

FACILITY FILE: CITRUS COUNTY  
CITRUS COUNTY CENTRAL  
LANDFILL  
EXPANSION

STATE OF FLORIDA  
DEPARTMENT OF ENVIRONMENTAL REGULATION

In the Matter of an  
Application for Permit by

DER File No. SC09-155514

Mr. James Barker  
Department of Technical Services  
Citrus County  
1300 South Lecanto Highway  
Lecanto, Florida 32661

WACS ID # 39859  
4009C00086

INTENT TO ISSUE

The Department of Environmental Regulation hereby gives notice of its Intent to Issue a construction permit (copy attached) for the proposed project as detailed in the application specified above. The Division is issuing this Intent to Issue for the reasons stated below.

The applicant, Mr. James Barker and Citrus County Department of Technical Services, applied on September 30, 1988, to the Department of Environmental Regulation for a permit to construct a solid waste Class I sanitary landfill (approximately 80 acres), referred to as Citrus County Central Class I Sanitary Landfill expansion, subject to the specific conditions attached, for disposal of solid waste and leachate treatment and disposal, near S.R. 44, 3 miles east of Lecanto, Citrus County, Florida.

The Department has permitting jurisdiction under 403.861, Florida Statutes, and Rules 17-4.070 and 17-7.030, Florida

APR 14 1989

EA, SOLID WASTE

Administrative Code (F.A.C.). The project is not exempt from permitting procedures. The Department has determined that a construction permit is required for the proposed work.

The Department intends to issue this permit based on its belief that reasonable assurances have been provided to indicate that the proposed project will not adversely impact water quality and the proposed project will comply with the appropriate provisions of Chapters 17-3, 17-4, 17-7, and 17-25, subject to the specific conditions attached in the permit.

Pursuant to Section 403.815, F.S. and DER Rule 17-103.150, F.A.C., you (the applicant) are required to publish at your own expense the enclosed Notice of Proposed Agency Action on permit application. The notice must be published one time only in a section of a major local newspaper of general circulation in the county in which the project is located and within thirty (30) days from receipt of this intent. Proof of publication must be provided to the Department within seven days of publication of the notice. Failure to publish the notice and provide proof of publication within the allotted time may result in the denial of the permit.

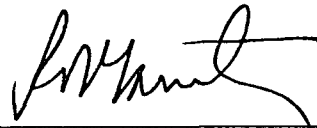
The Department will issue the permit with the attached conditions unless petition for an administrative proceeding (hearing) is filed pursuant to the provisions of Section 120.57, F.S. A person whose substantial interests are affected by the Department's proposed permitting decision may petition for an administrative proceeding (hearing) in accordance with Section 120.57, Florida Statutes. Petitions must comply with

the requirements of Florida Administrative Code Rule 17-103.155 and 28-5.201 (copies enclosed) and be filed with (received by) the Office of General Counsel of the Department at 2600 Blair Stone Road, Tallahassee, Florida 32399-2400. Petitions filed by the permit applicant must be filed within fourteen (14) days of receipt of this intent. Petitions filed by other persons must be filed within fourteen (14) days of publication of the public notice or within fourteen (14) days of receipt of this intent, whichever first occurs. 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, Florida Statutes, concerning the subject permit application. Petitions which are not filed in accordance with the above provisions will be dismissed.

Executed in Tampa, Florida.

Issued this 11 day of April, 1989

STATE OF FLORIDA DEPARTMENT  
OF ENVIRONMENTAL REGULATION



Richard D. Garrity, Ph.D.  
Deputy Assistant Secretary  
Department of Environmental  
Regulation  
4520 Oak Fair Boulevard  
Tampa, Florida 33610-7347

Attachment

cc: Richard Donelan, OGC, Tallahassee  
John Reese, DER Tallahassee  
Tamir Ilan, P.E., P.B.S.J.

REC

APR 14 1989

EA, SOLID WASTE

CERTIFICATE OF SERVICE

The undersigned duly designated deputy Clerk hereby certifies that this NOTICE OF INTENT TO ISSUE and all copies were mailed before the close of business on 4-12-89 to the listed persons.

FILING AND ACKNOWLEDGEMENT  
FILED, on this date, pursuant to  
§120.52(10), Florida Statutes, with  
the designated Department Clerk,  
receipt of which is hereby  
acknowledged.

