

TABLE OF CONTENTS

I.	CHANGE IN DISCHARGE	1
II.	NONCOMPLIANCE NOTIFICATION	1
III.	FACILITIES OPERATION	1
IV.	ADVERSE IMPACT	1
V.	RIGHT OF ENTRY	2
VI.	REVOCAION OR SUSPENSION	2
VII.	CIVIL AND CRIMINAL LIABILITY	2
VIII.	PROPERTY RIGHTS	2
IX.	SEVERABILITY	3
X.	DEFINITIONS	3
XI.	REVIEW OF SITE CERTIFICATION AND POST CERTIFICATION	
	SUBMITTALS	3
XII.	MODIFICATION OF CONDITIONS	4
XIII.	CONSTRUCTION	4
	A. Control Measures	5
	1. Stormwater Runoff	5
	2. Burning	5
	3. Sanitary Wastes	5
	4. Solid Wastes	5
	5. Noise	5
	6. Dust and Odors	6
	7. Transmission Lines	6
	8. Protection of Vegetation	6
	9. Dewatering Operations	6
	B. Environmental Control Program	6
	C. Reporting	6
	D. Solid Waste Disposal Unit Construction	7
	1. Applicable Rules	7
	2. Construction Plans	7
	3. Construction Schedule	7
	4. Construction Quality Assurance	7
	5. Test Strips	8
	6. Certification of Construction Completion	8
	7. Liner System Report	8
XIV.	OPERATION	8
	A. Air	8
	B. Wastewater Disposal	8

C.	<i>Water Discharges</i>	9
D.	<i>Solid Waste Disposal Units and Leachate Management</i>	12
E.	<i>Operational Safeguards</i>	16
F.	<i>Transmission Lines</i>	16
G.	<i>Noise</i>	16
H.	<i>Resource Recovery Facility</i>	16
XV.	SWFWMD - SURFACE WATER PERMITTING	16
A.	<i>Land Development</i>	17
B.	<i>Stormwater Control</i>	17
C.	<i>Well Plugging</i>	17
D.	<i>Pond Slopes</i>	17
E.	<i>Liability</i>	17
F.	<i>Plan Review</i>	17
XVI.	SWFWMD - CONSUMPTIVE USE PERMITTING	17
A.	<i>Accuracy of Information</i>	17
B.	<i>Reasonable Use</i>	18
C.	<i>Reservations</i>	18
D.	<i>Withdrawal Limits</i>	18
E.	<i>Water Shortage</i>	18
F.	<i>Sampling</i>	19
G.	<i>Access</i>	19
H.	<i>Reconsideration</i>	19
I.	<i>Minimum Water Levels</i>	19
J.	<i>Conservation</i>	19
K.	<i>Flow Measurement</i>	19
L.	<i>Reporting</i>	20
M.	<i>Water Quality Sampling</i>	20
XVII.	SWFWMD - ASHFILL/LANDFILL	21
A.	<i>Preoperational Limitation</i>	21
B.	<i>Unprocessed Waste Limitation</i>	21
C.	<i>Waste Segregation</i>	21
D.	<i>Leachate Monitoring</i>	21
E.	<i>Appliances and Machines</i>	22
XVIII.	OPERATIONAL CONTINGENCY PLANS	22
A.	<i>Operating Procedures</i>	22
B.	<i>Contingency Plans</i>	22
C.	<i>Current Engineering Plans</i>	22
D.	<i>Application Modifications</i>	22
XIX.	TRANSFER AND/OR ASSIGNMENT	22
XX.	PROPRIETARY DOCUMENTS OR INFORMATION - CONFIDENTIALITY	23
XXI.	GOPHER TORTOISE MANAGEMENT PLAN	23
XXII.	COOLING TOWER	23
XXIII.	SOLID WASTE SUBMITTAL DUE DATES	23
XXIV.	HISTORY	24
	APPENDIX 1 – Title V permit 1010056-005-AV	25

I. CHANGE IN DISCHARGE

All discharges or emissions authorized herein shall be consistent with the terms and conditions of this certification. The discharge of any pollutant not identified in the application or any discharge more frequent than, or at a level in excess of, that authorized herein shall constitute a violation of this certification. Any anticipated Facility expansions beyond the certified initial nameplate capacity of 1,200 TPD, production increases, or process modifications which may result in new, different or increased discharges of pollutants, change in type of fuel as described in XIV.8., or expansion in steam generating capacity must be reported by submission of a supplemental application pursuant to Chapter 403, F.S.

