



TRANSMITTAL

TO: Nassau Co. BOCC
 Development Review Coordinator
 96461 Nassau PL
 Yulee, Florida 32097

DATE: Jan 18, 2023
E & R No.: 2400/2453
ATTN: (pre-drc submittal)
RE: **TNT Ready Mix**

CU2020-24 / SP21-010

We are sending you: Attached
 Under Separate Cover
 Other:

the following items: Shop Drawings Specifications
 Prints Copy of Letter
 Plans Change Order

Copies	Date	Description
		DRC pre-application form
		agent letter w/ attachments
		Site plan(s), concrete plant detail, TNT floor plan
		SJRWMD permit #168377-1
		FDEP Industrial permit #FLG110969-001-IWCB
<input checked="" type="checkbox"/>	For Your Information	<input type="checkbox"/> For Review and Comment
<input type="checkbox"/>	For Your Use	<input type="checkbox"/> For Signature
<input type="checkbox"/>	As Requested	<input type="checkbox"/> For Corrections
<input type="checkbox"/>	For Approval	<input type="checkbox"/> For Bids Due:

REMARKS: If there are any questions regarding the above referenced project, please feel free to call me at 733-1478 or by email at llongenecker@eismanrusso.com (cel 904-307-7653)

COPIES TO: File-2400c/2453c

EISMAN & RUSSO, INC.

By: *Larry J. Longenecker*

REC'D BY:

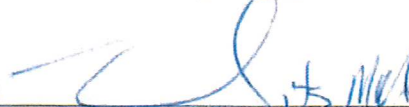
DATE:

DRC PRE-APPLICATION FORM	DATE REC'D: _____ BY: _____
	DRC DATE: _____

Owner of Record	As recorded with the Nassau County Property Appraiser
Owner(s) Name TODD STEINEL	
Company (if applicable) TNTRMX LLC	
Street Address 4807 ROCKSIDE RD. S-240	
City, State, Zip INDEPENDENCE, OH 44131	
Telephone Number (330) 607-1600	
Email Address SUFFIELDAGGREGATE@GMAIL.COM	

Applicant or Agent	If an agent will be representing the owner, an Owner's Authorization for Agent form must be included
Applicant or Agent Name ROBERT A KIGHT OR LARRY J LONGENECKER	
Company (if applicable) EISMAN & RUSSO, INC.	
Mailing Address 6455 POWERS AVE.	
City, State, Zip JACKSONVILLE, FL 32217	
Telephone Number (904) 733-1478	
Email Address llongenecker@EISMANRUSSO.COM	

Project Information					
Project Name	TNT READY MIX			Project Type	<input type="checkbox"/> Residential <input checked="" type="checkbox"/> Commercial
PIN:	0000-0001-0320 AND 0000-0001-0360				
Project Address	86395 GENE LASSERRE BLVD., YULEE, FL 32097				
Major Access Rd	Name: GENE LASSERRE BLVD.		<input checked="" type="checkbox"/> County-Maintained <input type="checkbox"/> Unpaved Private Easement		
Size of Property	5.34 + 7.10 (12.44 TL)	Present Property Use	VACANT - WOODED		
Zoning District	IW	Future Land Use	INDUSTRIAL	Overlay District	SR 200
Wetlands	YES	Flood Zone	X	Water & Sewer	JEA
# Existing Structures	0	# Proposed Structures	1	Building Height	35' MAX.
# Parking Spaces Proposed	25		Building Square Footage	960 SF	
Project Description (use separate sheet if necessary): CONCRETE MIXING PLANT - 15 PARKING SPACES OUTDOOR STORAGE LOT - 10 STD. PARKING + 77 STORAGE SPACES					
List any applications under review, approved, or denied which may assist in the review of this application: CU2020-024					

I HEREBY CERTIFY THAT ALL INFORMATION IS TRUE AND CORRECT		
I understand that reasonable inspections of the project may be made as part of the application review process. I also understand that any material misrepresentations or errors contained in this application or supporting documents may void an approved application, at the reasonable determination of the County considering the Land Development Code, Comprehensive Plan, and other applicable regulations.		
x TODD STEINEL PRINT	x By:  SIGNATURE	1/18/25 DATE

AGENT AUTHORIZATION (FOR COMPANY OR LLC)

Eisman Russo, Inc. (ROBERT A. KIGHT) is hereby authorized as the Agent TO ACT ON BEHALF OF
TNTRMX LLC, the owner(s) of those lands described within the attached
application, and as described in the attached deed or other such proof of ownership as may be required, in applying to
Nassau County, Florida, for an application pursuant to a:

- | | |
|--|---|
| <input type="checkbox"/> Rezoning/Modification | <input type="checkbox"/> Conditional Use |
| <input type="checkbox"/> Variance | <input type="checkbox"/> Preliminary Binding Site Plan |
| <input type="checkbox"/> Plat | <input checked="" type="checkbox"/> <u>SITE ENGINEERING PLANS</u> |

BY:

[Signature]
Signature of Agent

ROBERT A. KIGHT, P.E.

Print Name of Agent

6455 POWERS AVE, JACKSONVILLE, FL 32217

Agent Address

RKIGHT @ EISMANRUSSO.COM

Agent Email

(904) 733-1478

Agent Telephone Number

X By: [Signature]
Signature of President, Chairman of the Board of managing partner of TNTRMX LLC
(Circle one)

TODD STEINEL

Print Name

4807 ROCKSIDE RD. (S-240) INDEPENDENCE, OH 44131

Address

(330) 607-1600
Telephone Number

SUFFIELDAGGREGATE @ GMAIL.COM
Email

I, ROBERT A. KIGHT, hereby affirm or swear that I have the authority on behalf of
(name of agent)

TNTRMX LLC

PBSP AND

to file the SITE ENG. PLANS application

with Nassau County

[Signature]
Initials

X [Signature]
Initials

Certificate

I ROBERT A. KIGHT (signer's name), PROJECT MANAGER (title) of EISMAN & RUSSO, Inc. (company or LLC) an entity lawfully organized and existing under the laws of FLORIDA (name of State) do hereby affirm or swear that I am empowered and authorized, on behalf of the entity, to execute this Agent Authorization form, and all documents required by Nassau County regarding this application, and further expressly warrants that ROBERT A. KIGHT has been given and has received and accepted authority to sign and execute the documents on behalf of EISMAN & RUSSO, INC.

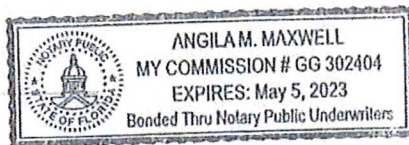
[Signature] PROJECT MANAGER
Signature Title

State of Florida
County of Duval

The foregoing instrument was acknowledged before me this 08th day of January, 2023 by Robert Kight as Project Manager for Eisman & Russo, Inc.
Personally Known OR Produced as Identification

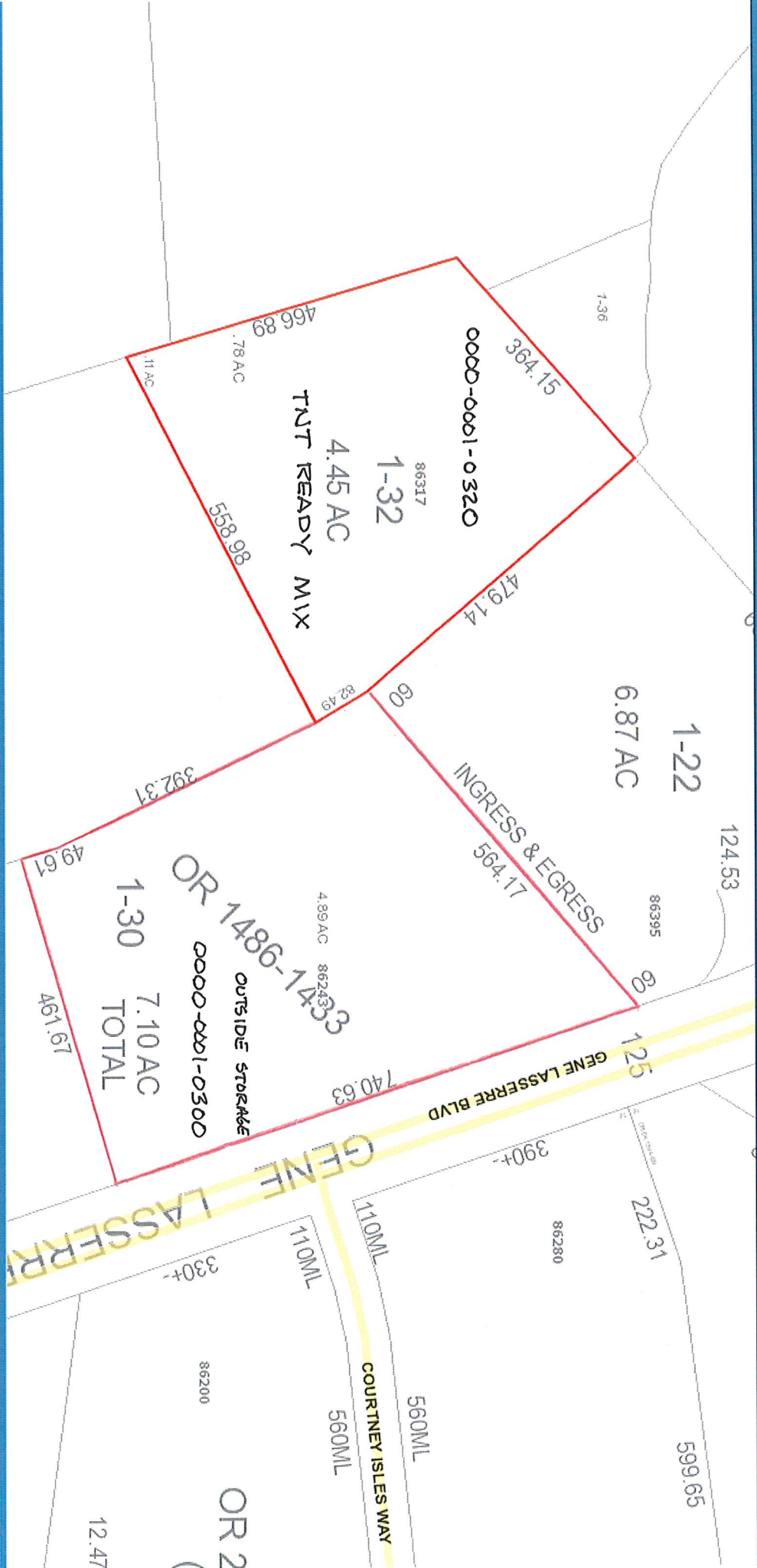
Angila M. Maxwell
Notary Signature

My Commission expires: _____



A cop of the by-laws are attached hereto.

[Initials] X [Initials]
Initials Initials



51-3N-27-0000-0001-0320

5.34

5.34

VACANT IND

TNTRMX LLC

4807 ROCKSIDE ROAD STE #240
INDEPENDENCE, OH 44131

86317 GENE LASSERRE BLVD

<S.34 Ac.>

Prepared By/Record and Return To:

Jon C. Lasserre, Esquire
Rogers Towers, P.A. (Amelia)
960185 Gateway Blvd., Suite 203
Fernandina Beach, Florida 32034
(904) 261-5618

RT File No. 01708/804181
Title File No. FA20-33/4939015

Parcel ID No. 51-3N-27-0000-0001-0320

Consideration: \$300,000.00

WARRANTY DEED

THIS INDENTURE, is made this 3rd day of December 2020, between **YULEE TRADE PLEX DEVELOPMENT, LLC, a Florida limited liability company**, ("Grantor"), whose address is 1611 Pond Road, Suite 200 Allentown, PA 18104, and **TNTRMX, LLC, a Florida limited liability company** ("Grantee"), whose address is 4807 Rockside Road, Suite 240, Independence, OH 44131;

WITNESSETH:

Grantor, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged by Grantor, does hereby grant, bargain, sell, and convey to Grantee and Grantee's successors and assigns forever that certain land (the "Land") situated in Nassau County, Florida, more particularly described in **Exhibit "A"** attached hereto and made a part hereof, together with all tenements, hereditaments and appurtenances of Grantor belonging or in any wise appertaining to the Land (collectively, the "Property"), subject to the following permitted encumbrances (the "Permitted Encumbrances"):


1. Real estate taxes for the current year and subsequent years;
2. Easements, covenants, conditions, restrictions and reservations of record, reference to which shall not operate to reimpose same;
3. Matters which a current survey or careful inspection of the Property and any improvements thereon would reveal;
4. Laws, codes, rules and regulations of any governmental authority having jurisdiction over the Property.
5. Perpetual easement for ingress and egress as set forth in instrument filed 07-30-2008 and recorded in Official Records Book 1579, page 478; as corrected by Official Records Book 1596, page 87.

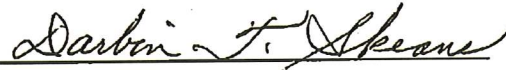
Except as set forth in the Permitted Encumbrances, pursuant to Fla. Stat. § 689.02, Grantor does hereby fully warrant the title to said Property and will defend the same against the lawful claims of all persons whomsoever.

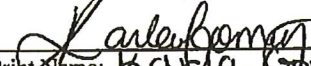
IN WITNESS WHEREOF, the said Grantor has caused this instrument to be executed in his/hers/its name, the day and year first above written.

Signed, sealed and delivered in the presence of:

YULEE TRADE PLEX DEVELOPMENT, LLC, a Florida limited liability company


Print Name: Joseph J. Plunkett


By: 
Darbin T. Skeans
Its: Manager


Print Name: Karla Gomez

(CORPORATE SEAL)

STATE OF PENNSYLVANIA
COUNTY OF Lehigh

The foregoing instrument was acknowledged before me by means of physical presence or online notarization this 3rd day of December 2020, by Darbin T. Skeans, the Manager, of Yulee Trade Plex Development, LLC, a Florida limited liability company, on behalf of the company. He (check one) is personally known to me, or has produced a valid driver's license as identification.


