the public education requirements of Rule 17-551.820(1)(a), F.A.C. A community system or a non-transient non-community system that exceeds the lead action level based on tap samples collected in accordance with Section 17-551.450, F.A.C., shall provide the public education program outlined in Section 17-551.810, or .820, F.A.C., respectively.

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17-551.810 Delivery of a Public Education Program by Community Public Water Systems.

(1) In communities where a significant proportion of the population speaks a language other than English, public education materials shall be communicated in English and the other appropriate languages.

(2) A system shall, within 60 days of exceeding the lead action level do all of the following:

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(a) Insert notices in each customer's water utility bill containing the information in Section 17-551.830, F.A.C., along with the following alert on the water bill itself in large print: "SOME HOMES IN THIS COMMUNITY HAVE ELEVATED LEAD LEVELS IN THEIR DRINKING WATER. LEAD CAN POSE A SIGNIFICANT RISK TO YOUR HEALTH. PLEASE READ THE ENCLOSED NOTICE FOR FURTHER INFORMATION."

(b) Submit the information in Section 17-551.830, F.A.C., to the editorial departments of the major daily and weekly newspapers circulated throughout the community.

(c) Deliver pamphlets or brochures that contain the public education materials in Section 17-551.830, F.A.C., to facilities and organizations, including the following:

1. public schools and their local school boards,
2. private schools and day care facilities;
3. city or county health department;
4. Women, Infants, and Children (WIC) and Head Start Program(s);
5. public and private hospitals and clinics;
6. pediatricians;
7. family planning clinics;
8. local welfare agencies; and
9. libraries.

(d) Submit the public service announcement in Section 17-551.840, F.A.C., to at least five of the total number of radio and television stations with the largest audiences that broadcast to the community served by the system.

(3) A system shall repeat the tasks contained in paragraphs (2)(a), (b) and (c) of this section every 12 months, and the task contained in paragraph (2)(d) of this section every 6 months for as long as the system exceeds the lead action level.

(4) A system may discontinue delivery of public education materials if the system has met the lead action level during the most recent six-month monitoring period. Such a system shall recommence public education in accordance with this section if it subsequently exceeds the lead action level during any monitoring period.

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**17-551.820 Delivery of a Public Education Program by
Non-Transient Non-Community Systems.**

(1) Within 60 days after it exceeds the lead action level, a non-transient non-community water system shall deliver the public education materials contained in Section 17-551.830, F.A.C., as follows:

(a) Post informational posters, no smaller than 8 " by 11" with 10 point or larger print, on lead in drinking water including the results of any tap samples for lead that exceed the action level, in a public place or common area in each of the buildings served by the system; and

(b) Distribute informational pamphlets or brochures on lead in drinking water to each person served by the non-transient non-community water system.

(2) A system shall repeat the tasks contained in this section at least once during each calendar year in which the system exceeds the lead action level and send written documentation using Form 17-551.950(6) to the Department within 90 days after it exceeds the action level. Such documentation shall clearly detail how this information was distributed and shall include a copy of the notice. The Department shall notify the system in writing if it determines that the system is not in compliance with the requirements of subsection (1) above and Rule 17-551.830, F.A.C.

(3) A system may discontinue delivery of public education materials if the system has met the lead action level during the most recent six-month monitoring period conducted pursuant to Section 17-551.450, F.A.C. Such a system shall recommence public education in accordance with this section if it subsequently exceeds the lead action level during any monitoring period.

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17-551.830 Content of Written Materials.

A system shall include the text found in the Department's pamphlet, "Public Education Materials for the Control of Lead and Copper," 1992, and shall be included in all of the printed materials a system distributes through its lead public education program. This pamphlet is hereby adopted by reference. Copies of this document may be obtained from the Department or a county public health unit. Any additional information presented by a system shall be consistent with the information in the pamphlet and be in language that can be understood by lay persons.

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17-551.840 Content of Broadcast Materials.

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A system shall include the following text in all public service announcements submitted under its lead public education program to television and radio stations for broadcasting:

(1) "Why should everyone want to know the facts about lead and drinking water? Because unhealthy amounts of lead can enter drinking water through the plumbing in your home. That's why I urge you to do what I did. I had my water tested for (insert free or \$ per sample). You can contact the (insert the name of the city or water system) for information on testing and on simple ways to reduce your exposure to lead in drinking water."

(2) "To have your water tested for lead, or to get more information about this public health concern, please call (insert the phone number of the city water system)."