II. NONCOMPLIANCE NOTIFICATION

If, for any reason, the Licensee (defined as the Applicant or its successors and/or assigns) does not comply with or will be unable to comply with any limitation specified in this certification, the licensee shall notify the Southwest Florida District Office of the Department of Environmental Protection (Southwest District Office) by telephone within a working day that said noncompliance occurs and shall confirm this situation in writing within seventy-two (72) hours of becoming aware of such conditions, and shall supply the following information:

- A. A description of the discharge 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 noncomplying event.

III. FACILITIES OPERATION

The Licensee shall at all times properly operate and maintain the Pasco County Resource Recovery Facility and related appurtenances, systems of treatment and control, and backup or auxiliary Facilities or similar systems, that are installed and used to achieve compliance with the conditions of this certification, and are required by Department rules.

IV. ADVERSE IMPACT

The licensees shall take all reasonable steps to minimize any adverse impact resulting from noncompliance with any limitation specified in this certification, including such accelerated or additional monitoring as necessary to determine the nature and

impact of the noncomplying discharge.

V. RIGHT OF ENTRY

The licenses shall allow during operational or business hours the Secretary of the Florida Department of Environmental Protection and/or authorized representatives, upon the presentation of credentials:

A. To enter upon the Licensee's premises where an effluent source is located or in which records are required to be kept under the terms and conditions of this certification; and

B. To have access during normal business hours (Mon.-Fri., 9:00 A.M. to 5:00 P.M.) to any records required to be kept under the conditions of this certification for examining and copying; and

C. To inspect and test any monitoring equipment or monitoring method required in this certification and to sample any discharge or pollutants; and

D. To assess any damage to the environment or violation of ambient standards.

VI. REVOCATION OR SUSPENSION

This certification may be suspended, or revoked for violations of any of its conditions pursuant to Section 403.512, Florida Statutes.

VII. CIVIL AND CRIMINAL LIABILITY

This certification does not relieve the Licensee from civil or criminal penalties for noncompliance with any conditions of this certification, applicable rules or regulations of the Department or Chapter 403, Florida Statutes, or regulations thereunder.

Subject to Section 403.511, Florida Statutes, this certification shall not preclude the institution of any legal action or relieve the Licensee from any responsibilities or penalties established pursuant to any other applicable State Statutes or regulations.

VIII. PROPERTY RIGHTS

The issuance of this certification does not convey any property rights in either

real or personal property, nor any exclusive privileges, nor does it authorize any injury to public or private property or any invasion of personal rights, nor any infringement of Federal, State or local laws or regulations.

IX. SEVERABILITY

The provisions of this certification are severable, and if any provision of this certification or the application of any provision of this certification to any circumstances is held invalid, the application of such provision to other circumstances and the remainder of the certification shall not be affected thereby.

X. DEFINITIONS

The meaning of terms used herein shall be governed by the definitions contained in Chapter 403, Florida Statutes, and any regulation adopted pursuant thereto. In the event of any dispute over the meaning of a term in these conditions which is not defined in such statutes or regulations, such dispute shall be resolved by reference to the most relevant definitions contained in any other state or federal statute or regulation. Words or phrases used herein dealing with conditions of the South Florida Water Management District (SFWMD) shall be defined by reference to Chapter 373, Florida Statutes, or applicable rules of the SFWMD.