Print Name: _____
Notary Public, State and County Aforesaid
My Commission Expires: _____
Commission Number: _____

Commonwealth of Pennsylvania - Notary Seal
Philip Stanley Janny, Notary Public
Lehigh County
My commission expires May 21, 2022
Commission number 1078284
Member, Pennsylvania Association of Notaries

EXHIBIT "A"

A PARCEL OF LAND LYING IN AND BEING PART OF THE JOHN LOWE MILL GRANT SECTION 37, TOWNSHIP 2 NORTH, RANGE 27 EAST, THE JOHN LOWE MILL GRANT SECTION 51, TOWNSHIP 3 NORTH, RANGE 27 EAST; THE JOHN VAUGHN GRANT, SECTION 38, TOWNSHIP 2 NORTH, RANGE 27 EAST, AND THE JOHN VAUGHN GRANT SECTION 52, TOWNSHIP 3 NORTH, RANGE 27 EAST, NASSAU COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE CENTERLINE OF GENE LASSERRE BOULEVARD, A 125 FOOT RIGHT OF WAY AS NOW ESTABLISHED, WITH THE NORTHERLY RIGHT OF WAY LINE OF STATE ROAD NO. 200 AND/OR A-1-A, A RIGHT OF WAY OF VARIED WIDTH AS NOW ESTABLISHED; THENCE ON SAID NORTHERLY RIGHT OF WAY LINE NORTH 84 DEGREES 44 MINUTES 59 SECONDS WEST, 1108.50 FEET; THENCE NORTH 16 DEGREES 00 MINUTES 00 SECONDS WEST, 907.76 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE NORTH 16 DEGREES 00 MINUTES 00 SECONDS WEST, 466.89 FEET; THENCE; NORTH 48 DEGREES 52 MINUTES 27 SECONDS EAST, 364.15 FEET TO THE SOUTHWESTERLY LINE OF LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 895, PAGE 543, OF THE PUBLIC RECORDS OF SAID COUNTY; THENCE ON SAID SOUTHWESTERLY LINE, SOUTH 41 DEGREES 06 MINUTES 14 SECONDS EAST, 479.14 FEET; THENCE SOUTH 27 DEGREES 00 MINUTES 00 SECONDS EAST, 82.49 FEET; THENCE SOUTH 63 DEGREES 00 MINUTES 00 SECONDS WEST, 558.98 FEET TO THE POINT OF BEGINNING

<7.10 Ac.>

Prepared by and Return to:
Nassau Blue Ocean Title LLC
2227 Sadler Road
Fernandina Beach, FL, 32034
File No.: NBOT-22-262

22124850

Parcel: 37-2N-27-0000-0001-0300

750000

General Warranty Deed

Made this 28th of November, 2022 by, **Rosenblad Real Estate, Inc., a Florida Corporation** whose mailing address is: 86395 Gene Lassere Boulevard, Yulee, FL 32097, hereinafter called the **grantor**, to **TNT Southern Holdings, LLC an Ohio Limited Liability Company**, whose mailing address is: 4807 Rockside Rd. Ste. 240 Independence, OH 44131, hereinafter called the **grantee**:

(Whenever used herein the term "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations)

Witnesseth, that the **grantor**, for and in consideration of the sum of Ten Dollars, (\$10.00) and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the **grantee**, all that certain land situate in Nassau County, Florida, viz:

ALL THAT CERTAIN TRACT OR PARCEL OF LAND BEING A PORTION OF THE JOHN LOWE (MILL GRANT), SECTION 37, TOWNSHIP 2 NORTH, IN RANGE 27 EAST, NASSAU COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FOR A POINT OF REFERENCE COMMENCE AT A POINT WHERE THE NORTHERLY RIGHT-OF-WAY LINE OF STATE ROAD NO. 200/A-1-A (A VARIABLE WIDTH RIGHT-OF-WAY AS ESTABLISHED BY THE FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY MAPS, SECTION NO. 74060-2503) INTERSECTS THE CENTERLINE OF GENE LASSERRE BOULEVARD (A 125-FOOT RIGHT-OF-WAY AS NOW ESTABLISHED) SAID POINT BEING AT RIGHT-OF-WAY STATION 301+46.73 AND FROM SAID POINT RUN NORTH 05°15'01" EAST, ALONG SAID CENTERLINE OF GENE LASSERRE BOULEVARD, A DISTANCE OF 202.24 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE WEST, HAVING A RADIUS OF 711.05 FEET; THENCE ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 23°25'25", AN ARC DISTANCE OF 290.69 FEET AND BEING SUBTENDED BY A CHORD BEARING OF NORTH 06°27'43" WEST, AND A CHORD DISTANCE OF 288.67 FEET TO THE POINT OF TANGENCY; THENCE RUN NORTH 18°10'26" WEST, ALONG SAID CENTERLINE, A DISTANCE OF 72.05 FEET TO A POINT; THEN THENCE SOUTH 71°49'34" WEST, PERPENDICULAR TO LAST MENTIONED CENTERLINE A DISTANCE OF 62.50 FEET TO A POINT LYING ON THE WESTERLY RIGHT-OF-WAY LINE OF AFOREMENTIONED GENE LASSERRE BOULEVARD FOR THE POINT OF BEGINNING.

FROM THE POINT OF BEGINNING THUS DESCRIBED CONTINUE SOUTH 71 DEG. -49'-34" WEST, A DISTANCE OF 474.94 FEET TO A POINT; RUN THENCE NORTH 16 DEG.-30'-00" WEST, A DISTANCE OF 503.98 FEET TO AN ANGLE POINT; RUN THENCE NORTH 25 DEG.-00'-00" WEST, A DISTANCE OF 392.31 FEET TO AN ANGLE POINT; RUN THENCE NORTH 27 DEG.-00'-00" WEST, A DISTANCE OF 82.49 FEET TO THE SOUTHERLY CORNER OF LANDS NOW OR FORMERLY OF NEW ENGLAND FLAG & BANNER, INC.(ACCORDING TO DEED RECORDED IN BOOK 895, PAGE 543, OF THE OFFICIAL PUBLIC RECORDS OF SAID COUNTY); RUN THENCE NORTH 48 DEG.-52'-27" EAST, ALONG THE SOUTHEASTERLY LINE OF LAST MENTIONED LANDS, A DISTANCE OF 564.17 FEET TO A POINT LYING ON AFOREMENTIONED WESTERLY RIGHT-OF-WAY LINE OF GENE LASSERRE BOULEVARD; RUN THENCE SOUTH 18

DEG.-10'-26" EAST, ALONG SAID WESTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 1,194.81 FEET TO THE POINT OF BEGINNING.

LESS AND EXCEPT THE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 1842, PAGE 1118 AND OFFICIAL RECORDS BOOK 2108, PAGE 955 OF THE PUBLIC RECORDS OF NASSAU COUNTY, FLORIDA.

Together with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

To Have and to Hold, the same in fee simple forever.

And the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances except taxes accruing subsequent to taxes for the current year.

In Witness Whereof, the said grantor has signed and sealed these presents the day and year first above written.

Signed, sealed, and delivered in our presence:

[Signature]
Witness Signature Lorna Benitez

Witness Printed Name

Rosenblad Real Estate, Inc. a Florida Corporation

[Signature]

By: Jan Fredrick Thelander
Its; Director

[Signature]
Witness Signature
Jessica Elaine Loop
Witness Printed Name

State of Florida
County of Nassau

The foregoing instrument was acknowledged before me by means of physical presence or online notarization 29th day of November, 2022 by **Rosenblad Real Estate, Inc., a Florida Corporation**, who is/are personally known to me or who has produced Dk as identification.



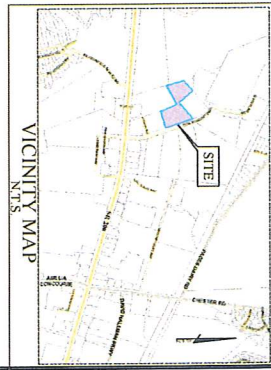
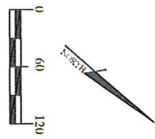
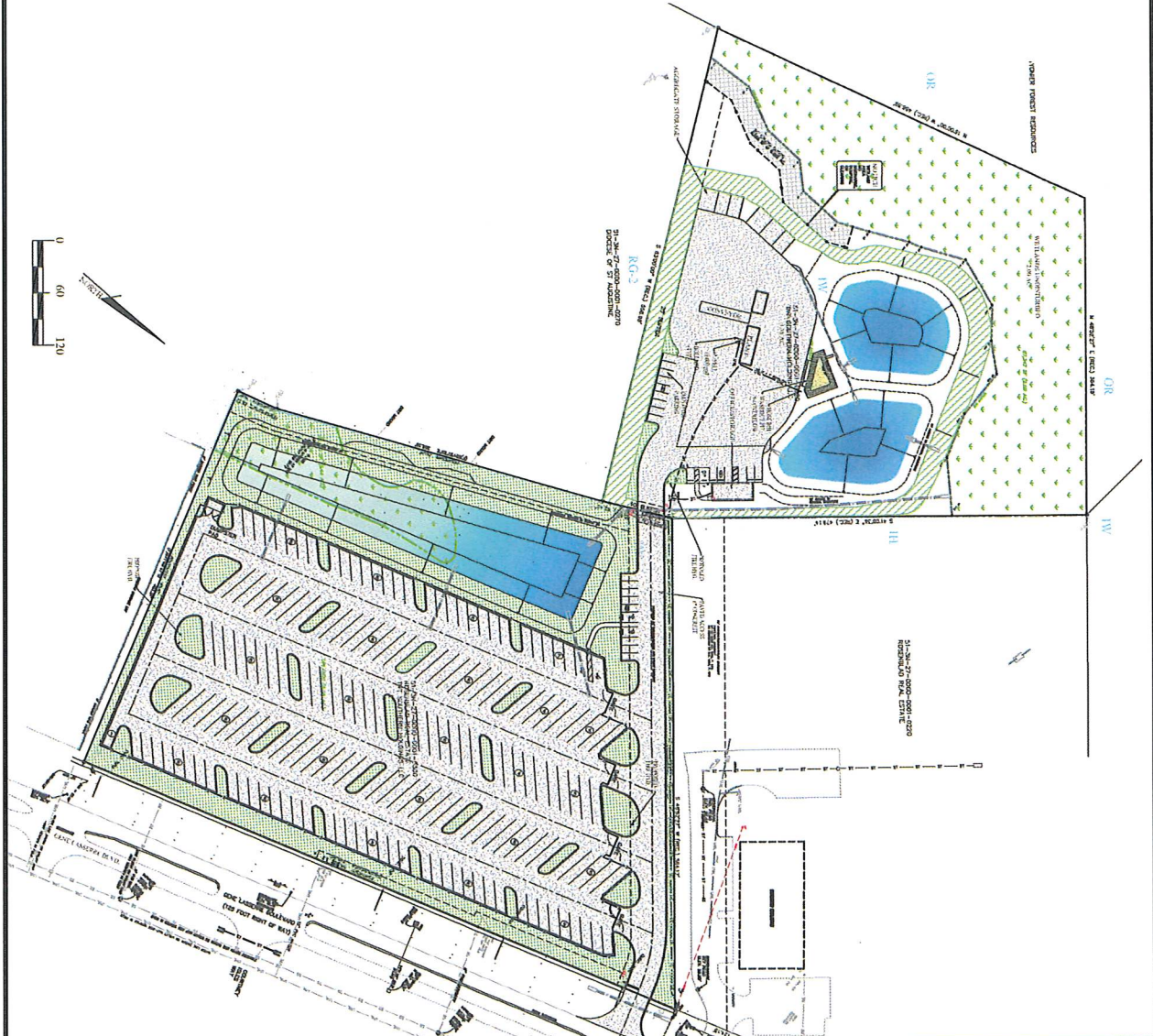
[Signature]
Notary Public Signature

Lorna Benitez

Notary Public Printed Name

LEGEND

- STORM SEWER
- LANDSCAPE/OPEN SPACE
- CONCRETE
- CONCRETE PAVEMENT



CONTACT INFORMATION

PROJECT:
TNT READY MIX
BRUCE GENE LASSEURIE BLVD.

OWNER:
TNT READY MIX INC.
TNT SOUTHERN HOLDINGS LLC
1000 EAST 10TH STREET
JACKSONVILLE, FL 32209
(904) 779-8578

ENGINEERS:
EISMAN AND RUSSO, INC.
6455 POWERS AVENUE
JACKSONVILLE, FL 32218
(904) 779-8578
eandrusso@eandrusso.com

STRUCTURE:
ATLANTIC GOLF ARCHITECTING COMPANY, INC.
2000 W. UNIVERSITY BLVD., SUITE 100
JACKSONVILLE, FL 32216
(904) 779-8578
atlanticro@atlanticro.com

ENGINEERING:
TERRACON
8001 BAYMEADOWS WAY, SUITE 1
JACKSONVILLE, FL 32256
(904) 353-1986
tterrakon@terrakon.com

LANDSCAPE:
LCA ENVIRONMENTAL SOLUTIONS, INC.
1000 EAST 10TH STREET, SUITE 201
JACKSONVILLE, FL 32209
(904) 353-1986
lca@lcaenv.com

GEOTECHNICAL:
TERRACON ENGINEERING, INC.
6454 BEACH GLENVIEW
JACKSONVILLE, FL 32218
(904) 353-1986
tterrakon@terrakon.com

LANDSCAPE:
A & R LAND PLANNING & DESIGN, INC.
418 TORRANCE PARKWAY, SUITE 203
KISS NEEN, FL 32189
aandrusso@arlandplanning.com

FE# 0000-0001-0020 - ADDRESS# 80395 GENE LASSEURIE BLVD, YULEE, FL 32097

**TNT READY MIX
SP21-010
MASTER PLAN**

PROJECT NO. 2400
DRAWING NO. C-9
OF 24

Eisman & Russo
CONSULTING ENGINEERS

6455 POWERS AVENUE
JACKSONVILLE, FLORIDA 32217-2921
PHONE: (904) 733-1178 FAX: (904) 636-8938

CO. CERT. NO. 4281 NAME: ROBERT A. NIGHT, P.E. FL. REG. NO. 63095

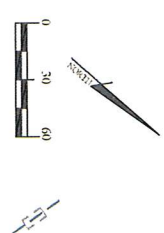
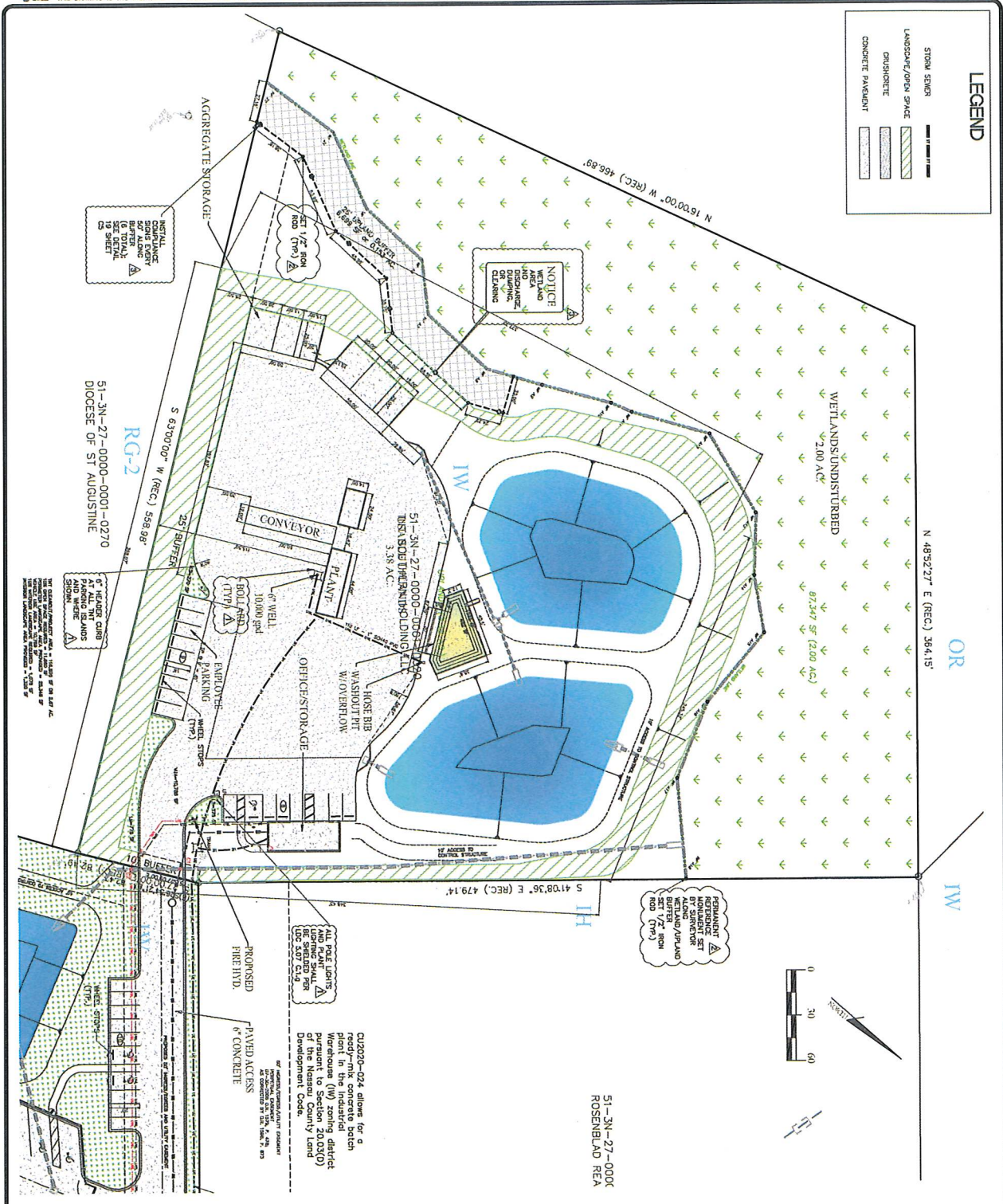


NO.	DATE	BY	APPROV.	REVISION DESCRIPTION
1	10-13-22	JAK	JAK	CONCRETE LOTS
2	8-11-22	JAK	JAK	FOR PERMIT PLAN
3	7-27-22	JAK	JAK	FOR SPRING PLAN
4	7-22-22	JAK	JAK	FOR SPRING PLAN
5	5-03-22	JAK	JAK	FOR PERMIT PLAN
6		JAK	JAK	FOR PERMIT PLAN

DATE 10-28-22

LEGEND

- STORM SEWER
- LANDSCAPE/OPEN SPACE
- CONCRETE
- CONCRETE PAVEMENT



51-3N-27-0000
ROSENBLAD REA

GENERAL NOTES:

1. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH HAWAII COUNTY STANDARDS, INCLUDING ORDINANCE 99-17.
2. NO POLE LOCATIONS, SITE LIGHTING PROPOSALS, OR SIGNAGE SHALL BE PERMITTED ON THE INDUSTRIAL PLANT WITH PROPER SHIELDING.
3. ALL SPACES WILL COMPLY WITH ARTICLE 25 U.C. AND WILL BE PERMITTED SEPARATELY.
4. THE CONDITIONAL USE APPROVAL NUMBER FOR THIS PROJECT IS C02002-024.