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17-551.850 Supplemental Monitoring and Notification of Results.

(1) A system that fails to meet the lead action level on the basis of tap samples collected in accordance with Section 17-551.450, F.A.C., shall offer to arrange for the sampling of the tap water of any customer who requests it.

(2) The system is not required to collect and analyze the sample itself, nor to pay for collecting or analyzing the sample.

(3) All systems shall, within 60 days, notify the customer by letter when results of routine or supplemental tap monitoring for lead or copper exceed the action level at that customer's tap. The letter shall include a copy of the testing results. Systems may include additional language to explain the results and educate the customer.

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Part IX Reporting Requirements and Instructions

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17-551.900 Reporting Requirements for Tap Monitoring for Lead and Copper and for Water Quality Parameter Monitoring.
All systems shall report all of the following information to the Department. All lead and copper levels measured between the practical quantitation level and the method detection limit must be either reported as measured or they can be reported as one-half the practical quantitation level (0.0025 milligrams per liter for lead and 0.025 milligrams per liter for copper). All lead and copper levels below the respective method detection limit must be reported as zero.

(1) A system shall submit a Lead and Copper Tap Sampling Plan to the Department for review 30 days prior to the applicable date

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for the start of initial sampling. A system shall summarize its sampling plan, records review and materials survey using Form 17-551.950(1). Each system which does not complete its targeted sampling pool with tier 1 sampling sites meeting the criteria in Rule 17-551.410(2)(a), (b), or (c), F.A.C., shall fill out the information summary specified in Part VII of Form 17-551.950(1), justifying its selection of tier 2, tier 3 or tier 4 sampling sites as specified in Rule 17-551.410(4), F.A.C.

(2) A system shall submit a Water Quality Parameter Sampling Plan for source water and its distribution system 30 days prior to initial sampling using Parts V and VI of Form 17-551.950(1), together with a written narrative in support of its plan in accordance with Section 17-551.460, F.A.C.

(3) A system shall report the information specified below for all tap samples within the first 10 days following the end of each applicable monitoring period: every six-months, annually, or every 3 years.

(a) The results of all tap samples for lead and copper in a format specified in Rule 17-551.951(1), F.A.C.

(b) If a system reports less than the minimum number of samples required in Rule 17-551.540(3), F.A.C., it must certify in writing that it has sampled all available taps.

(c) A certification, using Form 17-551.950(2), that each first draw sample collected by the system was one-liter in volume and, to the best of their knowledge, stood motionless in the service line, or in the interior plumbing of a sampling site, for a least six hours.

(d) Where residents collected samples, a certification, using Form 17-551.950(3), that each tap sample collected by the residents was taken after the system informed them of proper sampling procedures specified in Rules 17-551.430(1), through (5), F.A.C.

(e) Using the format specified in Rule 17-551.951(1), F.A.C., the 90th percentile lead and copper concentrations measured from among all lead and copper tap samples collected during each monitoring period, calculated in accordance with Section 17-551.310, F.A.C.

(f) With the exception of initial tap sampling for lead and copper, the system shall identify any site which was not sampled during previous monitoring periods, and include an explanation of why sampling sites have changed.

(g) Using a format specified in Rule 17-551.951(3), F.A.C., the results of all tap and entry point samples for

pH, and where applicable, alkalinity, calcium, conductivity, temperature, and orthophosphate or silica collected as required by Section 17-551.470, F.A.C.

(4) By the applicable date in Rule 17-551.450(1)(a), F.A.C., for commencement of monitoring, each system with lead service lines that is not able to locate the number of sites served by such lines shall send a letter to the Department demonstrating why it was unable to locate a sufficient number of such sites based upon searching for the information listed in Rule 17-551.420(2), F.A.C.

(5) Each system requesting a reduction in the number and frequency of sampling shall provide the information required by Rule 17-551.450(5), F.A.C.

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17-551.910 Source Water Monitoring and Treatment Reporting Requirements.

(1) A system shall report the sampling results for all source water samples collected in accordance with Section 17-551.600, F.A.C., within the first 10 days following the end of each source water monitoring period: annually or per compliance period. Samples taken pursuant to Rules 17-551.600(2), and (3), shall be reported using the format specified in Rule 17-551.951(2), F.A.C.