Anna Black  
Clerk

4-12-89  
Date

RULES OF THE ADMINISTRATION COMMISSION, MODEL RULES OF PROCEDURE  
CHAPTER 28-5, DECISIONS DETERMINING SUBSTANTIAL INTERESTS  
PART II, FORMAL HEARINGS  
A) PREHEARING PROCEDURES

28-5.201 Initiation of Formal Proceedings.

(1) Initiation of formal proceedings shall be made by petition to the Agency responsible for rendering final Agency action. The term petition as used herein includes any application or other document which expresses a request for formal proceedings. Each petition should be printed, typewritten or otherwise duplicated in legible form on white paper of standard legal size. Unless printed, the impression shall be on one side of the paper only and lines shall be double-spaced and indented.

(2) All petitions filed under these rules should contain:

(a) The name and address of each Agency affected and each Agency's file or identification number, if known;

(b) The name and address of the petitioner or petitioners, and an explanation of how his/her substantial interests will be affected by the Agency determination;

(c) A statement of when and how petitioner received notice of the Agency decision of intent to render a decision;

(d) A statement of all disputed issues of material fact. If there are none, the petition must so indicate;

(e) A concise statement of the ultimate facts alleged, as well as the rules and statutes which entitle the petitioner to relief;

(f) A demand for relief to which the petitioner deems himself entitled; and

(g) Other information which the petitioner contends is material.

(3) Upon receipt of a petition for formal proceedings, the Agency shall either accept or deny the petition, and if accepted shall elect either to conduct the hearing itself through the Agency head, or member thereof, assign a person authorized by Subsection 120.57(1)(a) or other authority, or request that a Hearing Officer from the Division of Administrative Hearings be assigned to conduct the hearing.

(a) A petition may be denied if the petitioner does not state adequately a material factual allegation, such as a substantial interest in the Agency determination, or if the petition is untimely.

(b) The Agency shall promptly give written notice to all parties of the action taken on the petition, and shall state with particularity its reasons therefor.

(4) If the Agency elects to request that a Hearing Officer of the Division of Administrative Hearings be assigned to conduct the hearing, the Agency shall forward the petition, and all materials filed with the Agency, to the Division of Administrative hearings, and shall notify all parties of its action.

Specific Authority: 120.53(1), 120.54(10), F.S.  
Law Implemented: 120.57, F.S.  
History: New 3-23-80

Section 17-103.155, Florida Administrative Code  
Rules of Administrative Procedure  
Final Agency Action (Non-Rulemaking) and Appeal

17-103.155 Petition for Administrative Hearing; Waiver of Right to Administrative Proceeding.

(1)(a) Any person whose substantial interests may be affected by proposed or final agency action by the Department may file a petition for formal administrative hearing in accordance with this rule if the person disputes the material facts upon which the Department's action is based.

(b) Any person whose substantial interests may be affected by proposed or final action by the Department may file a petition for informal administrative hearing in accordance with this rule if the person objects to the Department's action but does not dispute the material facts upon which the Department's action is based.

(2) A petition for formal or informal administrative hearing pursuant to Section 120.57, F.S., shall contain the following information:

(a) The name, address, and telephone number of each petitioner. If the petitioner challenges a Department action or proposed action on a permit application, the applicant's name and address, the Department Permit File Number and the county in which the project is proposed shall also be included;

(b) A statement of how and when each petitioner received notices of the Department 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 those material facts (i.e., those facts upon which the Department's action or proposal is based) is disputed by petitioner. If no facts are disputed, petitioner shall so state;

(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;

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

(3)(a) A petition shall be in the form required by this rule and must be filed (received) in the Office of General Counsel of the Department within the following number of days after receipt or publication (whichever occurs first) of notice of proposed agency action or of notice of agency action:

1. Petitions concerning Department action or proposed action on applications for permits (except permits for hazardous waste facilities): 14 days;

2. Petitions concerning Department action or proposed action on applications for hazardous waste facility permits: 45 days;

3. Petitions concerning notices of violation when no informal conference is held: 20 days after receipt of the notice of violation;

4. Petitions concerning notices of violation when an informal conference is held: 10 days after receipt of notice of completion of the informal conference;

5. Petitions concerning other Department actions or proposed actions: 21 days. The petitioner shall also serve a copy of the petition on all other parties to the proceeding, as identified in the published notice, at the time of filing.

