

FACT SHEET  
City of Stuart  
Permit Numbers 0043090-128-UO  
WACS Facility ID # 68887  
July 30, 2013

Operation Permit for the City of Stuart Wastewater Treatment Plant's Class I Injection Wells IW-1 and IW-2 and Monitor Wells DMW-1, MW-2, and MW2-2.

1. General Information

A. Statutory Basis for Requiring/Issuing Permit

The Department has permitting jurisdiction under Chapter 403, Florida Statutes (F.S.), and the rules adopted thereunder. The project is not exempt from permitting procedures. The Department has determined that an operation permit is required for the proposed project.

B. Name and Address of Applicant

Mr. Samuel T. Amerson, P.E., Director  
Public Works Department  
City of Stuart  
121 SW Flagler Avenue  
Stuart, FL 34994  
[SAmerson@ci.stuart.fl.us](mailto:SAmerson@ci.stuart.fl.us)

C. Description of Applicant's Proposed Operation

To operate Class I injection wells IW-1 and IW-2 and single-zone monitor wells DMW-1, MW-2, and MW2-2. Injection well IW-1 also has an annular monitor interval (MW-1). These wells are located at the City of Stuart Stypmann Boulevard Wastewater Treatment Plant (WWTP). The WWTP is located at 301 SE Stypmann Boulevard, south of East Ocean Boulevard, Stuart, Florida, Martin County (IW-1 = latitude 27°11'45.347"N and longitude 80°14'59.314"W; IW-2 = latitude 27°11'47.032"N and longitude 80°14'54.108"W). The injection wells are permitted for the disposal of non-hazardous, secondary treated municipal effluent from the WWTP. Injection well IW-2 is the primary injection well and IW-1 is used for emergency backup of IW-2. The maximum permitted flow of injection well IW-1 is 3.5 MGD as based on a rate of 10 feet per second (fps) during normal operation and 4.2 MGD as based on a rate of 12 fps during emergency conditions. The maximum permitted wellhead pressure for IW-1 is 107 psi. The maximum permitted flow of injection well IW-2 is 10 MGD as based on pump station capacity. The maximum permitted wellhead pressure for IW-2 is 109 psi. See Document 1, Appendix E, Addendum to the City of Stuart's Injection Well System, Operations and Maintenance Manual, Document 2, Appendix A, Figure 1, Rules 62-528.360, 62-528.400, 62-528.415(1)(f)2., 62-528.455(2)(c), (e) and (f), 62-528.455(3), 62-600.420(1)(d)1., and 62-600.540, F.A.C., and permit specific conditions I, II, III, IV, V, and VI.

D. Permitting History of this Facility

The construction of a test injection well (IW-1) and its annular monitor well (MW-1) was approved by the Department of Natural Resources on February 21, 1974, and the Department of Pollution Control (Permit No. 43-0001-73) on October 9, 1973. Construction of monitor well DMW-1 began on January 28, 1974, and was completed March 21, 1974. Construction of injection well IW-1 began in March 1974, and was

completed June 2, 1974. The injection well was originally drilled to a depth of 3011 feet below land surface (bls) and had an annular monitor zone from 1010 to 1300 feet bls. Monitor well DMW-1 was originally drilled to 2993 feet bls. An operation permit was applied for May 8, 1975, however because of other agencies becoming involved and negotiations about the construction of the wells, the wells stood idle until January 1978. Geophysical logs run on the injection well in April 1978, showed that the injection well open hole had filled in up to a depth of 2990 feet bls. In December 1977, a short-term injection test was approved by the involved Agencies. The injection test on IW-1 started in February 1978, but was aborted after 15 days due to unexpected increases of the injection pressure. A consent order was agreed upon to modify this facility. Construction permit UD43-46099 was issued by the Department of Environmental Regulation (DER) on September 4, 1981, for rehabilitation of injection well IW-1 and modification of monitor well DMW-1. Under permit UD43-46099 the injection well was deepened from 2990 to 3305 feet bls and a 10-inch steel liner was installed and set at 2670 feet bls. Monitor well DMMW-1 (also under permit UD43-46099) was plugged with gravel from 2752 to 2993 feet bls and then cemented from 2752 feet bls up to 2093 feet bls. The injection well open-annular monitor zone was not modified during the rehabilitation. Permit UD43-46099 expired on November 1, 1982. DER operation permit DO43-68584 was issued May 23, 1983, for the plant, injection well, annular monitor tube, and monitor well DMW-1. Permit DO43-68584 expired May 23, 1988. An application for renewal of the operation permit was submitted on October 6, 1988. Consent Order OGC Case No. 89-0105 which was issued October 7, 1989. Monitor well MW-2 was constructed under permit UC43-250255 which was issued on July 13, 1994, for the operation of injection well IW-1 and monitor well DMW-1. Permit UC43-276895 was issued on September 13, 1995, to allow the operational testing of monitor well MW-2. Permit UC43-294480 was issued on April 30, 1997, for the construction of injection well IW-2 and monitor well MW2-2. Operation permit 0043090-003-UO for injection well IW-1 and monitor wells DMW-1 and MW-2 was issued on October 25, 1999, and was to expire on October 24, 2004. Operation permit 0043090-003-UO was extended by the timely (August 25, 2004) submittal of an operation permit. Operation permit 0043090-008-UO for injection well IW-2 and monitor wells MW2-2 and DMW-1 was issued on October 25, 1999, and was to expire on October 24, 2004. Operation permit 0043090-003-UO was extended by the timely submittal (August 25, 2004) of an operation renewal permit application. The salinity concentrations for monitor well MW-2 were much higher than what was expected. Since effluent nutrient parameters have not been detected in MW-2 and MW-2-2 which is at similar depth has shown no change in water quality, monitor well MW-2 data is considered anomalies. Also monitor well DMW-1 has not shown any fluid movement and this well monitors a zone (2027 – 2093 feet) which is below the base of the Underground Source of Drinking Water. MW-2 monitors injection well IW-1, which is only used for backup. Because of all these factors there was reasonable assurance that fluid movement was not occurring at this injection well system. Operation permit 004309-081-UO was issued for this injection well facility on May 8, 2008, and is to expire on May 7, 2013. In March 2012, monitor well DMW-1 failed to produce sufficient water to evacuate the well during sampling. A video survey was attempted in the casing on March 23, 2012. Thick deposits were seen on the well casing during the video survey. The video survey was discontinued at 254 feet due to concerns that the camera may become buried in the well by the sloughing material which was being dislodged by the camera. As of this draft permit date Well DMW-1 is operating with a low flow volume but will continue to be rehabilitated under this permit. Operation permit 004309-081-UO was extended by the timely submittal (March 8, 2013) of an operation renewal permit application.