SITE STATISTICS

DESC.	ACRES	SF	ACRES ± OF SITE
TOTAL PROPERTY AREA	5.30	115,000	100%
NETLANDS/UNDEVELOPABLE	2.00	43,750	38%
NETLANDS/DEVELOPABLE	3.30	71,250	62%
INDUSTRIAL ZONING			
MAX. HEIGHT = 35'			
UP-PLANT PROJECT AREA	147,589	3,336	100%
INDUSTRIAL PROJECT AREA	51,244	1,137	34%
OPEN AREA/LANDSCAPE	52,315	1,152	4%
OPEN SPACE	52,315	1,152	4%

PARKING CALCULATIONS

- (1) SPACES PER (2) EMPLOYERS ON PICK UP/DROP OFF
- (1) SPACES PER COMPANY VEHICLE
- (1) EMPLOYERS = (5) SPACES
- (1) COMPANY VEHICLES = (10) SPACES
- (1) COMPANY VEHICLE = (10) SPACES
- 10 COMPANY VEHICLES = 100 SPACES
- TOTAL PER CODE = 15 SPACES
- 15 TOTAL SPACES REQUIRED
- INCLUDES (1) ADA SPACE

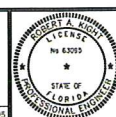
LANDSCAPE CALCULATIONS

- CLEARLOT/PROJECT AREA = 116,800 SF OR 2.67 AC
- 10% OPEN SPACE REQUIRED = 11,680 SF
- PERMETER LANDSCAPE AREA PROVIDED = 25,349 SF
- VEHICLE USE AREA = 9,228 SF
- 10% INTERIOR LANDSCAPE REQUIRED = 923 SF
- INTERIOR LANDSCAPE AREA PROVIDED = 1,029 SF

REG 0000-0001-0320 - ADDRESS 86395 GENE LASSEVE BLVD, YULEE, FL 32097

**TNT READY MIX
SP21-010**
SITE GEOMETRY PLAN

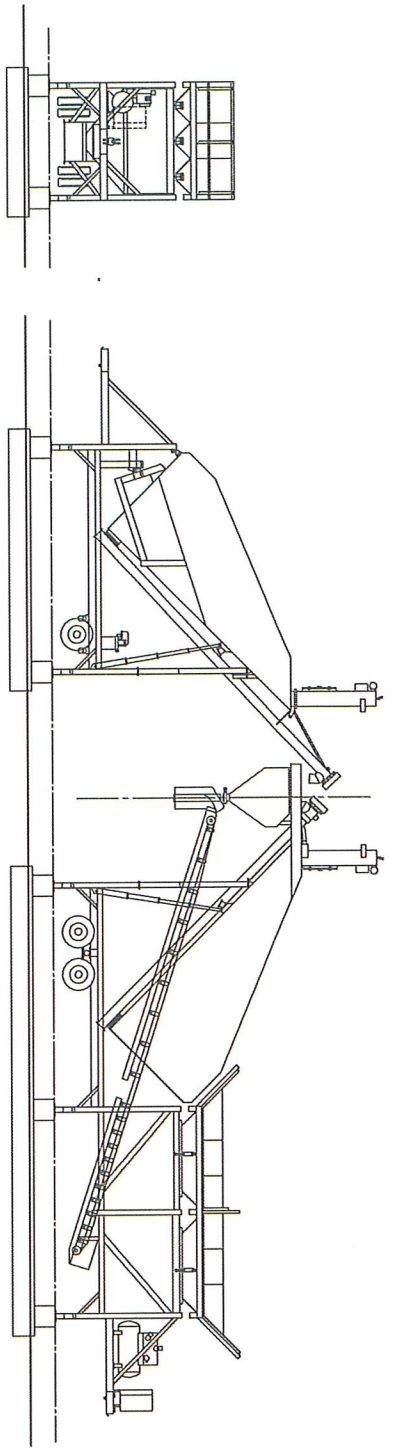
Eisman & Russo
CONSULTING ENGINEERS
4555 POWERS AVENUE
JACKSONVILLE, FLORIDA 32217-2923
PHONE: (904) 733-1478 FAX: (904) 636-8358



NO.	DATE	BY	APPR.	REVISION DESCRIPTION
1	12-13-22	JLR	RAK	CONSOLE LOTS
2	12-13-22	JLR	RAK	PER PERMIT FAX
3	12-13-22	JLR	RAK	PER CONSOLE FAX
4	12-27-22	JLR	RAK	PER SPACING PLAN
5	12-27-22	JLR	RAK	PER PERMIT FAX
6	12-27-22	JLR	RAK	PER CONSOLE FAX

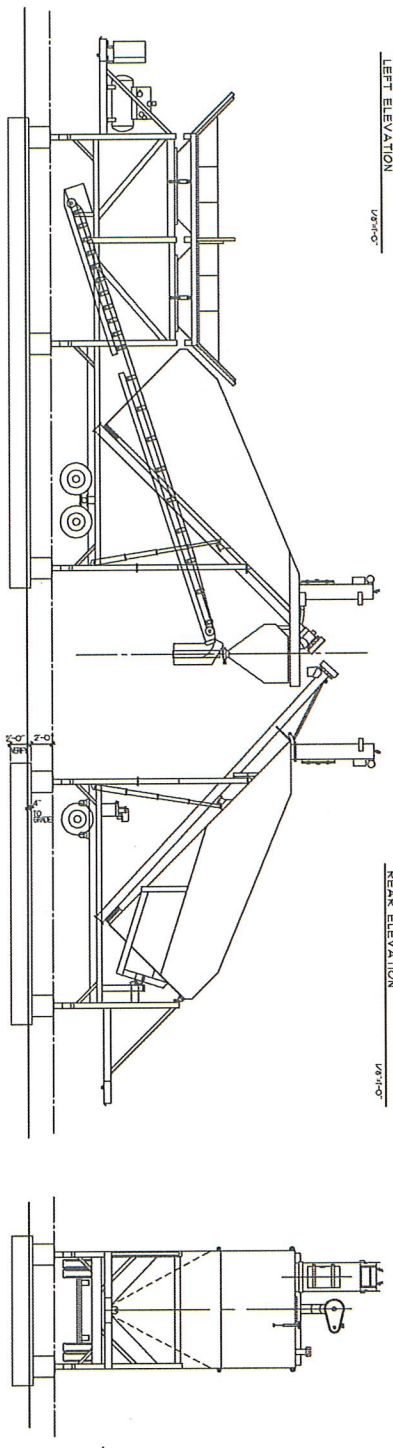
PROJ. NO. 2400
DRAWING NO. C-9
SHEET 24

THE OPTICAL RECORD OF THIS SHEET IS THE ELECTRONIC FILE CONTAINING ALL RELATED SHEETS FILED 12/13/2022 9:44:01 AM



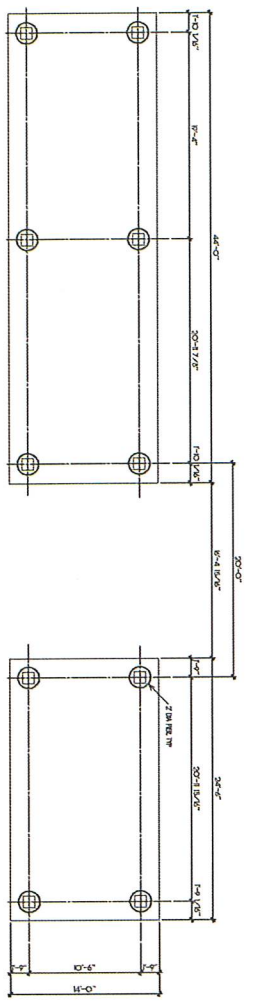
CONCRETE PLANT
LEFT ELEVATION
14'-11 1/2"

CONCRETE PLANT
REAR ELEVATION
14'-11 1/2"



CONCRETE PLANT
FRONT ELEVATION
14'-4"

CONCRETE PLANT
RIGHT ELEVATION
14'-11 1/2"



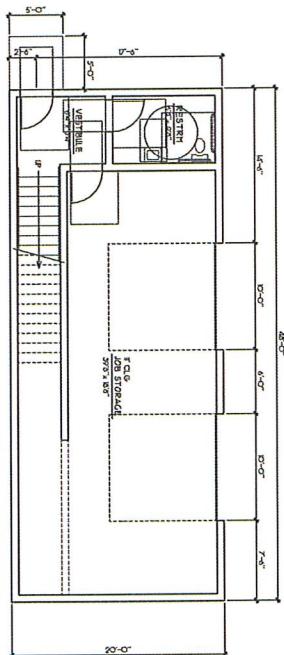
CONCRETE PLANT
SLAB PLAN
14'-4"

REIFED
ARCHITECTS
5181 Pk. 9145
13201 88-5582
Palm Beach, FL 33410

WILEE CONCRETE PLANT
JOB NO. 15-1422
DATE PLOTTED 3/2/22
APPROVED BY [Signature]
REVISIONS

CONCRETE PLANT
86395 Gene LasSerre Blvd
Yulee (Nassau County), FL

SHEET NO.
2X



FIRST FLOOR PLAN
 TWO OF THE FLOOR

REHD
 ARCHITECTS
 13301 88th Avenue
 Boca Raton, FL 33433
 Phone: 561-991-5582
 Fax: 561-991-5583

YULEE CONCRETE PLANT
 JOB NO. 13-0418
 DATE 3/2/22
 DRAWN BY RM
 APPROVED BY
 REVISIONS

CONCRETE PLANT
 86395 Gene LasSerre Blvd
 Yulee (Nassau County), FL

DRAWING NO. 2



St. Johns River

Water Management District

Michael A. Register, P.E., Executive Director

4049 Reid Street • P.O. Box 1429 • Palatka, FL 32178-1429 • 386-329-4500 • www.sjrwmd.com

February 04, 2022

Todd Steinel
TNTRMX, LLC
4729 Second St N
Folkston, GA 31537-8503

SUBJECT: 168377-1
TNT Ready Mix

Dear Sir/Madam:

Enclosed is your individual permit issued by the St. Johns River Water Management District on February 04, 2022. This permit is a legal document and should be kept with your other important documents. Permit issuance does not relieve you from the responsibility of obtaining any necessary permits from any federal, state, or local agencies for your project.

Technical Staff Report:

If you wish to review a copy of the Technical Staff Report (TSR) that provides the District's staff analysis of your permit application, you may view the TSR by going to the Permitting section of the District's website at www.sjrwmd.com/permitting. Using the "search applications and permits" feature, you can use your permit number or project name to find information about the permit. When you see the results of your search, click on the permit number and then on the TSR folder.

Noticing Your Permit:

For noticing instructions, please refer to the noticing materials in this package regarding closing the point of entry for someone to challenge the issuance of your permit. Please note that if a timely petition for administrative hearing is filed, your permit will become non-final and any activities that you choose to undertake pursuant to your permit will be at your own risk. Please refer to the attached Notice of Rights to determine any legal rights you may have concerning the District's agency action.

Compliance with Permit Conditions:

To submit your required permit compliance information, go to the District's website at www.sjrwmd.com/permitting. Under the "Apply for a permit or submit compliance data" section, click to sign-in to your existing account or to create a new account. Select the "Compliance Submittal" tab, enter your permit number, and select "No Specific Date" for the Compliance Due Date Range. You will then be able to view all the compliance submittal requirements for your project. Select the compliance item that you are ready to submit and then attach the appropriate information or form. The forms to comply with your permit conditions are available at www.sjrwmd.com/permitting under the section "Handbooks, forms, fees, final orders". Click on

GOVERNING BOARD

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COCOA

Janet Price
FERNANDINA BEACH

forms to view all permit compliance forms, then scroll to the ERP application forms section and select the applicable compliance forms. Alternatively, if you have difficulty finding forms or need copies of the appropriate forms, please contact the Bureau of Regulatory Support at (386) 329-4570.

Transferring Your Permit:

Your permit requires you to notify the District within 30 days of any change in ownership or control of the project or activity covered by the permit, or within 30 days of any change in ownership or control of the real property on which the permitted project or activity is located or occurs. You will need to provide the District with the information specified in rule 62-330.340, Florida Administrative Code (F.A.C.). Generally, this will require you to complete and submit Form 62-330.340(1), "Request to Transfer Permit," available at <http://www.sjrwmd.com/permitting/permitforms.html>.

Please note that a permittee is liable for compliance with the permit before the permit is transferred. The District, therefore, recommends that you request a permit transfer in advance in accordance with the applicable rules. You are encouraged to contact District staff for assistance with this process.

Thank you and please let us know if you have additional questions. For general questions contact e-permit@sjrwmd.com or (386) 329-4570.

Sincerely,



Michelle Reiber, Bureau Chief
Division of Regulatory Services
St. Johns River Water Management District
525 Community College Parkway, S.E.
Palm Bay, FL 32909
(321) 409-2129

Enclosures: Permit
Notice of Rights
List of Newspapers for Publication

cc: District Permit File

Katie Miller
DEP

Robert A Kight
Eisman & Russo, Inc
6455 Powers Ave
Jacksonville, FL 32217-2821

ST. JOHNS RIVER WATER MANAGEMENT DISTRICT
Post Office Box 1429
Palatka, Florida 32178-1429

PERMIT NO: 168377-1

DATE ISSUED: February 04, 2022

PROJECT NAME: TNT Ready Mix

A PERMIT AUTHORIZING:

Construction and operation of a Stormwater Management System for a 2.95- acre project known as TNT Ready Mix as per plans received by the District on January 7, 2022.

LOCATION:

Section(s): 52 Township(s): 3N Range(s): 27E
Nassau County

Receiving Water Body:

Name	Class
Lofton Creek	III Fresh, OFW, AP

ISSUED TO:

TNTRMX, LLC
4729 Second St N
Folkston, GA 31537-8503

The permittee agrees to hold and save the St. Johns River Water Management District and its successors harmless from any and all damages, claims, or liabilities which may arise from permit issuance. Said application, including all plans and specifications attached thereto, is by reference made a part hereof.