(b) Failure to timely file a petition within the applicable time period after receipt of notice of agency action or receipt of notice of proposed agency action, whichever notice first occurs, shall constitute a waiver if any right to request an administrative proceeding under Chapter 120, F.S.

(4) If a petition is filed that does not substantially comply with the requirements of subsection (2) of this rule, the Department shall issue an order dismissing the petition with leave to file an amended petition complying with the requirements of this rule within 15 days of service of the order. If an amended petition complying with this rule is not filed (received) within 15 days of service of the order, the petitioner's right to a proceeding under Section 120.57, F.S., is waived.

(5) When there has been no publication of notice of agency action or notice of proposed agency action as prescribed in Rule 17-103.150, F.A.C., a person who has actual knowledge of the agency action or has knowledge which would lead a reasonable person to conclude that the Department has taken final agency action, has a duty to make further inquiry within 14 days of obtaining such knowledge by contacting the Department to ascertain whether action has occurred. The Department shall upon receipt of such an inquiry, if agency action has occurred, promptly provide the person with notice as prescribed by Rule 17-103.150, F.A.C. Failure of the person to make inquiry with the Department within 14 days after obtaining such knowledge may stop the person from obtaining an administrative proceeding on the agency action.

(6)(a) "Receipt of notice of agency action" means receipt of written notice of final agency action, as prescribed by Department rule, or the publication, pursuant to Department rule, of notice of final agency action, whichever first occurs.

(b) "Receipt of notice of proposed agency action" means receipt of written notice (such as a letter of intent) that the Department proposes to take certain action, or the publication pursuant to Department rule of notice of proposed agency action, whichever first occurs.

(7) Notwithstanding any other provision in this Chapter, should a substantially affected person who fails to timely request a hearing under Section 120.57, F.S., administratively appeal the final Department action or order, the record on appeal shall be limited to:

(a) the application and accompanying documentation submitted by the applicant prior to the issuance of the agency's intent to issue or deny the requested permit;

(b) the materials and information relied upon by the agency in determining the final agency action or order;

(c) any notices issued or published; and

(d) the final agency action or order entered concerning the permit application.

(8) In such cases where persons do not timely exercise their rights accorded by Section 120.57(1), Florida Statutes, the allegations of fact contained in or incorporated by the final agency action shall be deemed uncontested and true, and appellants may not dispute the truth of such allegations upon subsequent appeal.

(9) Any applicant may challenge the Department's request for additional information by filing with the Office of General Counsel an appropriate petition for administrative proceeding pursuant to Section 120.60, F.S., following receipt by the applicant of the Department's notification pursuant to Section 403.0876, F.S., that additional information is required.

Specific Authority: 120.53, 403.0876, 403.815, F.S.

Law Implemented: 120.53, F.S.

History: New 9-20-79; Amended 4-28-81; Transferred from 17-1.62 and Amended 6-1-84; Amended 10-19-88.

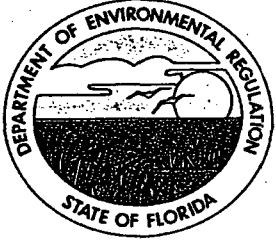
State of Florida  
Department of Environmental Regulation  
Notice of Proposed Agency Action on Permit Application

The Department gives notice of its intent issue a permit to Mr. James Barker and Citrus County Department of Technical Services to construct a solid waste Class I sanitary landfill (approximately 80 acres), referred to as Citrus County Central Class I Sanitary Landfill Expansion, subject to the specific conditions attached, for disposal of solid waste and leachate treatment and disposal, near S.R. 44, 3 miles east of Lecanto, Citrus County, Florida.

Persons whose substantial interests are affected by the Department's proposed permitting decision may petition for an administrative proceeding (hearing) in accordance with Section 120.57, Florida Statutes. The petition must conform to the requirements of Chapters 17-103 and 28-5, Florida Administrative Code, and must be filed (received) in the Office of General Counsel of the Department at 2600 Blair Stone Road, Twin Towers Office Building, Tallahassee, Florida 32399-2400, within fourteen (14) days of publication of this notice. Failure to file a request for hearing within this time period shall constitute a waiver any right such person may have to request an administrative determination (hearing) under Section 120.57, Florida Statutes.