(2) With the exception of the first round of source water sampling conducted pursuant to Rule 17-551.600(2), F.A.C., the system shall specify any site which was not sampled during previous monitoring periods, and include an explanation of why the sampling point has changed.

(3) Source water treatment reporting requirements. By the applicable dates in Rule 17-551.610(1), F.A.C., systems shall provide the following information to the Department:

(a) if required by Rule 17-551.610(2), F.A.C., their recommendation regarding source water treatment;

(b) for systems required to install source water treatment by Rule 17-551.610 F.A.C., a letter certifying that the system has completed installing the treatment approved by the Department within 24 months after the Department approves the treatment.

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17-551.920 Corrosion Control Treatment Reporting Requirements. By the applicable dates specified in Rules 17-551.320(2), and 17-551.330(3), F.A.C., systems shall report the following information:

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(1) for systems demonstrating that they have already optimized corrosion control, information required in Rule 17-551.510(8), F.A.C.

(2) for systems required to optimize corrosion control, their recommendation regarding optimal corrosion control treatment required by Rule 17-551.510(7), F.A.C.

(3) for systems required to evaluate the effectiveness of corrosion control treatment, the information required by Rule 17-551.540(1), F.A.C.

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17-551.930 Lead Service Line Replacement Reporting Requirements.

Systems shall report the following to the Department to demonstrate compliance with Section 17-551.700, F.A.C.:

(1) Within 12 months after a system exceeds the lead action level in the tap sampling taken pursuant to Rule 17-551.450(2), or Rule 17-551.450(3), F.A.C., whichever comes later, it shall provide the Department with a written report, using Form 17-551.950(5), that identifies the lead service lines replaced in the previous 12 months and a schedule for continuing to replace lead service lines in compliance with Rules 17-551.710(2) or (3), F.A.C.

(2) Within 12 months after a system exceeds the lead action level in sampling referred to in Rule 17-551.450(2), F.A.C., or Rule 17-551.450(3), F.A.C., whichever comes later, and every 12 months thereafter, the system shall demonstrate to the Department in writing, using Form 17-551.950(5), that the system has either:

(a) during the previous 12 months, replaced lead service lines in compliance with the schedule prepared pursuant to Rule 17-551.710(2), or (3), F.A.C., or

(b) conducted sampling which demonstrates that the lead concentration in all service line samples from an individual line(s), taken pursuant to Rule 17-551.430(5), F.A.C., is less than or equal to 0.015 milligrams per liter.

(3) The annual letter submitted to the Department under subsection (2) shall contain the following information:

(a) the number of lead service lines scheduled to be replaced during the previous year of the system's replacement schedule;

(b) the number and location of each lead service line

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replaced during the previous year of the system's replacement schedule;

(c) if measured, the lead concentration in the water and location of each lead service line sampled, the sampling method, and the date of sampling.

(4) As soon as practicable, but in no case later than three months after a system exceeds the lead action level in sampling referred to in Rule 17-551.450(2), or Rule 17-551.450(3), F.A.C., whichever comes later, any system seeking to rebut the presumption that it has control over the entire lead service line shall submit a letter to the Department describing the legal authority (e.g., state statutes, municipal ordinances, public service contracts or other applicable legal authority) which limits the system's control over the service lines and the extent of the system's control. The Department shall review the information supplied by the system and shall determine whether the system controls less than the entire service line. The Department's determination shall be in writing and shall explain the basis for its decision. A water system is considered to control the entire lead service line up to the building inlet if the system has control over the entire line, which is shown by any of the following: authority to set standards for construction, repair, or maintenance of the line; authority to replace, repair, or maintain the line; or ownership of the line.

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17-551.940 Public Education Program Reporting Requirements.

(1) By December 31st of each year, a system that is subject to the public education requirements in Rule 17-551.800, F.A.C., shall submit a letter, using Form 17-551.950(6), to the Department demonstrating that the system has delivered the public education materials that meet the content requirements in Sections 17-551.830 and 17-551.840, F.A.C., and the delivery requirements in Section 17-551.810, F.A.C. This information shall include a list of all the newspapers, radio stations, television stations, facilities and organizations to which the system delivered public education materials during the previous year. The system shall submit the letter required by this subsection annually for as long as it exceeds the lead or copper action levels.

(2) Reporting of additional monitoring data. A system which collects sampling data in addition to that required by this chapter shall report the results, using the format specified in Rule 17-551.951(1), F.A.C., to the Department by the end of the applicable monitoring periods during which the samples are collected.

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