This permit does not convey to the permittee any property rights nor any rights or privileges other than those specified herein, nor relieve the permittee from complying with any law, regulation or requirement affecting the rights of other bodies or agencies. All structures and works installed by permittee hereunder shall remain the property of the permittee.

This permit may be revoked, modified, or transferred at any time pursuant to the appropriate provisions of Chapter 373, Florida Statutes.

PERMIT IS CONDITIONED UPON:

See conditions on attached "Exhibit A", dated February 04, 2022

AUTHORIZED BY: St. Johns River Water Management District
Division of Regulatory Services

By: 

Everett Frye
Supervising Professional Engineer

"EXHIBIT A"
CONDITIONS FOR ISSUANCE OF PERMIT NUMBER 168377-1
TNT Ready Mix
DATED February 04, 2022

1. All activities shall be implemented following the plans, specifications and performance criteria approved by this permit. Any deviations must be authorized in a permit modification in accordance with Rule 62-330.315, F.A.C. Any deviations that are not so authorized may subject the permittee to enforcement action and revocation of the permit under Chapter 373, F.S.
2. A complete copy of this permit shall be kept at the work site of the permitted activity during the construction phase, and shall be available for review at the work site upon request by the District staff. The permittee shall require the contractor to review the complete permit prior to beginning construction.
3. Activities shall be conducted in a manner that does not cause or contribute to violations of state water quality standards. Performance-based erosion and sediment control best management practices shall be installed immediately prior to, and be maintained during and after construction as needed, to prevent adverse impacts to the water resources and adjacent lands. Such practices shall be in accordance with the State of Florida Erosion and Sediment Control Designer and Reviewer Manual (Florida Department of Environmental Protection and Florida Department of Transportation June 2007), and the Florida Stormwater Erosion and Sedimentation Control Inspector's Manual (Florida Department of Environmental Protection, Nonpoint Source Management Section, Tallahassee, Florida, July 2008), which are both incorporated by reference in subparagraph 62-330.050(9)(b)5, F.A.C., unless a project-specific erosion and sediment control plan is approved or other water quality control measures are required as part of the permit.
4. At least 48 hours prior to beginning the authorized activities, the permittee shall submit to the District a fully executed Form 62-330.350(1), "Construction Commencement Notice," (October 1, 2013) (<http://www.flrules.org/Gateway/reference.asp?No=Ref-02505>), incorporated by reference herein, indicating the expected start and completion dates. A copy of this form may be obtained from the District, as described in subsection 62-330.010(5), F.A.C., and shall be submitted electronically or by mail to the Agency. However, for activities involving more than one acre of construction that also require a NPDES stormwater construction general permit, submittal of the Notice of Intent to Use Generic Permit for Stormwater Discharge from Large and Small Construction Activities, DEP Form 62-621.300(4)(b), shall also serve as notice of commencement of construction under this chapter and, in such a case, submittal of Form 62-330.350(1) is not required.
5. Unless the permit is transferred under Rule 62-330.340, F.A.C., or transferred to an operating entity under Rule 62-330.310, F.A.C., the permittee is liable to comply with the plans, terms and conditions of the permit for the life of the project or activity.
6. Within 30 days after completing construction of the entire project, or any independent portion of the project, the permittee shall provide the following to the Agency, as applicable:
 - a. For an individual, private single-family residential dwelling unit, duplex, triplex, or quadruplex — "Construction Completion and Inspection Certification for Activities Associated with a Private Single-Family Dwelling Unit" [Form 62-330.310(3)]; or
 - b. For all other activities — "As-Built Certification and Request for Conversion to Operation Phase" [Form 62-330.310(1)].

- c. If available, an Agency website that fulfills this certification requirement may be used in lieu of the form.
7. If the final operation and maintenance entity is a third party:
- a. Prior to sales of any lot or unit served by the activity and within one year of permit issuance, or within 30 days of as-built certification, whichever comes first, the permittee shall submit, as applicable, a copy of the operation and maintenance documents (see sections 12.3 thru 12.3.4 of Volume I) as filed with the Florida Department of State, Division of Corporations and a copy of any easement, plat, or deed restriction needed to operate or maintain the project, as recorded with the Clerk of the Court in the County in which the activity is located.
 - b. Within 30 days of submittal of the as- built certification, the permittee shall submit "Request for Transfer of Environmental Resource Permit to the Perpetual Operation and Maintenance Entity" [Form 62-330.310(2)] to transfer the permit to the operation and maintenance entity, along with the documentation requested in the form. If available, an Agency website that fulfills this transfer requirement may be used in lieu of the form.
8. The permittee shall notify the District in writing of changes required by any other regulatory District that require changes to the permitted activity, and any required modification of this permit must be obtained prior to implementing the changes.
9. This permit does not:
- a. Convey to the permittee any property rights or privileges, or any other rights or privileges other than those specified herein or in Chapter 62-330, F.A.C.;
 - b. Convey to the permittee or create in the permittee any interest in real property;
 - c. Relieve the permittee from the need to obtain and comply with any other required federal, state, and local authorization, law, rule, or ordinance; or
 - d. Authorize any entrance upon or work on property that is not owned, held in easement, or controlled by the permittee.
10. Prior to conducting any activities on state-owned submerged lands or other lands of the state, title to which is vested in the Board of Trustees of the Internal Improvement Trust Fund, the permittee must receive all necessary approvals and authorizations under Chapters 253 and 258, F.S. Written authorization that requires formal execution by the Board of Trustees of the Internal Improvement Trust Fund shall not be considered received until it has been fully executed.
11. The permittee shall hold and save the District harmless from any and all damages, claims, or liabilities that may arise by reason of the construction, alteration, operation, maintenance, removal, abandonment or use of any project authorized by the permit.
12. The permittee shall notify the District in writing:
- a. Immediately if any previously submitted information is discovered to be inaccurate; and
 - b. Within 30 days of any conveyance or division of ownership or control of the property or the system, other than conveyance via a long-term lease, and the new owner shall

request transfer of the permit in accordance with Rule 62-330.340, F.A.C. This does not apply to the sale of lots or units in residential or commercial subdivisions or condominiums where the stormwater management system has been completed and converted to the operation phase.

13. Upon reasonable notice to the permittee, District staff with proper identification shall have permission to enter, inspect, sample and test the project or activities to ensure conformity with the plans and specifications authorized in the permit.
14. If prehistoric or historic artifacts, such as pottery or ceramics, projectile points, stone tools, dugout canoes, metal implements, historic building materials, or any other physical remains that could be associated with Native American, early European, or American settlement are encountered at any time within the project site area, the permitted project shall cease all activities involving subsurface disturbance in the vicinity of the discovery. The permittee or other designee shall contact the Florida Department of State, Division of Historical Resources, Compliance Review Section (DHR), at (850) 245-6333, as well as the appropriate permitting agency office. Project activities shall not resume without verbal or written authorization from the Division of Historical Resources. If unmarked human remains are encountered, all work shall stop immediately and the proper authorities notified in accordance with Section 872.05, F.S. For project activities subject to prior consultation with the DHR and as an alternative to the above requirements, the permittee may follow procedures for unanticipated discoveries as set forth within a cultural resources assessment survey determined complete and sufficient by DHR and included as a specific permit condition herein.
15. Any delineation of the extent of a wetland or other surface water submitted as part of the permit application, including plans or other supporting documentation, shall not be considered binding unless a specific condition of this permit or a formal determination under Rule 62-330.201, F.A.C., provides otherwise.
16. The permittee shall provide routine maintenance of all components of the stormwater management system to remove trapped sediments and debris. Removed materials shall be disposed of in a landfill or other uplands in a manner that does not require a permit under Chapter 62-330, F.A.C., or cause violations of state water quality standards.
17. This permit is issued based on the applicant's submitted information that reasonably demonstrates that adverse water resource-related impacts will not be caused by the completed permit activity. If any adverse impacts result, the District will require the permittee to eliminate the cause, obtain any necessary permit modification, and take any necessary corrective actions to resolve the adverse impacts.
18. A Recorded Notice of Environmental Resource Permit may be recorded in the county public records in accordance with Rule 62-330.090(7), F.A.C. Such notice is not an encumbrance upon the property.
19. This permit for construction will expire five years from the date of issuance.
20. At a minimum, all retention and detention storage areas must be excavated to rough grade prior to building construction or placement of impervious surface within the area to be served by those facilities. To prevent reduction in storage volume and percolation rates, all accumulated sediment must be removed from the storage area prior to final grading and stabilization.
21. All wetland areas or water bodies that are outside the specific limits of construction authorized by this permit must be protected from erosion, siltation, scouring or excess turbidity, and dewatering.

22. The operation and maintenance entity shall inspect the stormwater or surface water management system once within two years after the completion of construction and every two years thereafter to determine if the system is functioning as designed and permitted. The operation and maintenance entity must maintain a record of each required inspection, including the date of the inspection, the name and contact information of the inspector, and whether the system was functioning as designed and permitted, and make such record available for inspection upon request by the District during normal business hours. If at any time the system is not functioning as designed and permitted, then within 30 days the entity shall submit a report electronically or in writing to the District using Form 62-330.311(1), "Operation and Maintenance Inspection Certification," describing the remedial actions taken to resolve the failure or deviation.
23. This permit does not authorize the permittee to cause any adverse impact to or "take" of state listed species and other regulated species of fish and wildlife. Compliance with state laws regulating the take of fish and wildlife is the responsibility of the owner or applicant associated with this project. Please refer to Chapter 68A-27 of the Florida Administrative Code for definitions of "take" and a list of fish and wildlife species. If listed species are observed onsite, FWC staff are available to provide decision support information or assist in obtaining the appropriate FWC permits. Most marine endangered and threatened species are statutorily protected and a "take" permit cannot be issued. Requests for further information or review can be sent to FWCConservationPlanningServices@MyFWC.com.
24. No work in, on or over wetlands or other surface waters is authorized by this permit.
25. Upland buffers shall be marked by signage as per plans received by the District on January 7, 2022.
26. The proposed project must be constructed and operated as per plans received by the District on January 7, 2022.

Notice Of Rights

1. A person whose substantial interests are or may be affected has the right to request an administrative hearing by filing a written petition with the St. Johns River Water Management District (District). Pursuant to Chapter 28-106 and Rule 40C-1.1007, Florida Administrative Code, the petition must be filed (received) either by delivery at the office of the District Clerk at District Headquarters, P. O. Box 1429, Palatka Florida 32178-1429 (4049 Reid St., Palatka, FL 32177) or by e-mail with the District Clerk at Clerk@sjrwmd.com, within twenty-six (26) days of the District depositing the notice of District decision in the mail (for those persons to whom the District mails actual notice), within twenty-one (21) days of the District emailing the notice of District decision (for those persons to whom the District emails actual notice), or within twenty-one (21) days of newspaper publication of the notice of District decision (for those persons to whom the District does not mail or email actual notice). A petition must comply with Sections 120.54(5)(b)4. and 120.569(2)(c), Florida Statutes, and Chapter 28-106, Florida Administrative Code. The District will not accept a petition sent by facsimile (fax), as explained in paragraph no. 4 below.
2. Please be advised that if you wish to dispute this District decision, mediation may be available and that choosing mediation does not affect your right to an administrative hearing. If you wish to request mediation, you must do so in a timely-filed petition. If all parties, including the District, agree to the details of the mediation procedure, in writing, within 10 days after the time period stated in the announcement for election of an administrative remedy under Sections 120.569 and 120.57, Florida Statutes, the time limitations imposed by Sections 120.569 and 120.57, Florida Statutes, shall be tolled to allow mediation of the disputed District decision. The mediation must be concluded within 60 days of the date of the parties' written agreement, or such other timeframe agreed to by the parties in writing. Any mediation agreement must include provisions for selecting a mediator, a statement that each party shall be responsible for paying its pro-rata share of the costs and fees associated with mediation, and the mediating parties' understanding regarding the confidentiality of discussions and documents introduced during mediation. If mediation results in settlement of the administrative dispute, the District will enter a final order consistent with the settlement agreement. If mediation terminates without settlement of the dispute, the District will notify all the parties in writing that the administrative hearing process under Sections 120.569 and 120.57, Florida Statutes, is resumed. Even if a party chooses not to engage in formal mediation, or if formal mediation does not result in a settlement agreement, the District will remain willing to engage in informal settlement discussions.
3. A person whose substantial interests are or may be affected has the right to an informal administrative hearing pursuant to Sections 120.569 and 120.57(2), Florida Statutes, where no material facts are in dispute. A petition for an informal hearing must also comply with the requirements set forth in Rule 28-106.301, Florida Administrative Code.

Notice Of Rights

4. A petition for an administrative hearing is deemed filed upon receipt of the complete petition by the District Clerk at the District Headquarters in Palatka, Florida during the District's regular business hours. The District's regular business hours are 8:00 a.m. – 5:00 p.m., excluding weekends and District holidays. Petitions received by the District Clerk after the District's regular business hours shall be deemed filed as of 8:00 a.m. on the District's next regular business day. The District's acceptance of petitions filed by e-mail is subject to certain conditions set forth in the District's Statement of Agency Organization and Operation (issued pursuant to Rule 28-101.001, Florida Administrative Code), which is available for viewing at sjrwmd.com. These conditions include, but are not limited to, the petition being in the form of a PDF or TIFF file and being capable of being stored and printed by the District. Further, pursuant to the District's Statement of Agency Organization and Operation, attempting to file a petition by facsimile is prohibited and shall not constitute filing.
5. Failure to file a petition for an administrative hearing within the requisite timeframe shall constitute a waiver of the right to an administrative hearing. (Rule 28-106.111, Florida Administrative Code).
6. The right to an administrative hearing and the relevant procedures to be followed are governed by Chapter 120, Florida Statutes, Chapter 28-106, Florida Administrative Code, and Rule 40C-1.1007, Florida Administrative Code. Because the administrative hearing process is designed to formulate final agency action, the filing of a petition means the District's final action may be different from the position taken by it in this notice. A person whose substantial interests are or may be affected by the District's final action has the right to become a party to the proceeding, in accordance with the requirements set forth above.
7. Pursuant to Section 120.68, Florida Statutes, a party to the proceeding before the District who is adversely affected by final District action may seek review of the action in the District Court of Appeal by filing a notice of appeal pursuant to Rules 9.110 and 9.190, Florida Rules of Appellate Procedure, within 30 days of the rendering of the final District action.
8. A District action is considered rendered, as referred to in paragraph no. 7 above, after it is signed on behalf of the District and filed by the District Clerk.
9. Failure to observe the relevant timeframes for filing a petition for judicial review as described in paragraph no. 7 above will result in waiver of that right to review.

NOTICING INFORMATION

Please be advised that the St. Johns River Water Management District will not publish a notice in the newspaper advising the public that it has issued a permit for this project.

Newspaper publication, using the District's notice form, notifies members of the public of their right to challenge the issuance of the permit. If proper notice is given by newspaper publication, then there is a 21-day time limit for someone to file a petition for an administrative hearing to challenge the issuance of the permit.

To close the point of entry for filing a petition, you may publish (at your own expense) a one-time notice of the District's decision in a newspaper of general circulation within the affected area as defined in Section 50.011 of the Florida Statutes. If you do not publish a newspaper notice to close the point of entry, the time to challenge the issuance of your permit will not expire and someone could file a petition even after your project is constructed.

A copy of the notice form and a partial list of newspapers of general circulation are attached for your convenience. However, you are not limited to those listed newspapers. If you choose to close the point of entry and the notice is published, the newspaper will return to you an affidavit of publication. In that event, it is important that you either submit a scanned copy of the affidavit by emailing it to compliancesupport@sjrwmd.com (preferred method) or send a copy of the original affidavit to:

Office of Business and Administrative Services
4049 Reid Street
Palatka, FL 32177

If you have any questions, please contact the Office of Business and Administrative Services at (386) 329-4570.