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 preliminary statement. Therefore, persons who may not object to the proposed agency action may wish to intervene in the proceeding. A petition for intervention must be filed pursuant to Model Rule 28-5.207 at least five (5) days before the final hearing and be filed with the hearing officer if one has been assigned at the Division of Administrative Hearings, Department of Administration, 2009 Apalachee Parkway, Tallahassee, Florida 32301. If no hearing officer has been assigned, the petition is to be filed with the Department's Office of General Counsel, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400. Failure to petition to intervene within the allowed time frame constitutes a waiver of any right such person has to request a hearing under Section 120.57, Florida Statutes.

The application is available for public inspection during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at 4520 Oak Fair Boulevard, Tampa, Florida 33610-7347.



# Florida Department of Environmental Regulation

Southwest District • 4520 Oak Fair Boulevard • Tampa, Florida 33610-7347 • 813-623-5561

Bob Martinez, Governor

Dale Twachtmann, Secretary

John Shearer, Assistant Secretary

Dr. Richard Garrity, Deputy Assistant Secretary

## PERMITTEE

Mr. James Barker  
Department of Technical Services  
Citrus County  
1300 South Lecanto Highway  
Lecanto, Florida 32661

**DRAFT**

## PERMIT/CERTIFICATION

GMS ID No: 4009C00086  
Permit No: SC09-155514  
Date of Issue:  
Expiration Date: 6/1/91  
County: Citrus  
Lat/Long: 28°51'  
82°26'  
Sec/Town/Rge: 1/19S/18E  
Project: Citrus County  
Central Class I  
Sanitary Landfill  
Expansion

This permit is issued under the provisions of Chapter 403, Florida Statutes, and Florida Administrative Code Rule(s) 17-3, 17-4, 17-7 and 17-25. The above named permittee is hereby authorized to perform the work or operate the facility shown on the application and approved drawing(s), plans, and other documents, attached hereto or on file with department and made a part hereof and specifically described as follows:

To construct a solid waste Class I sanitary landfill (approximately 80 acres), referred to as Citrus County Central Class I Sanitary Landfill Expansion, subject to the specific conditions attached, for disposal of solid waste and leachate treatment and disposal, near S.R. 44, 3 miles east of Lecanto, Citrus County, Florida.

Replaces Permit No.: (new)





SPECIFIC CONDITIONS (cont'd)

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7. Stormwater or other surface water which comes into contact with the solid waste or mixed with leachate shall be considered leachate, and shall be treated to meet applicable standards of Florida Administrative Code Rules 17-3, 17-4, and 17-6 at the point of discharge.

8. At least 30 days prior to performance of any sampling or analysis as required by this permit, a specific Permit Quality Assurance Plan shall be submitted to and approved by the Quality Assurance Section of the Department. The plan shall be required from all persons performing sampling or analysis, and shall be prepared in accordance with requirements described in "DER Guidelines for Preparing Quality Assurance Plans, DER-QA-001/85", and shall be followed by all persons collecting or analyzing samples related to this permit.

9. Evidence of methane gas buildup or migration may necessitate installation of measures to control such buildup and/or migration in addition to those proposed.

10. An adequate Quality Control Plan shall be submitted to the Department, C/O Solid Waste Section, Southwest District Office, 30 days prior to liner installation/construction. The Quality Control Plan shall include installation/construction personnel, all specifications and construction methods and liner testing procedures and sampling frequency. The liner material proposed for use shall be completely described. Laying of the liner shall comply with specific standards that are fully defined in the Quality Control Plan. An acceptable method of testing for pinholes and method for removing or patching pinholes and defective areas shall be completely described. Sampling and testing shall be conducted in the field during construction and after completion by qualified personnel under the direction of the professional engineer in charge to assure the liner will meet the performance standards.

11. At least 30 days prior to liner installation/construction, the permittee shall submit a construction schedule or chart to include the following activities.

- A. Beginning of liner installation/construction.
- B. Completion of liner installation/construction.
- C. Beginning of leachate collection/removal system construction.
- D. Completion of leachate collection/removal system construction.
- E. Beginning of leachate treatment/disposal system construction.
- F. Completion of leachate treatment/disposal system construction.