E. Documents Used in Permitting Decision

1. Application to operate injection wells IW-1 and IW-2, dated March 8, 2013.
2. "Stuart Injection Well Construction Operational Testing Request UIC Permit UC-43-294480" report dated January 1998.
3. "City of Stuart, Florida Injection Well System Operations and Maintenance Manual" dated November 1998.
4. "Stuart Wastewater Treatment Plant Injection Well System Injection Well IW-2 and Monitor Well MW2-2 Drilling and Testing" report dated September 1998.
5. "City of Stuart Mechanical Integrity Testing Results for Injection Wells IW-1 and IW-2" report dated September 2010.
6. "Engineering Report Drilling and Testing of Deep Disposal and Monitoring Wells" dated January 1975.
7. "Engineering Report on the Rehabilitation of the Deep Injection and Monitoring Wells at the Stuart Wastewater Treatment Plant" dated April 1982.
8. "Engineering Report of the Construction and Testing of Monitor Well MW-2", dated September, 1995.
9. May 2, 2013, response to the Department's April 5, 2013, request for information (RFI) concerning the operation application.

2. Reasons Permit Was Issued; Derivation of Conditions

A. Mechanical Integrity Demonstration (Rule 62-528.300(6), F.A.C.)

1. A pressure test of 160.25 psi, with a 1.40 percent decrease to 158.0 psi by the end of one hour, was conducted on the 10-inch casing of injection well IW-1 on June 2, 2010. This pressure change is within the 5 percent limits allowed by the Department. See Document 5, Rules 62-528.300(6)(b)2. and (e), 62-528.410(7)(c), 62-528.425(1)(d), and 62-528.455(2)(b), F.A.C., and permit specific conditions I.A.2., I.B., and I.C.
2. A television video survey of the 10-inch casing of injection well IW-1 was conducted on June 3, 2010. The television survey did not reveal any defects in the cased portion of the well. See Document 5, Rules 62-528.410(7)(d), 62-528.455(2)(b), and 62-528.425(1)(d), F.A.C., and permit specific conditions I.B., and I.C.
3. The June 4, 2010, temperature log run on the injection well indicated no evidence of fluid movement behind the 10-inch casing of injection well IW-1. See Document 5, Rules 62-528.300(6)(c), 62-528.410(7)(b), 62-528.425(1)(d), and 62-528.455(2)(b), F.A.C., and permit specific conditions I.B. and I.C.