XI. REVIEW OF SITE CERTIFICATION AND POST CERTIFICATION SUBMITTALS

A. The certification shall be final unless revised, revoked, or suspended pursuant to law. At least every five years from the date of issuance of certification the Department shall review all monitoring data that has been submitted to it during the preceding five-year period for the purpose of determining the extent of the licensees' compliance with the conditions of this certification and the environmental impact of this Facility. The Department shall submit the results of its review and recommendations to the Licensee. Such review will be repeated at least every five years thereafter.

B. In accordance with F.A.C. Rule 62-17.191, any submittal of information required under these Conditions of Certification for post-certification compliance review shall be equivalent to that which would be submitted for permits required in the absence of certification except where the conditions of certification specify a different requirement. The procedures for post-certification submittal processing, if not otherwise specified in these conditions, are as follows:

1. All post-certification submittals of information by the licensee are to be filed with the department. Copies of each submittal shall be simultaneously submitted to any other agency indicated in a specific condition requiring a post-certification submittal.

2. The department shall review each post-certification submittal

for completeness. For the purposes of post-certification reviews, completeness shall mean that the information submitted is both complete and sufficient. The department will consult with other agencies receiving the submittal, as appropriate, and note completeness problems raised by other agencies. If the submittal is found by the department to be incomplete, the licensee shall be so notified. Failure of the department to issue such a notice within 30 days after filing of the submittal shall constitute a finding of completeness.

3. Within 60 days after a post-certification submittal is found complete, the department shall give written notification to the licensee and the agencies to which the post-certification was submitted of its assessment of whether there is reasonable assurance of compliance with the conditions of certification. If it is determined that compliance with the conditions will not be achieved, the licensee shall be notified with particularity and possible corrective measures suggested. Failure of the department to notify the licensee in writing within 90 days of receipt of a complete post-certification submittal shall constitute a finding of compliance.

4. If the department does not give notification of compliance within the time period specified in sub-paragraph 3., above, the licensee may begin construction pursuant to the terms of the conditions of certification and subsequently submitted construction details.

XII. MODIFICATION OF CONDITIONS

A. Pursuant to Subsection 403.516(1), F.S., the Board hereby delegates the authority to the Secretary to modify any condition of this certification dealing with sampling, monitoring, reporting, specification of control equipment, related time schedules, emission limitations, (subject to notice and opportunity for hearing), conservation easements, or any special studies conducted as necessary to attain the objectives of Chapter 403, Florida Statutes. Requests for modifications shall not be unreasonably withheld by the Department.

B. Subject to the notice requirements of 403.516(1), F.S., the certification shall be automatically modified to conform to subsequent DEP-issued amendments, modifications, or renewals of any separately issued Prevention of Significant Deterioration (PSD) permit, Title V Air Operation permit, or National Pollutant Discharge Elimination System (NPDES) permit for the project, and the conditions of such permits shall be controlling over these Conditions of Certification.

C. All other modifications to these conditions shall be made in accordance with Section 403.516, Florida Statutes.

XIII. CONSTRUCTION

The Facility shall be constructed, at a minimum, pursuant to the design standards presented in the application and the standards or plans and drawings

submitted and signed by an engineer registered in the State of Florida. The Applicant shall present, upon request, specific Facility plans, as developed, for review by the Southwest District Office prior to construction pursuant to the portions of the plans then being submitted. Specific Southwest District Office approval of plans will be required based upon a determination of consistency with the approved design concepts, regulations and these conditions prior to initiating construction of the: leachate collection system, air pollution control equipment, stormwater runoff system, landfill closure plans and hazardous, toxic or pathological handling Facilities or areas. Review and action by the Southwest District Office on said plans shall be accomplished in no longer than thirty (30) days from the date of a complete submittal of such plans and any action may be subject to review pursuant to Chapter 120, Florida Statutes.