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SPECIFIC CONDITIONS (cont'd)

15. After all significant initial construction of each new section or phase of the facility has been completed and prior to operation or acceptance of any solid waste, the engineer or the authorized public officer shall complete an Application to Operate Only Resource Recovery and Management Facility-Certification of Construction Completion, Department Form 17-7.130(2). Any construction not previously approved as part of this permit shall require a modification of this permit or a new construction permit.

16. Prior to sixty days before the expiration of the Department Permit, the permittee shall apply for a renewal of a permit on forms and in a manner prescribed by the Department, in order to assure conformance with all applicable Department rules.

17. At least 90 days prior to the date when wastes will no longer be accepted for active portions of the landfill, the landfill owner or operator shall submit a closure permit application to the Department. The final cover shall be placed over the entire surface of each completed portion of the filled areas within 180 days after final waste deposit date.

18. In accordance with Chapter 17-28, Florida Administrative Code (F.A.C.), the Groundwater Monitoring System shall be constructed and sampled by the permittee no later than sixty (60) days prior to use of the new facility.

19. The Groundwater Monitoring System shall be designed and constructed by the permittee in accordance with the report submitted on September 30, 1988 by P.B.S.J.

20. The groundwater monitoring wells shall be located as per Figure 5 of report submitted on September 30, 1988 by P.B.S.J., as follows:

<u>Well Number</u>	<u>Aquifer</u>	<u>Location</u>
MW-1	Floridan	see referenced drawing
MW-2	Floridan	see referenced drawing
MW-3	Floridan (background)	see referenced drawing
MW-B	Floridan	see referenced drawing

All wells are to be clearly labelled and easily visible at all times.

A surveyed drawing shall be submitted showing the location of all monitoring wells (active and abandoned) which will be horizontally located by metes and bounds or equivalent surveying techniques. The surveyed drawing shall include the monitor well identification number, location and elevation of all permanent benchmark(s) and/or corner monument marker(s) at the site. The survey shall be conducted by a Florida Registered Surveyor.

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SPECIFIC CONDITIONS: (cont'd)

21. Upon completion of construction of the Groundwater Monitoring System, the following information shall be submitted for all groundwater monitoring wells and any new well(s) constructed:

Well identification	Driller's Log
Latitude/Longitude	Total depth of well
Aquifer monitored	Casing diameter
Screen type and slot size	Casing type and length
Screen length	SWFWMD well construction permit numbers
Elevation at top of pipe	
Elevation at land surface	