NOTICE OF AGENCY ACTION TAKEN BY THE
ST. JOHNS RIVER WATER MANAGEMENT DISTRICT

Notice is given that the following permit was issued on _____:

(Name and address of applicant) _____
permit# _____. The project is located in _____ County, Section
_____, Township _____ South, Range _____ East. The permit authorizes a surface
water management system on _____ acres for
_____ known as
_____. The receiving water body is _____.

A person whose substantial interests are or may be affected has the right to request an administrative hearing by filing a written petition with the St. Johns River Water Management District (District). Pursuant to Chapter 28-106 and Rule 40C-1.1007, Florida Administrative Code (F.A.C.), the petition must be filed (received) either by delivery at the office of the District Clerk at District Headquarters, P.O. Box 1429, Palatka FL 32178-1429 (4049 Reid St, Palatka, FL 32177) or by e-mail with the District Clerk at Clerk@sjrwm.com, within twenty-one (21) days of newspaper publication of the notice of District decision (for those persons to whom the District does not mail or email actual notice). A petition must comply with Sections 120.54(5)(b)4. and 120.569(2)(c), Florida Statutes (F.S.), and Chapter 28-106, F.A.C. The District will not accept a petition sent by facsimile (fax). Mediation pursuant to Section 120.573, F.S., may be available and choosing mediation does not affect your right to an administrative hearing.

A petition for an administrative hearing is deemed filed upon receipt of the complete petition by the District Clerk at the District Headquarters in Palatka, Florida during the District's regular business hours. The District's regular business hours are 8 a.m. – 5 p.m., excluding weekends and District holidays. Petitions received by the District Clerk after the District's regular business hours shall be deemed filed as of 8 a.m. on the District's next regular business day. The District's acceptance of petitions filed by e-mail is subject to certain conditions set forth in the District's Statement of Agency Organization and Operation (issued pursuant to Rule 28-101.001, Florida Administrative Code), which is available for viewing at www.sjrwm.com. These conditions include, but are not limited to, the petition being in the form of a PDF or TIFF file and being capable of being stored and printed by the District. Further, pursuant to the District's Statement of Agency Organization and Operation, attempting to file a petition by facsimile (fax) is prohibited and shall not constitute filing.

The right to an administrative hearing and the relevant procedures to be followed are governed by Chapter 120, Florida Statutes, Chapter 28-106, Florida Administrative Code, and Rule 40C-1.1007, Florida Administrative Code. Because the administrative hearing process is designed to formulate final agency action, the filing of a petition means the District's final action may be different from the position taken by it in this notice. **Failure to file a petition for an administrative hearing within the requisite time frame shall constitute a waiver of the right to an administrative hearing. (Rule 28-106.111, F.A.C.)**

If you wish to do so, please visit http://www.sjrwm.com/nor_dec/ to read the complete Notice of Rights to determine any legal rights you may have concerning the District's decision(s) on the permit application(s) described above. You can also request the Notice of Rights by contacting the Director of Business and Administrative Services, 4049 Reid St., Palatka, FL 32177-2529, tele. no. (386)329-4570.

NEWSPAPER ADVERTISING

ALACHUA

The Alachua County Record, Legal Advertising
P. O. Box 806
Gainesville, FL 32602
352-377-2444/ fax 352-338-1986

BRAFORD

Bradford County Telegraph, Legal Advertising
P. O. Drawer A
Starke, FL 32901
904-964-6305/ fax 904-964-8628

CLAY

Clay Today, Legal Advertising
1560 Kinsley Ave., Suite 1
Orange Park, FL 32073
904-264-3200/ fax 904-264-3285

FLAGLER

Flagler Tribune, c/o News Journal
P. O. Box 2831
Daytona Beach, FL 32120-2831
386-681-2322

LAKE

Daily Commercial, Legal Advertising
P. O. Drawer 490007
Leesburg, FL 34749
352-365-8235/fax 352-365-1951

NASSAU

News-Leader, Legal Advertising
P. O. Box 766
Fernandina Beach, FL 32035
904-261-3696/fax 904-261-3698

ORANGE

Sentinel Communications, Legal Advertising
633 N. Orange Avenue
Orlando, FL 32801
407-420-5160/ fax 407-420-5011

PUTNAM

Palatka Daily News, Legal Advertising
P. O. Box 777
Palatka, FL 32178
386-312-5200/ fax 386-312-5209

SEMINOLE

Sanford Herald, Legal Advertising
300 North French Avenue
Sanford, FL 32771
407-323-9408

BAKER

Baker County Press, Legal Advertising
P. O. Box 598
Macclenny, FL 32063
904-259-2400/ fax 904-259-6502

BREVARD

Florida Today, Legal Advertising
P. O. Box 419000
Melbourne, FL 32941-9000
321-242-3832/ fax 321-242-6618

DUVAL

Daily Record, Legal Advertising
P. O. Box 1769
Jacksonville, FL 32201
904-356-2466 / fax 904-353-2628

INDIAN RIVER

Treasure Coast News
760 NW Enterprise Dr.
Port St. Lucie, FL 34986
772-283-5252

MARION

Ocala Star Banner, Legal Advertising
2121 SW 19th Avenue Road
Ocala, FL 34474
352-867-4010/fax 352-867-4126

OKEECHOBEE

Okeechobee News, Legal Advertising
P. O. Box 639
Okeechobee, FL 34973-0639
863-763-3134/fax 863-763-5901

OSCEOLA

Little Sentinel, Legal Advertising
633 N. Orange Avenue
Orlando, FL 32801
407-420-5160/ fax 407-420-5011

ST. JOHNS

St. Augustine Record, Legal Advertising
P. O. Box 1630
St. Augustine, FL 32085
904-819-3439

VOLUSIA

News Journal Corporation, Legal Advertising
P. O. Box 2831
Daytona Beach, FL 32120-2831
(386) 681-2322



FLORIDA DEPARTMENT OF Environmental Protection

Northeast District
8800 Baymeadows Way West, Suite 100
Jacksonville, Florida 32256

Ron DeSantis
Governor

Jeanette Nuñez
Lt. Governor

Shawn Hamilton
Secretary

September 12, 2022

Mr. Todd Steinel
President
TNT Readymix, LLC
4729 Second Street North
Folkston, Georgia 31537 – 8503
Phone: (330) 730 – 4300
Email: suffieldaggregate@gmail.com

Re:

TNT Readymix – Yulee Plant
86317 Gene Lassere Blvd, 3380
Yulee, Florida 32097 – 3380
Nassau County

Facility ID No.: FLG110969-001-IWCB
Effective Date: September 12, 2022
Expiration Date: September 11, 2027

Dear Mr. Steinel:

In response to your request for coverage under the Generic Permit for Discharges from Concrete Batch Plants for the above referenced facility, dated May 6, 2022, the Department of Environmental Protection hereby grants your request effective on September 12, 2022. Your permit number is FLG110969. Please refer to this number in all correspondence or permit inquiries.

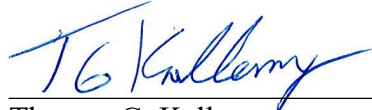
A copy of the effective Generic Permit and a copy of Chapter 62-621, Florida Administrative Code (F.A.C.) are enclosed. Your use of the Generic Permit is valid until **September 11, 2027**. If you wish to continue coverage beyond expiration of the current coverage, request for continued coverage shall be made in accordance with the Generic Permit at least 180 days before expiration. All correspondence, including the request for continued coverage under Section VII.D of the Generic Permit, shall be submitted to the Northeast District Office.

Pursuant to Section 403.087, Florida Statutes (F.S.) and Rule 62-4.052(8)(b), F.A.C., an initial pro-rated regulatory program and surveillance fee is due within 30 days of receipt of invoice. Each year thereafter, the full fee will be due on January 15. The annual fee applicable to your facility is \$200 per year. If you have any questions about the fee or its applicability, please contact the Wastewater Compliance Evaluation Section at (850) 245-8567.

TNT Readymix – Yulee Plant
Permit Number: FLG110969-001-IWCB
Page 2 of 2
September 12, 2022

A person whose substantial interests are affected by the Department’s permitting decision may petition for an administrative proceeding (hearing) under Sections 120.569 and 120.57, F.S. Please see “Attachment A” regarding Notice of Rights for additional information. If you have any questions or comments regarding coverage under the Generic Permit, please contact D. Anh Vo, P.E. at (904) 256-1618 or at Dung.vo@FloridaDEP.gov.

Sincerely,



Thomas G. Kallemeyn
Permitting Program Administrator

Attachment(s):

1. Permit No. FLG110969
Generic Permit for Discharges from Concrete Batch Plants

CERTIFICATE OF SERVICE

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

cc: David Gile, P.E., dgile@eismanrusso.com
Abel Agosto, DEP-Tallahassee
D. Anh Vo, P.E., DEP-NED

FILING AND ACKNOWLEDGMENT

FILED, on September 12, 2022, pursuant to Section 120.52, F. S., with the designated Department Clerk, receipt of which is hereby acknowledged



Clerk

September 12, 2022
Date

State of Florida
Department of Environmental Protection

Generic Permit
For
Discharges From
Concrete Batch Plants

March 10, 1997

This permit is issued under the provisions of Section 403.0885 and Part IV of Chapter 373, Florida Statutes, and applicable rules of the Florida Administrative Code and constitutes authorization to discharge to waters of the state under the National Pollutant Discharge Elimination System (NPDES). Until this permit expires, is terminated, modified or revoked, permittees that have properly obtained coverage under this permit are authorized to construct and operate facilities and discharge to ground and surface waters of the state in accordance with the terms and conditions of this permit.

Part I General Provisions

A. Applicability and Coverage

1. For new concrete batch plants, this generic permit authorizes construction and operation of wastewater and stormwater management systems under Section 403.0885, F.S., and stormwater management facilities under Part IV of Chapter 373, F.S., or Chapter 62-25, F.A.C. For existing concrete batch plants, this generic permit authorizes operation of wastewater and stormwater management systems under Section 403.0885, F.S. This generic permit also constitutes authorization to construct and operate closed-loop recycling vehicle/equipment washing facilities at concrete batch plants.
2. This generic permit does not constitute authorization under Part IV of Chapter 373, F.S., for the construction, alteration, operation, maintenance, abandonment, or removal of any stormwater management system, dam, impoundment, reservoir, or appurtenant work or works, including dredging or filling, in, on or over wetlands and other surface waters, as determined by the methodology authorized in Subsection 373.421(1), F.S. This generic permit does not constitute authorization under Part IV of Chapter 373, F.S., for the construction, alteration, operation, maintenance, abandonment, or removal of any stormwater management system, dam, impoundment, reservoir, or appurtenant work or works within the Sensitive Karst Areas Basin as defined in Rule 40C-41.023(5), F.A.C.; Riparian Habitat Protection Zones designated in Rules 40C-41.063(3)(e)1.a.-c. and 40C-41.063(5)(d)1.a.-d., F.A.C.; and the Water Quality Protection Zone designated in Rule 40C-41.063(3)(c), F.A.C.
3. Coverage under this generic permit is available for new concrete batch plants which meet the criteria specified in this permit, excluding Part III, and existing concrete batch plants which meet the criteria specified in this permit, excluding Part II.
4. New and existing concrete batch plants which do not qualify for coverage or do not choose to be covered under this generic permit shall apply for an individual wastewater permit on the appropriate form listed in Rule 62-620.910, F.A.C., and in the manner established in Chapter 62-620, F.A.C., including submittal of the appropriate processing fee set forth in Rule 62-4.050, F.A.C.

B. Definitions

For the purposes of this generic permit the following definitions shall apply, unless otherwise indicated:

1. “Concrete Batch Plant” or “Ready-mix Concrete Batch Plant” means a ready-mixed concrete production plant engaged primarily in the manufacture of portland cement concrete which is delivered to users in a plastic and unhardened state. Industrial activities associated with ready-mixed concrete production are classified as Standard Industrial Classification Code (SIC) 3273.

2. “Existing Facility” or “Existing Concrete Batch Plant” means a concrete batch plant which was in operation on or before May 9, 1996.
3. “Expansion” means an increase in area or impervious surface of a concrete batch plant site which results in a substantial increase in the volume of runoff generated at the site.
4. “New Facility” or “New Concrete Batch Plant” means a concrete batch plant which was constructed or placed into operation after May 9, 1996, or an existing facility to which an expansion was made after May 9, 1996.
5. “Type I Wastewater” means wastewater generated during general industrial activities at a concrete batch plant including conveyor washdown; washing of mixing plant and slump racks, and other similar sources; washing of mixer truck chutes and dust spray-off from mixer truck exteriors; runoff from water sprayed on aggregate piles, including reclaimed Type II wastewater used for this purpose; water sprayed for dust control; contact stormwater runoff; and any water that comes into contact with this wastewater. This term does not include mixer truck undercarriage washing or other truck or equipment washing.
6. “Type II Wastewater” means wastewater generated from washout of the interior of a concrete truck mixer drum and any water that comes into contact with this wastewater, excluding contact as a result of spraying reclaimed Type II wastewater on aggregate piles.
7. “Contact Stormwater” means stormwater that has the potential to come into contact with areas of industrial activity on a concrete batch plant site. As used herein, this term is synonymous with “stormwater associated with industrial activity” as defined in 40 CFR 122.26.
8. “Non-contact Stormwater” means stormwater that does not have the potential to come into contact with areas of industrial activity on a concrete batch plant site. As used herein, this term excludes any “stormwater associated with industrial activity” as defined in 40 CFR 122.26.

C. Request for Coverage

1. Requests for coverage under this generic permit shall be submitted to the appropriate district office of the Department, as listed in condition VII.A.1. For new facilities, requests for coverage shall be submitted at least 30 days prior to planned commencement of construction of Type I wastewater management systems, Type II wastewater containment systems, and non-contact stormwater management systems. Requests for coverage for new and existing facilities shall include the following items:
 - a. Completed Notice of Intent to Use Generic Permit for Discharges from Concrete Batch Plants, DEP Form 62-621.300(3)(b).
 - b. Applicable general permit fee pursuant to Rule 62-4.050, F.A.C.

c. Engineering report, signed and sealed by a professional engineer in accordance with condition VII.A.3., containing the following:

- (1) A description of the Type II wastewater containment system, Type I wastewater management system, and any on-site non-contact stormwater management facilities.
- (2) A site plan indicating the location of the Type I and Type II wastewater systems, and any on-site non-contact stormwater facilities, and delineating areas contributing drainage into each system. The direction of flow should be indicated on the site plan. The site plan shall also clearly indicate the location of any points of discharge.
- (3) The design criteria on which the wastewater and stormwater systems are based, such as: the calculation of design average daily flow of the non-stormwater components of Type I and Type II wastewater; stormwater runoff calculations; design storms utilized; sources of data for rainfall or design storm information; stage/storage calculations; determination of percolation rates; and, any other information or assumptions used for design.
- (4) A description of the operational mode of Type I and Type II wastewater systems, including pumping or other conveyance systems and use or recycling of reclaimed Type I and Type II wastewater.
- (5) A description of any facilities for handling, use, or disposal of solids from Type II wastewater containment systems or Type I wastewater management systems.
- (6) The location on the site and a description of any closed-loop recycling vehicle/equipment washing facilities.

D. Period of Coverage

1. Coverage under this generic permit shall be effective upon written notification by the Department. The Department shall process requests for coverage under this generic permit pursuant to the provisions of Rule 62-620.510(1)-(5) and (8), F.A.C.
2. Coverage under this generic permit is limited to a term not to exceed five years from the effective date of coverage.