A. Control Measures

1. Stormwater Runoff

To control runoff during construction which may reach and thereby pollute waters of the State, necessary measures shall be utilized to settle, filter, treat or absorb silt-containing or pollutant-laden stormwater to ensure against spillage or discharge of excavated material that may cause turbidity in excess of 29 Nephelometric Turbidity Units above background in waters of the State. Control measures may consist of sediment traps, barriers, berms, and vegetation plantings. Exposed or disturbed soil shall be protected and stabilized as soon as possible to minimize silt and sediment laden runoff. The pH of the runoff shall be kept within the range of 6.0 to 8.5. The Licensee shall comply with Florida Administrative Code Chapter 40D-4. The Licensee shall complete the forms required by 62-330 and 40D-4, F.A.C., and submit those forms and the required information to the SWFWMD for any modifications that might occur.

2. Burning

Open burning in connection with land clearing shall be in accordance with Chapter 62-256, F.A.C., and Uniform Fire Code Section 33.101 Addendum. No additional permits shall be required, but prior to each act of burning, the Division of Forestry shall be contacted to determine if satisfactory conditions exist for burning. Open burning shall not occur if the Division of Forestry has issued a ban on burning due to fire hazard conditions.

3. Sanitary Wastes

Disposal of sanitary wastes from construction toilet Facilities shall be in accordance with applicable regulations of the appropriate local health agency.

4. Solid Wastes

Solid wastes resulting from construction shall be disposed of in accordance with the applicable regulations of Chapter 62-701, F.A.C.

5. Noise

Construction noise shall not exceed either local noise ordinance

specifications, or those noise standards imposed by zoning.

6. Dust and Odors

The Licensee shall employ proper odor and dust-control techniques to minimize odor and fugitive dust emissions. The applicant shall employ control techniques sufficient to prevent nuisance conditions on adjoining property.

7. Transmission Lines

The directly associated transmission lines from the Resource Recovery Facility electric generators to the existing Progress Energy Florida substation shall be cleared, maintained and prepared without the use of herbicides without prior approval of the Department.

8. Protection of Vegetation

The Licensee shall develop the site so as to retain a buffer of trees or shall plant a buffer of trees sufficient to minimize the aesthetic and noise impacts of the Facility. The buffer, as far as practicable, shall be of sufficient height and width suitable for the purpose of mitigating both construction and operational impacts of the Facility.

9. Dewatering Operations

The dewatering operations during construction shall be carried out in such a manner that all water withdrawn will be retained on site. There shall be no discharge of water off site due to dewatering operations.

B. Environmental Control Program

An environmental control program shall be established under the supervision of a Florida registered professional engineer to assure that all construction activities conform to applicable environmental regulations and the applicable conditions of certification. If harmful effects or irreversible environmental damage not anticipated by the application or the evidence presented at the certification hearing are detected during construction, the Licensee shall notify the Southwest District Office as required by Condition II.

C. Reporting

1. Notice of commencement of construction shall be submitted to the Southeast District Office within 15 days of initiation. Starting three (3) months after construction commences, a quarterly construction status report shall be submitted to the Southwest District Office. The report shall be a short narrative describing the progress of construction.

2. Upon or immediately prior to completion of construction of the resource recovery Facility or a phase thereof and upon or immediately prior to completion of all necessary preparation for the operation of each landfill cell, the

Southwest District Office will be notified of a date on which a site or Facility inspection should be performed in accordance with Condition V, and the inspection shall be performed within fourteen (14) days of the date of notification by the Licensee.

D. Solid Waste Disposal Unit Construction

1. Applicable Rules

The Class I landfill disposal units associated with this site shall be constructed in accordance with all applicable requirements of Chapter 62-701, Florida Administrative Code, and in accordance with all applicable requirements of other Department rules.

2. Construction Plans

At least thirty (30) days prior to initiation of construction activities, a complete set of plans to be used for construction, shall be submitted to the Department. All changes (i.e. all additions, deletions, revisions to the plans previously approved by the Department including site grades and elevations) shall be noted on plans. Any significant changes in plans should be accompanied by a narrative indicating the cause of the deviations and a re-certification of the alternate design by the design engineer. These alternate designs must be approved by the Department prior to construction.