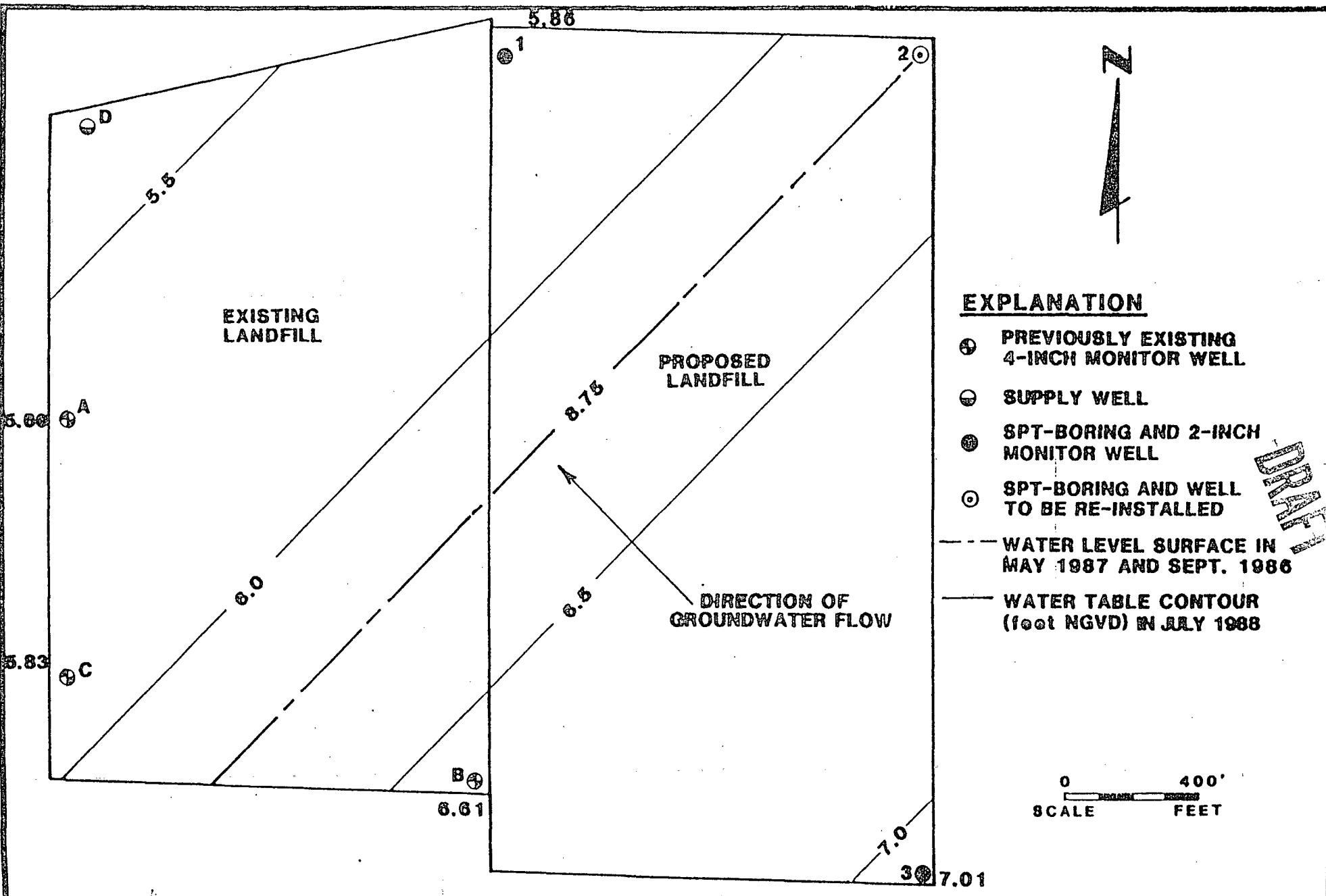
22. Upon completion of construction of the groundwater monitoring system, the permittee shall sample all groundwater monitor wells for the Primary and Secondary Drinking Water parameters included in Chapter 17-550, Florida Administrative Code, Public Drinking Water Systems, fecal coliform, and EPA Priority Pollutants. The specific parameters to be sampled and analyzed for are the Primary and Secondary Drinking Water Standards listed in Part II, Quality Standards, Analytical Methods, Sampling, 11/19/87 revision.

23. All groundwater monitoring analyses shall be reported on the Department Form 17-1.216(2), Quarterly Report on Groundwater Monitoring. The permittee shall submit to the Department the results of the groundwater monitoring well water quality analysis no later than the fifteenth (15) day of the month immediately following the end of the sampling period. The results shall be sent to the Solid Waste Section, Department of Environmental Regulation, Southwest District Office, 4520 Oak Fair Boulevard, Tampa, Florida 33610-7347. Upon receipt and review of the required data, quarterly sampling and any required modification(s) of the Groundwater Monitor System will be given.

24. If at any time background groundwater standards are exceeded at the edge of the zone of discharge, the permittee has fifteen (15) days in which to resample the monitor well(s) to verify the original analysis. Should the permittee choose not to resample, the Department will consider the water quality analysis as representative of current groundwater conditions at the facility.

25. The field testing, sample collection and preservation and laboratory testing, including quality control procedures, shall be in accordance with methods approved by the Department in accordance with Chapters 17-4.246 and 17-3.401, F.A.C. Approved methods are published by the Department or as published in Standard Methods, A.S.T.M., or EPA methods shall be used. Approved methods for chemical analyses are summarized in the Federal Register, December 1, 1976 (41FR52780) except that turbidity shall be measured by the Nephelometric Method.



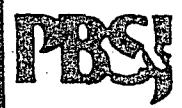


**EXPLANATION**

- ⊕ PREVIOUSLY EXISTING 4-INCH MONITOR WELL
- ⊖ SUPPLY WELL
- ⊙ SPT-BORING AND 2-INCH MONITOR WELL
- ⊙ SPT-BORING AND WELL TO BE RE-INSTALLED
- WATER LEVEL SURFACE IN MAY 1987 AND SEPT. 1986
- WATER TABLE CONTOUR (feet NGVD) IN JULY 1988

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0 400'  
SCALE FEET



POST, BUCKLEY, SCHUH & JERNIGAN, INC.