Part II Design and Operational Requirements for Type II Wastewater, Type I Wastewater and Non-contact Stormwater Management Facilities for New Concrete Batch Plants

A. Type II wastewater facilities:

1. The permittee shall construct and place into operation, in accordance with the compliance schedule for new facilities contained in Part VI of this generic permit, an impermeable facility for containment and reclamation of all Type II wastewater produced. (For purposes of this generic permit, a Type II wastewater containment system constructed of concrete shall

be considered impermeable.) In addition to containing produced Type II wastewater, the wastewater containment system shall provide sufficient capacity to retain the volume of rainfall which falls directly into the Type II wastewater containment system and stormwater runoff from the area contributing drainage into the Type II wastewater containment system, resulting from the 25-year, 24-hour storm event identified in the engineering report.

2. There shall be no discharge from the Type II wastewater containment system except following a rainfall event exceeding the 25-year, 24-hour storm event.
3. All produced Type II wastewater shall be discharged to the Type II wastewater containment system.
4. There shall be no direct discharge from the Type II wastewater containment system to ground or surface waters of the state. (For purposes of this condition, "waters" shall be as defined in Section 403.031, F.S.) Any overflow from the Type II wastewater containment system, as a result of rainfall in excess of the 25-year, 24-hour storm event, shall discharge to an emergency holding pond or to the Type I wastewater management system.

B. Type I wastewater and non-contact stormwater management facilities:

1. The facility shall meet the design and operational criteria of a. or b. below:
 - a. The permittee shall construct and place into operation, in accordance with the compliance schedule for new facilities contained in Part VI of this generic permit, a Type I wastewater and non-contact stormwater management system consisting of a sediment trap/diversion structure(s), an off-line wet detention facility for treatment of the first one-half (1/2) inch of runoff from the Type I area of the site (i.e., area of the site that produces Type I wastewater), and a final wet detention facility for final treatment of pre-treated Type I wastewater and non-contact stormwater as more particularly described below:

(1) Sediment trap/diversion structure(s).

The sediment trap/diversion structure(s) shall be the point of collection of all Type I wastewater from the site. They shall be designed to collect granular materials that wash off the Type I area of the site. They should be constructed of concrete, or other durable material, capable of withstanding cleaning on a routine basis. They shall be designed such that the first one-half inch of runoff from the Type I area of the site is diverted to the off-line wet detention facility described in (2) below. Runoff in excess of the first one-half inch from any event shall be diverted to the final wet detention treatment facility described in (3) below.

(2) Off-line wet detention facility for treatment of first one-half inch of runoff.

The facility shall have an outlet structure consisting of a drawdown device, such as an orifice or V- or square-notch weir, and an overflow device, such as a standpipe or weir. The facility shall provide a treatment volume between the drawdown device (control) elevation and the overflow device elevation. The design treatment volume shall be sufficient to detain a minimum of one-half inch of runoff from the Type I area of the site. The drawdown device shall be designed such that one-half the treatment volume is recovered within the first 48 to 60 hours following any runoff producing event. Drawdown devices smaller than three inches minimum width, or less than 20 degrees for "V" notches, shall include a device to eliminate clogging (i.e., baffles, grates, etc.). The control elevation should be set at or above the design tailwater elevation at the point of discharge to the conveyance to the final wet detention facility and the seasonal high water table elevation to assure that the facility can effectively recover the treatment volume.

The facility shall provide a permanent (wet) pool below the control elevation. The permanent pool volume shall provide at least a 14-day residence time (the average time required to renew the water volume of the permanent pool) during the wettest three month period of the year. The facility's permanent pool maximum depth shall not exceed 12-feet and the facility's mean depth (permanent pool volume divided by surface area at the control elevation) should be between 2- and 8-feet.

The facility's configuration should be designed to minimize short circuiting and maximize mixing (i.e., flow path through facility has an average length to width ratio of at least 2:1, inlet and outlet locations maximize flow paths, etc.).

Discharge from the outlet structure shall be conveyed to the final wet detention facility described in (3) below.

(3) Final wet detention treatment facility.

The facility shall detain and treat the discharge from the off-line wet detention facility described in (2) above and runoff from the Type I area and non-contact stormwater area of the site.

The facility shall have an outlet structure consisting of a drawdown device, such as an orifice or V- or square-notch weir, and an overflow device, such as a standpipe or weir. The facility shall provide a treatment volume between the drawdown device (control) elevation and the overflow device elevation. The design treatment volume shall be sufficient to detain, at a minimum, discharge from the off-line wet detention facility and the greater of: one inch of runoff from the entire site; or 2.5-inches of runoff from the impervious area of the entire site. The drawdown device shall be designed such that one-half the treatment volume is recovered within the first 48 to 60 hours following any runoff producing event. Drawdown devices smaller than three inches minimum width, or less than 20 degrees for “V” notches, shall include a device to eliminate clogging (i.e., baffles, grates, etc.). The facility’s outlet structure shall also be designed to accommodate passage of flows from the upstream wet detention facility and meet the appropriate discharge attenuation criteria pursuant to condition II.B.2. below. The control elevation should be set at or above the design tailwater elevation of the point of discharge from the site and the seasonal high water table elevation to assure that the facility can effectively recover the treatment volume.

The facility shall provide a permanent (wet) pool below the control elevation. The permanent pool volume shall provide at least a 21-day residence time (the average time required to renew the water volume of the permanent pool) during the wettest three month period of the year. The facility’s permanent pool maximum depth shall not exceed 12-feet and the facility’s mean depth (permanent pool volume divided by surface area at the control elevation) should be between 2- and 8-feet.

The facility’s configuration should be designed to minimize short circuiting and maximize mixing (i.e., flow path through facility has an average length to width ratio of at least 2:1, inlet and outlet locations maximize flow paths, etc.).

- b. The permittee shall construct and place into operation, in accordance with the compliance schedule for new facilities contained in Part VI of this generic permit, facilities to retain and treat Type I wastewater and non-contact stormwater as more particularly described below:
 - (1) The retention facilities shall be designed to retain runoff from the Type I area of the site (i.e., area of the site that produces Type I wastewater), including all produced Type I wastewater and runoff from the Type I area of the site contributing drainage into the retention facilities, and non-contact stormwater, resulting from the 10-year, 24-hour storm event identified in the engineering report. The retention facilities design shall demonstrate recovery of system storage capacity through percolation to ground water and evaporation.
 - (2) The Type I wastewater and non-contact stormwater retention facilities shall not discharge to surface waters except following a rainfall event exceeding the 10-year, 24-hour storm event. The volume of discharge to surface waters shall be limited to the volume of rainfall on the area contributing drainage to the retention facilities and the

volume of rainfall which falls directly into the retention facilities, in excess of the 10-year, 24-hour storm event.

2. The Type I wastewater and non-contact stormwater management system constructed in accordance with condition II.B.1. above shall be designed to assure that the post-development rate of discharge of stormwater runoff from the concrete batch plant site does not exceed the pre-development rate of discharge from the site in accordance with the applicable criteria for the Water Management District in which the facility is located pursuant to Rule 62-330.200, F.A.C.
3. All facilities shall be inspected and cleaned on a routine basis to assure continued proper operation.
4. Discharge from the Type I wastewater and non-contact stormwater management system shall not cause or contribute to violations of surface water quality standards pursuant to Chapter 62-302, F.A.C.
5. There shall be no direct discharge from the Type I wastewater and non-contact stormwater management system to Outstanding Florida Waters, Outstanding National Resource Waters or Class I waters.
6. Ground water monitoring shall not be required for the Type I wastewater and non-contact stormwater management facilities. The Type I wastewater and non-contact stormwater management facilities are authorized to discharge to ground water in accordance with the following conditions:
 - a. A zone of discharge is established for the discharge of Type I wastewater and non-contact stormwater to ground water, more specifically described as follows:

The zone of discharge shall extend 100 feet from the edge of the pollution source or to the permittee's property boundary, whichever is less.
 - b. Discharge to ground water shall not cause a violation of water quality standards for ground water at the boundary of the zone of discharge in accordance with Rules 62-520.400 and 62-520.420, F.A.C.
 - c. Discharge to ground water shall not cause a violation of the minimum criteria for ground water specified in Rule 62-520.400, F.A.C., within the zone of discharge.

C. Wastewater and stormwater management:

1. The permittee shall develop and implement, in accordance with the compliance schedule for new facilities contained in Part VI of this generic permit, a Wastewater and Stormwater Management Plan (WSMP) for on-site management of wastewater and stormwater. The WSMP shall be developed in accordance with Part VIII of this generic permit.

Part III Design and Operational Requirements for Type II Wastewater and Type I Wastewater Facilities for Existing Concrete Batch Plants

A. Type II wastewater facilities:

1. The permittee shall have in place and operational, in accordance with the compliance schedule for existing facilities contained in Part VI of this generic permit, an impermeable facility for containment and reclamation of all Type II wastewater produced. (For purposes of this generic permit, a Type II wastewater containment system constructed of concrete shall be considered impermeable.) In addition to containing produced Type II wastewater, the wastewater containment system shall provide sufficient capacity to retain the volume of rainfall which falls directly into the Type II wastewater containment system and stormwater runoff from the area contributing drainage into the Type II wastewater containment system, resulting from the 25-year, 24-hour storm event identified in the engineering report.
2. There shall be no discharge from the Type II wastewater containment system except following a rainfall event exceeding the 25-year, 24-hour storm event.
3. All produced Type II wastewater shall be discharged to the Type II wastewater containment system.
4. There shall be no direct discharge from the Type II wastewater containment system to ground or surface waters of the state. (For purposes of this condition, "waters" shall be as defined in Section 403.031, F.S.) Any overflow from the Type II wastewater containment system, as a result of rainfall in excess of the 25-year, 24-hour storm event, shall discharge to an emergency holding pond or to the Type I wastewater management system.

B. Type I wastewater facilities:

1. The facility shall meet the design and operational criteria of a. or b. below:
 - a. The permittee shall have in place and operational, in accordance with the compliance schedule for existing facilities contained in Part VI of this generic permit, a Type I wastewater management system consisting of a sediment trap/diversion structure(s) and an off-line wet detention facility for treatment of produced Type I wastewater and runoff resulting from the first one-half (1/2) inch of rainfall on the Type I area of the site (i.e., area of the site that produces Type I wastewater) as more particularly described below:

(1) Sediment trap/diversion structure(s).

The sediment trap/diversion structure(s) shall be the point of collection of all Type I wastewater from the site. They shall be designed to collect granular materials that wash off the Type I area of the site. They should be constructed of concrete, or other durable material, capable of withstanding cleaning on a routine basis. They shall be designed such that produced Type I wastewater and runoff resulting from the first one-half (1/2) inch of rainfall on the Type I area of the site is diverted to the off-line wet detention facility described in (2) below.

(2) Off-line wet detention facility for treatment of first one-half inch of runoff.

The facility shall have an outlet structure consisting of a drawdown device, such as an orifice or V- or square-notch weir, and an overflow device, such as a standpipe or weir. The facility shall provide a treatment volume between the drawdown device (control) elevation and the overflow device elevation. The design treatment volume shall be sufficient to detain a minimum of the runoff resulting from produced Type I wastewater and the first one-half (1/2) inch of rainfall on the Type I area of the site. The drawdown device shall be designed such that one-half the treatment volume is recovered within the first 48 to 60 hours following any runoff producing event. Drawdown devices smaller than three inches minimum width, or less than 20 degrees for "V" notches, shall include a device to eliminate clogging (i.e., baffles, grates, etc.). The control elevation should be set at or above the design tailwater elevation at the point of discharge from the site and the seasonal high water table elevation to assure that the facility can effectively recover the treatment volume.

The facility shall provide a permanent (wet) pool below the control elevation. The permanent pool volume shall provide at least a 14-day residence time (the average time required to renew the water volume of the permanent pool) during the wettest three month period of the year. The facility's permanent pool maximum depth shall not exceed 12-feet and the facility's mean depth (permanent pool volume divided by surface area at the control elevation) should be between 2- and 8-feet.

The facility's configuration should be designed to minimize short circuiting and maximize mixing (i.e., flow path through facility has an average length to width ratio of at least 2:1, inlet and outlet locations maximize flow paths, etc.).

- b. The permittee shall have in place and operational, in accordance with the compliance schedule for existing facilities contained in Part VI of this generic permit, facilities to retain and treat Type I wastewater as more particularly described below:

- (1) The retention facilities shall be designed to retain runoff from the Type I area of the site (i.e., area of the site that produces Type I wastewater), including all produced Type I wastewater and runoff from the Type I area of the site contributing drainage into the retention facilities, resulting from the 10-year, 24-hour storm event identified

in the engineering report. The retention facilities design shall demonstrate recovery of system storage capacity through percolation to ground water and evaporation.

If the engineering report substantiates that, because of topographic, geotechnical or other site specific considerations, it was not feasible to construct retention facilities on the concrete batch plant site with sufficient capacity to retain the volume of runoff from the Type I area of the site resulting from the 10-year, 24-hour storm event, then the permittee shall have in place and operational, off-line retention facilities meeting the following criteria:

- (a) The retention facilities shall be designed to provide a treatment volume with sufficient capacity to retain all produced Type I wastewater and runoff resulting from either the first one (1) inch of rainfall on the Type I area of the site or the first one-half (1/2) inch of runoff from the Type I area of the site.
- (b) Capacity for the treatment volume specified in (a) above shall be provided within 72 hours following any runoff producing event. The retention facilities design shall demonstrate recovery of system storage capacity through percolation to ground water and evaporation.

(2) The Type I wastewater retention facilities shall not discharge to surface waters except following a rainfall event which results in runoff exceeding the design runoff volume selected in accordance with (1) above. The volume of discharge to surface waters shall be limited to the volume of runoff entering the Type I wastewater retention facilities in excess of the design runoff volume selected in accordance with (1) above.

- 2. All facilities shall be inspected and cleaned on a routine basis to assure continued proper operation.
- 3. Discharge from the Type I wastewater management system shall not cause or contribute to violations of surface water quality standards pursuant to Chapter 62-302, F.A.C.
- 4. There shall be no direct discharge from the Type I wastewater management system to Outstanding Florida Waters, Outstanding National Resource Waters or Class I waters.
- 5. Ground water monitoring shall not be required for the Type I wastewater management facilities. The Type I wastewater management facilities are authorized to discharge to ground water in accordance with the following conditions:
 - a. A zone of discharge is established for the discharge of Type I wastewater to ground water, more specifically described as follows:
 - (1) For facilities defined as existing facilities in Rule 62-522.200, F.A.C., the zone of discharge shall extend horizontally to the permittee's property line.

(2) For facilities that are not defined as existing in Rule 62-522.200, F.A.C., the zone of discharge shall extend 100 feet from the edge of the pollution source or to the permittee's property boundary, whichever is less.

b. Discharge to ground water shall not cause a violation of water quality standards for ground water at the boundary of the zone of discharge in accordance with Rules 62-520.400 and 62-520.420, F.A.C.

c. Discharge to ground water shall not cause a violation of the minimum criteria for ground water specified in Rule 62-520.400, F.A.C., within the zone of discharge.

C. Wastewater and stormwater management:

1. The permittee shall develop and implement, in accordance with the compliance schedule for existing facilities contained in Part VI of this generic permit, a Wastewater and Stormwater Management Plan (WSMP) for on-site management of wastewater and stormwater. The WSMP shall be developed in accordance with Part VIII of this generic permit.

Part IV Industrial Sludge Management Requirements

1. Disposal of waste products in a solid waste management facility shall be in accordance with the requirements of Chapter 62-701, F.A.C.