3. Construction Schedule

The engineer of record or another qualified professional shall make periodic inspections during construction of the Facility to ensure that design integrity is maintained. An updated construction schedule or progress chart shall be submitted to the FDEP at least quarterly.

4. Construction Quality Assurance

As required by F.A.C. Rule 62-701.400(7), liner systems shall have a construction quality assurance plan to provide personnel with adequate information to achieve continuous compliance with the liner construction requirements. The plan shall include or refer to specifications and construction methods which use established engineering practices to construct a liner system and provide for quality control testing procedures and sampling frequencies. Sampling and testing shall be conducted in the field by trained personnel during construction and after construction completion. Such personnel will be under the direction of the construction quality assurance professional engineer, to assure the liner system will comply with the standards. The engineer or his designee shall be on-site at all times during liner system construction to monitor construction activities. Field and laboratory testing during the soil liner construction shall be conducted by a qualified soil testing laboratory, independent of the liner manufacturer or installer, representing the owner. A qualified field technician representing the owner shall provide full time, on-site inspection during liner construction. The field technician shall work under the supervision of a professional engineer with experience in soil liner construction.

5. Test Strips

Prior to full-scale liner installation, a field test section or test strip shall be constructed at the site above a prepared sub-base. The test strip as required by F.A.C. Rule 62-701.400(8)(d) shall be considered acceptable if the measured hydraulic conductivities of undisturbed samples from the test strip meet the requirements of the project specifications at the 98 percent confidence level. If the test section fails to achieve the desired results, additional test sections shall be constructed. All test sections shall be constructed in accordance with the requirements of F.A.C. Rule 62-701.400(8)(d). Full scale liner installation may begin only after completion of a successful liner test section.

6. Certification of Construction Completion

After all specified construction has been completed and before acceptance of any solid waste into each new disposal unit, and as required by F.A.C. Rule 62-701.320(9)(a), certification of construction completion, Form 62-701.900(2), signed and sealed by a professional engineer, and record drawings showing all modifications shall be submitted to the Department and the owner shall arrange for Department representatives to inspect the Facility in the company of the owner's representative, the engineer, and the proposed Facility operator. The Facility shall not be operated until the certification has been submitted and approved, all documentation required has been submitted, and a Facility inspection by Department personnel has been conducted.

7. Liner System Report

After all specified construction has been completed, and as required by F.A.C. Rule 62-701.400(7)(d), the professional engineer in charge of construction quality assurance shall provide a signed, sealed final report and record drawings to the Department stating that the liner system has been installed in substantial conformance with the plans and specifications for the liner system.

XIV. OPERATION

A. Air

The operation of the Resource Recovery Facility shall be in accordance with all applicable provisions of Title V Air Operation Permit 1010056-005-AV (attached as Appendix 1) and of any updates or modifications thereto, and of Chapters 62-210 through 62-297, F.A.C.

B. Wastewater Disposal

A complete submittal of plans, drawings, and specifications for leachate collection systems, pumps, lift stations, sewage collection systems, and wastewater collection systems in accordance with appropriate DEP rules shall be

furnished to the Southwest District Office for approval at least 60 days prior to start of construction for the particular of such component. In order to obtain approval, the receiving sewage treatment plant shall indicate its ability and willingness to accept the wastewater. Also plans and specifications for connections to off-site sewage and wastewater transmission systems shall be furnished to the Southwest District Office for approval 60 days prior to construction. Review shall be accomplished in accordance with Condition XIII.

C. Water Discharges

1. Surface Water

Any discharges from the site stormwater system via the emergency overflow structures which result from an event LESS than a ten-year, 24-hour storm (as defined by the U.S. Weather Bureau Technical Paper No. 40, or the DOT drainage manual, or similar documents) shall meet applicable State Water Quality Standards, Chapters 62-302, 62-330, and Chapter 40D, F.A.C.