**CITRUS COUNTY LANDFILL SITE MAP  
SHOWING WELL LOCATIONS AND WATER LEVEL CONTOURS**

**FIGURE 5**



## GENERAL CONDITIONS

1. The terms, conditions, requirements, limitations, and restrictions set forth herein are "Permit Conditions" and are binding and enforceable pursuant to the authority of Section 403.141, 403.727, or 403.859 through 403.861, Florida Statutes. The permittee is placed on notice that the Department will review this permit periodically and may initiate enforcement action for any violation of these conditions.
2. This permit is valid only for the specific processes and operations applied for and indicated in the approved drawings or exhibits. Any unauthorized deviation from the approved drawings, exhibits, specifications, or conditions of this permit may constitute grounds for revocation and enforcement action by the department.
3. As provided in Subsections 403.087(6) and 403.712(5), Florida Statutes, the issuance of this permit does not convey any vested rights or any exclusive privileges. Neither does it authorize any injury to public or private property or any invasion of personal rights, nor infringement of federal, state or local laws or regulations. This permit is not a waiver of or approval of any other Department permit that may be required for other aspects of the total project which are not addressed in the permit.
4. This permit conveys no title to land or water, does not constitute State recognition or acknowledgement of title, and does not constitute authority for the use of submerged lands unless herein provided and the necessary title or leasehold interests have been obtained from the State. Only the Trustees of the Internal Improvement Trust Fund may express State opinion as to title.
5. This permit does not relieve the permittee from liability for harm or injury to human health or welfare, animal or plant life or property caused by the construction or operation of this permitted source or from penalties therefore, nor does it allow the permittee to cause pollution in contravention of Florida Statutes and Department rules, unless specifically authorized by any order from the Department.
6. The permittee shall properly operate and maintain the facility and systems of treatment and control (and related appurtenances) that are installed or used by the permittee to achieve compliance with the conditions of this permit, as required by Department rules. This provision includes the operation of backup or auxiliary facilities or similar systems when necessary to achieve compliance with the conditions of the permit and when required by Department rules.
7. The permittee, by accepting this permit, specifically agrees to allow authorized Department personnel, upon presentation of credential or other documents as maybe required by law and at reasonable times, access to the premises, where the permitted activity is located or conducted:

GENERAL CONDITIONS (con't):

7. (con't):

- a. Have access to and copy any records that must be kept under the conditions of the permit;
- b. Inspect the facility, equipment, practices, or operations regulated or required under this permit; and
- c. Sample or monitor any substances or parameters at any location reasonably necessary to assure compliance with this permit or department rules.

Reasonable time may depend on the nature of the concern being investigated.

8. If, for any reason, the permittee does not comply with or will be unable to comply with any condition or limitation specified in this permit, the permittee shall immediately provide the Department (17-6.130) with the following information:

- (a) a description of and cause of noncompliance; and
- (b) the period of noncompliance, including exact dates and times; or, if not corrected, the anticipated time the noncompliance is expected to continue, and steps being taken to reduce, eliminate, and prevent recurrence of the noncompliance.

The permittee shall be responsible for any and all damages which may result and may be subject to enforcement action by the Department for penalties or revocation of this permit.

9. In accepting this permit, the permittee understands and agrees that all records, notes, monitoring data and other information relating to the construction or operation of this permitted source, which are submitted to the Department, may be used by the Department as evidence in any enforcement case involving the permitted source arising under the Florida Statutes or Department rules, except where such use is prescribed by Section 403.73 and 403.111, Florida Statutes. Such evidence shall only be used to the extent it is consistent with the Florida Rules of Civil Procedures and appropriate evidentiary rules.

10. The permittee agrees to comply with changes in department rules and Florida Statutes after a reasonable time for compliance, provided, however, the permittee does not waive any other rights granted by Florida Statutes or Department rules.

11. This permit is transferable only upon Department approval in accordance with Florida Administrative Code Rules 17-4.120 and 17-30.300, as applicable. The permittee shall be liable for any non-compliance of the permitted activity until the transfer is approved by the department.