2. Materials generated and stored on-site which are to be reused or recycled are not considered waste products.

Wastewater and Stormwater Management Plan (WSMP):

Develop WSMP ----- Effective date of coverage plus 6 months

Submit Notice of Availability of WSMP -----Effective date of coverage plus 6 months

Implement WSMP ----- Effective date of coverage plus 12 months

Other permit conditions:

Operational level attained ----- Effective date of coverage

Part VII Other Specific Conditions

A. Specific Conditions Applicable to All Permits

1. Unless specified otherwise in this permit, all reports and notifications required by this permit, including twenty-four hour notifications, shall be submitted or reported, as the case may be, to the Department's Industrial Wastewater Section of the district office of the district in which the facility is located. Addresses of the Department's district offices are indicated below:

Department of Environmental Protection
Central District Office
3319 Maguire Boulevard, Suite 232
Orlando, Florida 32803-3767

Phone: 407/893-3317
Fax: 407/897-2966

Department of Environmental Protection
South District Office
2295 Victoria Avenue
Fort Myers, Florida 33901

Phone: 813/332-6975
Fax: 813/332-6969

Department of Environmental Protection
Northeast District Office
8800 Baymeadows Way West, Suite 100
Jacksonville, Florida 32256

Phone: 904/256-1700
Fax: 904/256-1589

Department of Environmental Protection
Southeast District Office
400 North Congress Avenue
P.O. Box 15425
West Palm Beach, Florida 33416-5425

Phone: 407/681-6600
Fax: 407/681-6760

Department of Environmental Protection
Northwest District Office
160 Governmental Center
Pensacola, Florida 32501-5794

Department of Environmental Protection
Southwest District Office
3804 Coconut Palm Drive
Tampa, Florida 33619-8318

Phone: 904/444-8300
Fax: 904/444-8417

Phone: 813/744-6100
Fax: 813/744-8198

2. Drawings, plans, documents or specifications submitted by the permittee, not attached hereto, but retained on file with the Department, are made a part hereof.
3. Where specified in this generic permit, documents shall be signed and sealed by a professional engineer registered in the State of Florida pursuant to Chapter 471, F.S.
4. All of the general conditions listed in Rule 62-621.250, F.A.C., are adopted herein by reference.

B. Specific Conditions for Closed-loop Recycling Vehicle/Equipment Washing Facilities

1. There shall be no discharge from closed-loop recycling vehicle/equipment washing facilities to ground or surface waters of the state.
2. Rainfall, runoff and other extraneous sources of water shall be precluded from the closed-loop recycling vehicle/equipment washing facilities.
3. No oil, degreaser, engine coolant or other solid wastes shall be disposed of at the closed-loop recycling vehicle/equipment washing facilities.
4. Solids removed from sedimentation tanks and used filter materials shall be disposed of in accordance with condition IV.1.
5. Any waste oil collected from oil/water separators shall be disposed of in accordance with Chapter 62-710, F.A.C.

C. Specific Conditions Related to Construction

1. Prior to and during construction of systems specified in this generic permit, the permittee shall implement and maintain all erosion and sediment control measures required to retain sediment on-site and to prevent violations of state water quality standards. The permittee is encouraged to use appropriate best management practices described in the Florida Land Development Manual: A Guide to Sound Land and Water Management (Florida Department of Environmental Regulation, 1988).
2. Within thirty days of completion of construction, the permittee shall submit to the Department a completed "Certification of Completion of Construction" (DEP form 62-620.910(12)) signed and sealed by the engineer of record.
3. Record drawings shall be prepared and made available in accordance with Rule 62-620.410(10), F.A.C., within six months of placing new or substantially modified facilities into operation.

D. Duty to Request Continued Coverage

1. Coverage under this generic permit is limited to a term not to exceed five years from the effective date of coverage. The permittee may request continued coverage under this generic permit in accordance with the requirements contained in Section I.C. Alternatively, the permittee may request continued coverage by submitting the items specified in conditions I.C.1.a. and b. and a certification, signed and sealed by a professional engineer in accordance with condition VII.A.3., stating that no modification, as defined in Chapter 62-620, F.A.C., or expansion to the facility has been made during the current term of coverage. Request for continued coverage shall be made at least 180 days before expiration of the current coverage.

Part VIII Wastewater and Stormwater Management Plan

In accordance with the terms and conditions of this generic permit, the permittee is required to prepare and implement a Wastewater and Stormwater Management Plan (WSMP). The WSMP shall consist of two primary elements -- a best management practices element and a stormwater pollution prevention element. These two sections of the WSMP shall be in conformance with the provisions of Sub-parts A. and B. of this Part as follows:

A. Best Management Practices Element

1. The BMP plan element shall be prepared in accordance with Rule 62-621.700, F.A.C.
2. The following additional specific requirements shall be addressed in the BMP plan element:
 - a. Establish specific operation and maintenance requirements to ensure continued proper functioning of all on-site pollution control facilities, including the Type II wastewater containment system and Type I wastewater management system.
 - (1) Provide specific operation and maintenance procedures and schedules to assure proper long-term operation of the Type II wastewater containment system and associated appurtenances, including any necessary pumping equipment.
 - (2) Provide specific operation and maintenance procedures and schedules to assure proper long-term operation of the Type I wastewater management system components, including provisions to ensure non-clogging of outlet structures, conveyances, percolation basin bottoms, etc.
 - b. Establish specific BMPs for beneficial use/recycling of Type II wastewater and Type I wastewater, such as, cleaning out concrete truck mixer drums, manufacture of concrete, and sprinkling on aggregate piles.
 - c. Establish specific BMPs for the proper on-site handling of any sludge/solids removed from the Type II wastewater containment system or Type I wastewater management system.
3. The permittee shall amend the BMP plan element whenever there is a change in the facility or change in the operation of the facility which materially increases the potential for the ancillary activities to result in a discharge of significant amounts of pollutants or if the BMP plan element proves to be ineffective in achieving the general objective of preventing the release of significant amounts of pollutants to waters of the state.

B. Stormwater Pollution Prevention Element

1. General Requirements:

The stormwater pollution prevention plan element shall be prepared in accordance with good engineering practices. The plan element shall identify potential sources of pollution which may reasonably be expected to affect the quality of stormwater discharges associated with industrial activity from the facility. In addition, the plan element shall describe and ensure the implementation of practices which are to be used to reduce the pollutants in stormwater discharges associated with industrial activity at the facility and to assure compliance with the terms and conditions of this permit. Facilities must implement the provisions of the stormwater pollution prevention plan element required under this sub-part as a condition of this permit.

2. Signature and Review:

- a. The plan shall be signed in accordance with Rule 62-620.305, F.A.C., and be retained on-site at the facility which generates the stormwater discharge for the term of coverage under this permit.
- b. The permittee shall make plans available to the Department upon request.
- c. The Department shall notify the permittee at any time that the plan does not meet one or more of the minimum requirements of this sub-part. Such notification shall be in writing and shall identify those provisions of the permit which are not being met by the plan element, and identify which provisions of the plan element require modifications in order to meet the minimum requirements of this sub-part.

3. Keeping Stormwater Pollution Prevention Plan Element Current:

The permittee shall amend the plan element whenever there is a change in design, construction, operation, or maintenance, which has a significant effect on the potential for the discharge of pollutants to the waters of the State or if the stormwater pollution prevention plan element proves to be ineffective in eliminating or significantly minimizing pollutants from sources identified under item 4.b. (Description of Potential Pollutant Sources) of this sub-part, or in otherwise achieving the general objectives of controlling pollutants in stormwater discharges associated with industrial activity.

4. Contents of Stormwater Pollution Prevention Plan Element:

The SWPP plan element shall include, at a minimum, the following items:

a. Pollution Prevention Team.

The plan element shall identify a specific individual or individuals within the facility organization as members of a stormwater Pollution Prevention Team that are responsible for developing the stormwater pollution prevention plan element and assisting the facility or plant manager in its implementation, maintenance, and revision.

b. Description of Potential Pollutant Sources.

The plan element shall provide a description of potential sources which may reasonably be expected to add significant amounts of pollutants to stormwater discharges. The plan element shall identify all activities and significant materials which may potentially be significant pollutant sources. The term significant materials shall be as defined in 40 CFR 122.26(b)(12), the definition of which is hereby incorporated by reference. The plan element shall include, at a minimum:

(1) Drainage.

A site map indicating an outline of the portions of the drainage area of each outfall that are within the facility boundaries, each existing structural control measure to reduce pollutants in stormwater runoff, surface water bodies, locations where significant materials are exposed to precipitation, locations where major spills or leaks identified under item 4.b.(3) (Spills and Leaks) of this sub-part have occurred, and the locations of the following activities where such activities are exposed to precipitation: fueling stations; vehicle and equipment maintenance and/or cleaning areas; loading/unloading areas; locations used for the treatment, storage or disposal of wastes; liquid storage tanks, processing areas and storage areas. Facilities shall also identify, on the site map, the location of any: bag house or other dust control device; recycle/sedimentation pond, clarifier, or other device used for the treatment of wastewater, as well as the areas that drain to the treatment device.

(2) Inventory of Exposed Materials.

An inventory of the types of materials handled at the site that potentially may be exposed to precipitation. Such inventory shall include a narrative description of significant materials that have been handled, treated, stored, or disposed of in a manner to allow exposure to stormwater in the three years prior to the effective date of coverage under this permit. Additionally, the inventory shall include a narrative description of the method and location of on-site storage or disposal.

(3) Spills and Leaks.

A list of significant spills and leaks of toxic or hazardous pollutants that occurred at areas that are exposed to precipitation, or that otherwise drain to a stormwater conveyance, at the facility in the three years prior to the effective date of coverage under this permit. The term “significant spills and leaks” shall be as defined in the September 29, 1995 Federal Register (Vol. 60, no. 189, page 51123), the definition of which is hereby incorporated by reference. Such list shall be updated as additional spills and leaks occur.

c. Measures and Controls.

Each facility covered by this permit shall develop a description of stormwater management controls appropriate for the facility, and implement such controls. The appropriateness and priorities of controls in the plan element shall reflect identified potential sources of pollutants at the facility. The description of stormwater management controls shall address the following minimum components:

(1) Good Housekeeping.

Good housekeeping requires areas which may contribute pollutants to stormwater discharges to be maintained in a clean, orderly manner.

- (a) Facilities shall prevent or minimize the discharge of spilled cement, aggregate (including sand or gravel), kiln dust, fly ash, settled dust and other significant materials in stormwater from paved portions of the site that are exposed to stormwater. Measures used to minimize the presence of these materials may include regular sweeping, or other equivalent measures. The plan element shall indicate the frequency of sweeping or other measures. The frequency shall be determined based upon consideration of the amount of industrial activity occurring in the area and frequency of precipitation, but shall not be less than once per week when cement, aggregate, kiln dust or fly ash are being handled or otherwise processed in the area.
- (b) Facilities shall prevent the exposure of fine granular solids such as cement, fly ash and kiln dust to stormwater. Methods to prevent exposure of materials to stormwater include storing in enclosed silos, hoppers or buildings, in covered areas, or under covering.

(2) Preventive Maintenance.

A preventive maintenance program shall involve timely inspection and maintenance of stormwater management devices (e.g. cleaning oil/water separators, catch basins) as well as inspecting and testing facility equipment and systems to uncover conditions that could cause breakdowns or failures resulting in discharges of pollutants to surface waters, and ensuring appropriate maintenance of such equipment and systems. Facilities shall ensure that any existing dust collection systems are properly operated and maintained.

(3) Spill Response Procedures.

Procedures for cleaning up spills shall be identified in the plan element and made available to the appropriate personnel. The necessary equipment to implement a clean up should be available to personnel.

(4) Inspections.

Qualified facility personnel shall be identified to inspect designated equipment and areas of the facility specified in the plan element. The inspection frequency shall be specified in the plan element based upon a consideration of the level of industrial activity at the facility, but shall be a minimum of once per month while the facility is in operation. The inspection shall take place while the facility is in operation and shall at a minimum include all of the following areas that are exposed to stormwater at the site: material handling areas, above ground storage tanks, hoppers or silos, dust collection/containment systems, truck washdown and equipment cleaning areas. Tracking or follow-up procedures shall be used to ensure that appropriate actions are taken in response to the inspections. Records of inspections shall be maintained for the term of coverage under this permit.

(5) Employee Training.

Employee training programs shall inform personnel responsible for implementing activities identified in the stormwater pollution prevention plan element or otherwise responsible for stormwater management at all levels of responsibility of the components and goals of the stormwater pollution prevention plan element. Training should address topics such as spill response, good housekeeping, truck washout procedures, equipment washdown procedures and material management practices.

(6) Recordkeeping and Internal Reporting Procedures.

A description of incidents (such as spills, or other discharges), along with other information describing the quality and quantity of stormwater discharges shall be included in the plan element required under this sub-part. Inspections and maintenance activities shall be documented and records of such activities shall be incorporated into the plan element and shall be maintained for the term of coverage under this permit.

(7) Sediment and Erosion Control.

The plan element shall identify areas which, due to topography, activities, or other factors, have a high potential for significant soil erosion, and identify structural, vegetative, and/or stabilization measures to be used to limit erosion.

Applicable rules from Chapter 62-621, F.A.C., and applicable conditions from Rule 62-620.610, F.A.C.

62-621.250 General Conditions.

Unless stated otherwise in this chapter, all permits listed in this chapter are subject to the conditions in subsections 62-620.610(1)-(5), (7), (9)-(10), (13)-(15), (17)-(18), and (20)-(23), F.A.C. Additionally, the following conditions apply:

(1) When requested by the Department, the permittee shall provide any information required by law which is needed to determine whether there is cause for revising, revoking and reissuing, or terminating coverage under this permit, or to determine compliance with the permit. The permittee shall also provide to the Department upon request copies of records required by this permit to be kept. If the permittee becomes aware of relevant facts that were not submitted or were incorrect in the permit application or in any report to the Department, such facts or information shall be submitted or corrections reported to the Department within 10 days of discovery.

(2) Unless specifically stated otherwise in Department rules, the permittee, in accepting this permit coverage, 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.

(3) The use of generic permits issued under this chapter is limited to a term not to exceed five years. The renewal of permit coverage shall be in accordance with Rule 62-620.335, F.A.C., unless otherwise specified in the generic permit. The application requirements for submittal of request for coverage are located in Rule 62-621.300, F.A.C., or each specific generic permit.

(4) Coverage under this generic permit may be suspended, revoked and reissued, or terminated in accordance with Rule 62-620.345, F.A.C., if the Secretary determines that there has been a violation of any of the terms or conditions of the permit, there has been a violation of state water quality standards or the permittee has submitted false, incomplete or inaccurate data or information.

Rulemaking Authority 403.061, 403.087, 403.088, 403.0885, 403.08851 FS. Law Implemented 403.061, 403.087, 403.088, 403.0885, 403.08851 FS. History—New 8-22-95, Amended 5-1-97, 2-14-00, 10-22-00, 12-23-04.

62-620.610 General Conditions for All Permits.

All permits, except General and Generic Permits, issued by the Department under this chapter shall include the following conditions:

(1) The terms, conditions, requirements, limitations and restrictions set forth in this permit are binding and enforceable pursuant to Chapter 403, F.S. Any permit noncompliance constitutes a violation of Chapter 403, F.S., and is grounds for enforcement action, permit termination, permit revocation and reissuance, or permit revision.

(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 constitutes grounds for revocation and enforcement action by the Department.

(3) As provided in Section 403.087(7), F.S., the issuance of this permit does not convey any vested rights or any exclusive privileges. Neither does it authorize any injury to public or private property or any invasion of personal rights, nor authorize any infringement of federal, state, or local laws or regulations. This permit is not a waiver of or approval of any other Department permit or authorization that may be required for other aspects of the total project which are not addressed in this permit.