2. Groundwaters

All discharges to groundwaters, such as landfill leachate, shall be collected and treated as necessary, or otherwise be of high enough quality, to be able to meet the applicable water quality standards of Sections 62-520.400 and 62-520.420, F.A.C., at the boundary of the site. If monitoring should indicate a violation of the standards, the Licensee shall immediately notify the Southwest District Office and SWFWMD and institute assessment monitoring/corrective action.

3. Water Quality and Leachate Monitoring Plan

The monitoring conducted shall be in accordance with the current Department-approved Monitoring Plan and as described by Rule 62-701.510(1) and Rule 62-522.600(3), F.A.C. The currently approved Monitoring Plan is presented in the document entitled "*Water Quality Monitoring Plan for the West Pasco Class I Landfill, Pasco County, Florida*", prepared by Camp, Dresser & McKee, Inc., revised March 29, 2001.

The Licensee may propose changes to the Monitoring Plan by submitting requested changes to the Department for review. The Licensee must obtain written approval from the Department prior to implementation of any changes in the Monitoring Plan as described by Rule 62-522.600(5), F.A.C.

a. Water Quality Monitoring Quality Assurance.

(1) All field and laboratory work done in connection with the Facility's Water Quality Monitoring Plan shall be conducted by a firm possessing a Comprehensive Quality Assurance Plan (QAP) approved by the Department to meet the requirements of F.A.C. 62-160. The QAP must specifically address the types of sampling and analytical work that is required by these conditions of certification and the QAP shall be required of all persons performing sampling or analysis. The QAP shall be followed by all persons collecting or analyzing samples. Documentation of an approved QAP shall be submitted whenever a new sampling entity and/or analytical laboratory is used. QAP documentation shall be demonstrated by the completed signature page and the Table of Contents of the approved plan.

(2) 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 F.A.C. 62-4.246 and 62-160. Approved methods published by the Department or as published in Standard Methods, A.S.T.M., or EPA methods shall be used.

b. Zone of Discharge.

(1) The zone of discharge for this site shall extend horizontally 100 feet from the limits of the landfill liner or to the property boundary, whichever is less, and shall extend vertically to the top of the Floridan Aquifer.

(2) The water quality standards and minimum criteria for Class G-II groundwaters shall not be exceeded at the boundary of the zone of discharge according to F.A.C. 62-520.420.

c. Leachate Sampling. As required by F.A.C. Rule 62-701.510(5) and (6)(c), leachate shall be sampled in accordance with the current Department-approved Monitoring Plan referenced in Condition XIV.C.3., or its approved successor.

d. Surface Water Sampling. There is no expected surface water discharge from the site. However, if a discharge should occur from a detention pond to a surface water or from the property, monitoring is required by Rule 62-701.510(4), F.A.C.; sampling for the parameters listed in Rule 62-701.510(8)(b), F.A.C., is required by Rule 62-701.510(6)(e), F.A.C.; and reporting is required by Rule 62-701.510(9)(a), F.A.C. Surface water quality results shall be submitted to the Department within 90 days after each sampling event.

e. Groundwater Monitoring Well Locations. The groundwater monitoring wells shall be located as described in the current Department-approved Monitoring Plan referenced in Condition XIV.C.3, or its approved successor. All wells are to be clearly labeled and easily visible at all times. All wells should be kept locked to prevent unauthorized access.

f. Groundwater Monitoring Well Construction. Prior to construction of any new wells as part of the current Department-approved Monitoring Plan referenced in Condition XIV.C.3., or its approved successor, the licensee shall request and receive written approval from the Department. The following information is required to be submitted within 90 days following new well installation.

(1) Documentation of the following for each well

installed:

Well Identification	Boring (Lithology) Log
Aquifer monitored	Total depth of well
Screen type and slot size	Casing diameter
Screen length	Casing type and length
Screen diameter	SWFWMD well construction permit Nos.
Elevation at top of casing	Elevation at ground surface
Well seal and filters pack type and thickness	

(2) Following well completion and development, each new well shall be sampled for the parameters listed in F.A.C. Rules 62-701.510(8)(a) and (d). These sample results shall be submitted to the Department, as required by Condition XIV.C.3.j.