(4) This permit conveys no title to land or water, does not constitute State recognition or acknowledgment of title, and does not constitute authority for the use of submerged lands unless herein provided and the necessary title or leasehold interests have been obtained from the State. Only the Trustees of the Internal Improvement Trust Fund may express State opinion as to title.

(5) This permit does not relieve the permittee from liability and penalties for harm or injury to human health or welfare, animal or plant life, or property caused by the construction or operation of this permitted source; nor does it allow the permittee to cause pollution in contravention of Florida Statutes and Department rules, unless specifically authorized by an order from the Department. The permittee shall take all reasonable steps to minimize or prevent any discharge, reuse of reclaimed water, or residuals use or disposal in violation of this permit which has a reasonable likelihood of adversely affecting human health or the environment. It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.

(7) The permittee shall at all times properly operate and maintain the facility and systems of treatment and control, and related appurtenances, that are installed and used by the permittee to achieve compliance with the conditions of this permit. This provision includes the operation of backup or auxiliary facilities or similar systems when necessary to maintain or achieve compliance with the conditions of the permit.

(9) The permittee, by accepting this permit, specifically agrees to allow authorized Department personnel, including an authorized representative of the Department and authorized EPA personnel, when applicable, upon presentation of credentials or other documents as may be required by law, and at reasonable times, depending upon the nature of the concern being investigated, to

(a) Enter upon the permittee's premises where a regulated facility, system, or activity is located or conducted, or where records shall be kept under the conditions of this permit;

(b) Have access to and copy any records that shall be kept under the conditions of this permit;

(c) Inspect the facilities, equipment, practices, or operations regulated or required under this permit; and

(d) Sample or monitor any substances or parameters at any location necessary to assure compliance with this permit or Department rules.

(10) In accepting this permit, the permittee understands and agrees that all records, notes, monitoring data, and other information relating to the construction or operation of this permitted source which are submitted to the Department may be used by the Department as evidence in any enforcement case involving the permitted source arising under the Florida Statutes or Department rules, except as such use is proscribed by Section 403.111, F.S., or Rule 62-620.302, F.A.C. Such evidence shall only be used to the extent that it is consistent with the Florida Rules of Civil Procedure and applicable evidentiary rules.

(13) The permittee, in accepting this permit, agrees to pay the applicable regulatory program and surveillance fee in accordance with Rule 62-4.052, F.A.C.

(14) This permit is transferable only upon Department approval in accordance with Rule 62-620.340, F.A.C. The permittee shall be liable for any noncompliance of the permitted activity until the transfer is approved by the Department.

(15) The permittee shall give the Department written notice at least 60 days before inactivation or abandonment of a wastewater facility or activity and shall specify what steps will be taken to safeguard public health and safety during and following inactivation or abandonment.

(17) The permittee shall give advance notice to the Department of any planned changes in the permitted facility or activity which may result in noncompliance with permit requirements. The permittee shall be responsible for any and all damages which may result from the changes and may be subject to enforcement action by the Department for penalties or revocation of this permit. The notice shall include the following information:

(a) A description of the anticipated noncompliance;

(b) The period of the anticipated noncompliance, including dates and times; and

(c) Steps being taken to prevent future occurrence of the noncompliance.

(18) Sampling and monitoring data shall be collected and analyzed in accordance with Rule 62-4.246, Chapters 62-160 and 62-601, F.A.C., and 40 CFR 136, as appropriate.

(a) Monitoring results shall be reported at the intervals specified elsewhere in this permit and shall be reported on a Discharge Monitoring Report (DMR), DEP Form 62-620.910(10), or as specified elsewhere in the permit.

(b) If the permittee monitors any contaminant more frequently than required by the permit, using Department approved test procedures, the results of this monitoring shall be included in the calculation and reporting of the data submitted in the DMR.

(c) Calculations for all limitations which require averaging of measurements shall use an arithmetic mean unless otherwise specified in this permit.

(d) Except as specifically provided in Rule 62-160.300, F.A.C., any laboratory test required by this permit shall be performed by a laboratory that has been certified by the Department of Health Environmental Laboratory Certification Program (DOH ELCP). Such certification shall be for the matrix, test method and analyte(s) being measured to comply with this permit. For domestic wastewater facilities, testing for parameters listed in subsection 62-160.300(4), F.A.C., shall be conducted under the direction of a certified operator.

(e) Field activities including on-site tests and sample collection shall follow the applicable standard operating procedures described in DEP-SOP-001/01 adopted by reference in Chapter 62-160, F.A.C.

(f) Alternate field procedures and laboratory methods may be used where they have been approved in accordance with Rules 62-160.220 and 62-160.330, F.A.C.

(20) The permittee shall report to the Department any noncompliance which may endanger health or the environment. Any information shall be provided orally within 24 hours from the time the permittee becomes aware of the circumstances. A written submission shall also be provided within five days of the time the permittee becomes aware of the circumstances. The written submission shall contain a description of the noncompliance and its cause; the period of noncompliance including exact dates and time, and if the noncompliance has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent recurrence of the noncompliance.

(a) The following shall be included as information which must be reported within 24 hours under this condition:

1. Any unanticipated bypass which causes any reclaimed water or the effluent to exceed any permit limitation or results in an unpermitted discharge,
2. Any upset which causes any reclaimed water or the effluent to exceed any limitation in the permit,
3. Violation of a maximum daily discharge limitation for any of the pollutants specifically listed in the permit for such notice, and
4. Any unauthorized discharge to surface or ground waters.

(b) Oral reports as required by this subsection shall be provided as follows:

1. For unauthorized releases or spills of treated or untreated wastewater reported pursuant to subparagraph (a)4. that are in excess of 1,000 gallons per incident, or where information indicates that public health or the environment will be endangered, oral reports shall be provided to the Department by calling the STATE WARNING POINT TOLL FREE NUMBER (800) 320-0519, as soon as practical, but no later than 24 hours from the time the permittee becomes aware of the discharge. The permittee, to the extent known, shall provide the following information to the State Warning Point:

- a. Name, address, and telephone number of person reporting;
- b. Name, address, and telephone number of permittee or responsible person for the discharge;
- c. Date and time of the discharge and status of discharge (ongoing or ceased);
- d. Characteristics of the wastewater spilled or released (untreated or treated, industrial or domestic wastewater);
- e. Estimated amount of the discharge;
- f. Location or address of the discharge;
- g. Source and cause of the discharge;
- h. Whether the discharge was contained on-site, and cleanup actions taken to date;
- i. Description of area affected by the discharge, including name of water body affected, if any; and
- j. Other persons or agencies contacted.

2. Oral reports, not otherwise required to be provided pursuant to subparagraph (b)1. above, shall be provided to the Department within 24 hours from the time the permittee becomes aware of the circumstances.

(c) If the oral report has been received within 24 hours, the noncompliance has been corrected, and the noncompliance did not endanger health or the environment, the Department shall waive the written report.

(21) The permittee shall report all instances of noncompliance not reported under conditions (17), (18) or (19) of this permit at the time monitoring reports are submitted. This report shall contain the same information required by condition (20) of this permit.

(22) Bypass Provisions.

(a) Bypass is prohibited, and the Department may take enforcement action against a permittee for bypass, unless the permittee affirmatively demonstrates that:

1. Bypass was unavoidable to prevent loss of life, personal injury, or severe property damage; and
2. There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate back-up equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass which occurred during normal periods of equipment downtime or preventive maintenance; and

3. The permittee submitted notices as required under condition (22)(b) of this permit.

(b) If the permittee knows in advance of the need for a bypass, it shall submit prior notice to the Department, if possible at least 10 days before the date of the bypass. The permittee shall submit notice of an unanticipated bypass within 24 hours of learning about the bypass as required in condition (20) of this permit. A notice shall include a description of the bypass and its cause; the period of the bypass, including exact dates and times; if the bypass has not been corrected, the anticipated time it is expected to continue; and the steps taken or planned to reduce, eliminate, and prevent recurrence of the bypass.

(c) The Department shall approve an anticipated bypass, after considering its adverse effect, if the permittee demonstrates that it will meet the three conditions listed in condition (22)(a)1. through 3. of this permit.

(d) A permittee may allow any bypass to occur which does not cause reclaimed water or effluent limitations to be exceeded if it is for essential maintenance to assure efficient operation. These bypasses are not subject to the provision of condition (22)(a) through (c) of this permit.

(23) Upset Provisions.

(a) A permittee who wishes to establish the affirmative defense of upset shall demonstrate, through properly signed, contemporaneous operating logs, or other relevant evidence that:

1. An upset occurred and that the permittee can identify the cause(s) of the upset;
2. The permitted facility was at the time being properly operated;
3. The permittee submitted notice of the upset as required in condition (20) of this permit; and
4. The permittee complied with any remedial measures required under condition (5) of this permit.

(b) In any enforcement proceeding, the burden of proof for establishing the occurrence of an upset rests with the permittee.

(c) Before an enforcement proceeding is instituted, no representation made during the Department review of a claim that noncompliance was caused by an upset is final agency action subject to judicial review.

Rulemaking Authority 403.061, 403.087 FS. Law Implemented 403.051, 403.061, 403.087, 403.088, 403.0885 FS. History—New 11-29-94, Amended 12-24-96, 10-23-00, 4-17-02, 12-23-04, 2-7-06.

62-621.260 Best Management Practices (BMP) Plan.

When a BMP plan is required by a generic permit listed in this chapter, the permittee shall prepare the plan in accordance with the following procedures:

(1) The permittee shall maintain the BMP plan at the facility and shall make the plan available to the Department upon request.

(2) The permittee shall develop and implement a BMP plan which prevents, or minimizes the potential for, the release of pollutants from ancillary activities, including:

- (a) Material storage areas;
- (b) Plant site runoff;

- (c) In-plant transfer, process and material handling areas;
- (d) Loading and unloading operations; and

(e) Sludge and waste disposal areas, to the surface waters of the state through plant site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw material storage. The term “pollutants” refers to any substance listed as toxic under Section 307(a)(1) of the Clean Water Act (Act); oil, as defined in Section 311(a)(1) of the Act; and substances listed as hazardous under Section 311 of the Act.

(3) The publication “Guidance Manual for Developing Best Management Practices (BMP),” document number EPA 833-B-93-004, can be used as a reference which contains technical information on BMPs and the elements of the BMP program. Copies of this publication can be obtained by submitting written requests to: Department of Environmental Protection, Bureau of Water Facilities Regulation, Industrial Wastewater Section, Mail Station #3545, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400 or Director, Water Management Division, U.S. EPA Region IV, 61 Forsyth Street, Atlanta, Georgia 30303.

Rulemaking Authority 403.061, 403.087, 403.088, 403.0885, 403.08851 FS. Law Implemented 403.061, 403.087, 403.088, 403.0885, 403.08851 FS. History—New 12-23-04.

62-621.300 Permits.

(3) Generic Permit for Discharges from Concrete Batch Plants.

(a) The document “Generic Permit for Discharges from Concrete Batch Plants,” document number 62-621.300(3)(a), issued by the Department and dated March 10, 1997, is hereby incorporated by reference and made part of this chapter. This document may be obtained by contacting either the local Department District Office, by writing the Department of Environmental Protection, Industrial Wastewater Section, Mail Station #3545, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, or from the Department’s website.

(b) Form number 62-621.300(3)(b), Notice of Intent to Use Generic Permit for Discharges from Concrete Batch Plants, effective May 10, 2005, is hereby incorporated by reference and made part of this chapter. This form may be obtained by contacting either the local Department District Office, by writing the Department of Environmental Protection, Industrial Wastewater Section, Mail Station #3545, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400 or from the Department’s website.

(c) Document number 62-621.300(3)(a) referenced in item (a) of this section contains specific design and operating requirements for discharges from wastewater and stormwater management systems at concrete batch plants.

Rulemaking Authority 373.043, 373.1131, 373.413, 373.414, 373.416, 403.061, 403.087, 403.0877, 403.088, 403.0885 FS. Law Implemented 373.043, 373.1131, 373.413, 373.414, 373.416, 403.061, 403.087, 403.0877, 403.088, 403.0885 FS. History—New 12-24-96, Amended 5-1-97, 2-14-00, 10-22-00, 5-1-03, 12-23-04, 4-20-05, 5-10-05, 2-17-09, 4-14-11.



FLORIDA DEPARTMENT OF Environmental Protection

Northeast District
8800 Baymeadows Way West, Suite 100
Jacksonville, Florida 32256

Ron DeSantis
Governor

Jeanette Nuñez
Lt. Governor

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Secretary

ATTACHMENT A

NOTICE OF RIGHTS

A person whose substantial interests are affected by the Department's proposed permitting decision may petition for an administrative proceeding (hearing) under Sections 120.569 and 120.57, Florida Statutes. The petition must contain the information set forth below and must be filed (received by the Clerk) in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000.

Under Rule 62-110.106(4), Florida Administrative Code, a person may request an extension of the time for filing a petition for an administrative hearing. The request must be filed (received by the Clerk) in the Office of General Counsel before the end of the time period for filing a petition for an administrative hearing.

Petitions by the applicant or any of the persons listed below must be filed within fourteen days of receipt of this written notice. Petitions filed by any persons other than those entitled to written notice under Section 120.60(3), Florida Statutes must be filed within fourteen days of publication of the notice or within fourteen days of receipt of the written notice, whichever occurs first. Section 120.63(3), Florida Statutes, however, also allows that any person who has asked the Department for notice of agency action may file a petition within fourteen days of receipt of such notice, regardless of the date of publication.

The petitioner shall mail a copy of the petition to the applicant at the address indicated above at the time of filing. The failure of any person to file a petition or request for an extension of time within fourteen days of receipt of notice shall constitute a waiver of that person's right to request an administrative determination (hearing) under Sections 120.569 and 120.57, Florida Statutes. Any subsequent intervention (in a proceeding initiated by another party) will be only at the discretion of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205, Florida Administrative Code.

A petition that disputes the material facts on which the Department's action is based must contain the following information, as indicated in Rule 28-106.201, Florida Administrative Code:

- (a) The name and address of each agency affected and each agency's file or identification number, if known;
- (b) The name, address, and telephone number of the petitioner; the name, address, and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how the petitioner's substantial interests will be affected by the determination;
- (c) A statement of when and how the petitioner received notice of the Department's decision;
- (d) A statement of all disputed issues of material fact. If there are none, the petition must so indicate;

- (e) A concise statement of the ultimate facts alleged, including the specific facts the petitioner contends warrant reversal or modification of the Department's proposed action;
- (f) A statement of the specific rules or statutes the petitioner contends require reversal or modification of the Department's proposed action, including an explanation of how the alleged facts relate to the specific rules or statutes; and
- (g) A statement of the relief sought by the petitioner, stating precisely the action petitioner wishes the Department to take with respect to the Department's proposed action

Because the administrative hearing process is designed to formulate final agency action, the filing of a petition means that the Department's final action may be different from the position taken by it in this notice. Persons whose substantial interests will be affected by any such final decision of the Department have the right to petition to become a party to the proceeding, in accordance with the requirements set forth above.

Mediation under Section 120.573, Florida Statutes is not available for this proceeding.

This permit action is final on the date filed with the Clerk of the Department unless a petition (or request for an extension of time) is filed in accordance with the above. Upon the timely filing of a petition (or request for an extension of time) this permit will not be effective until further order of the Department.

Any party to the permit has the right to seek judicial review of the permit action under Section 120.68, Florida Statutes, by the filing of a notice of appeal under Rules 9.110 and 9.190, Florida Rules of Appellate Procedure with the Clerk of the Department in the Office of General Counsel, 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida, 32399-3000, and by filing a copy of the notice of appeal accompanied by the applicable filing fees with the appropriate district court of appeal. The notice of appeal must be filed within 30 days from the date when this permit action is filed with the Clerk of the Department.