4. The June 4, 2010, radioactive tracer survey test indicated that there was no fluid movement behind the final casing of injection well IW-1. See Document 5, Rules 62-528.300(6)(c), 62-528.410(7)(h), 62-528.425(1)(d), and 62-528.455(2)(b), F.A.C., and permit specific conditions I.B. and I.C.
5. A pressure test of 163.85 psi, with a 2.14 percent decrease to 160.00 psi by the end of one hour, was conducted on the 24-inch casing of injection well IW-2 on June 17, 2010. This pressure change is within the 5 percent limits allowed by the Department. See Document 5, Rules 62-528.300(6)(b)2. and (e), 62-528.410(7)(c), 62-528.425(1)(d), and 62-528.455(2)(b), F.A.C., and permit specific conditions I.A.2., I.B., and I.C.
6. A television video survey of the 24-inch casing of injection well IW-2 was conducted on June 21, 2010. The television survey did not reveal any defects in the cased portion of the well. See Document 5, Rules 62-528.410(7)(d), 62-528.455(2)(b), and 62-528.425(1)(d), F.A.C., and permit specific conditions I.B., and I.C.
7. The June 22, 2010, temperature log run on the injection well indicated no evidence of fluid movement behind the 24-inch casing of injection well IW-2. See Document 5, Rules 62-528.300(6)(c), 62-528.410(7)(b), 62-528.425(1)(d), and 62-528.455(2)(b), F.A.C., and permit specific conditions I.B., and I.C.
8. The June 22, 2010, radioactive tracer survey test indicated that there was no fluid movement behind the final casing of injection well IW-2. See Document 5, Rules 62-528.300(6)(c), 62-528.410(7)(h), 62-528.425(1)(d), and 62-528.455(2)(b), F.A.C., and permit specific conditions I.B., and I.C.
9. The August 7, 1997, cement bond/variable density log (CBL) run on injection well IW-2 demonstrated a good cement bond around the 24-inch casing from 802 to 1606 and 2216 to 2838 feet below land surface (bls). The CBL showed moderate to poor cement bonding from 281 to 802 and 1606 to 2216 feet bls. However, there is no evidence that there are voids or lack of cement along the outside of the 24-inch casing. See Document 2, pages 3 through 6 and Appendix D and Rules 62-528.300(6), 62-528.410(5)(g)2., and 62-528.455(2)(b), F.A.C.
10. A pressure test of 102.5 psi, with a 2.44 percent decrease to 100.0 psi over the one-hour test period, was conducted on the 5.563-inch casing of monitor well MW-2 on May 9, 1995 (Document 8).
11. A television video survey on completed monitor well MW-2 was conducted on May 17, 1995. The television survey did not reveal any defects in the cased portion of the well (Document 8).
12. The May 17, 1995, CBL run on monitor well MW-2 demonstrated a good cement bond around the 5.5-inch casing from 1574 feet bls. The CBL shows a moderate cement bond from 1574 to 1635 feet bls. There was a thin sheath of cement found inside the casing during the TV survey at 1574 feet bls. This cement was suspected of interfering with the CBL at this depth (Document 8, page 4-1 and Appendix B).

13. A pressure test of 151.5 psi, with a 0.99 percent increase to 153.0 psi by the end of one hour, was conducted on the 6.625-inch casing of monitor well MW2-2 on September 4, 1997 (Document 2, pages 3 through 6 and Appendix E).
14. A television video survey on completed monitor well MW2-2 was conducted on September 2, 1997. The television survey did not reveal any defects in the cased portion of the well (Document 2, pages 3 through 6 and Appendix D).
15. The October 9, 1997, CBL run on monitor well MW2-2 demonstrated a good cement bond around the 6.625-inch casing from 1370 to 1600 feet bls (Document 2, pages 3 through 6 and Appendix D).
16. The monitor well physical/chemical (pressure/water quality) data does not indicate movement of fluids out of the injection zone. See Document 5, Rules 62-528.425(1)(g) and 62-528.430(2)(a) and (b)1.d., F.A.C.
17. Mechanical integrity testing of the injection well IW-1 must be completed prior to June 1, 2015. Mechanical integrity testing of the injection well IW-2 must be completed prior to June 16, 2015. A final report for the demonstration of mechanical integrity of these wells must be submitted within three months of the initiation date of the mechanical integrity testing. See Rules 62-528.425(1)(d) and 62-528.455(3)(b)5., F.A.C., and permit specific conditions I.B. and I.C.

B. Area of Review (Rule 62-528.300(4), F.A.C.)

Wells located within a 1.25-mile radius from the injection facility were located on a map and the well information listed. There where no wells identified that where not properly completed or plugged within the 1.25-mile area of review. See Document 1 and Rules 62-528.300(4) and 62-528.455(3)(b)1. and 2., F.A.C.

C. Confinement (Rule 62-528.405(2), F.A.C.)

Demonstrated through water quality tests, formation sampling, coring, straddle packer testing, and geophysical logs (caliper ray, gamma, dual induction, bore compensated sonic, borehole televiwer, pumping and static flowmeter, pumping and static temperature, and pumping and static fluid resistivity) performed during the drilling of injection well IW-2 and monitor well MW2-2. The confining intervals are in the lower Avon Park and Oldsmar Formations between 2120 to 2670 feet bls. See Document 1, Figures A-3 and B-1, Document 2, Document 4, pages E-4 through E-7, E-12 through E-14, Figure 5-3, and Sections 3, 4, and 5, Document 8, and Rules 62-528.405(1)(a), (2)(a), and (2)(c), F.A.C.

D. Injection Zone Testing (Rule 62-528.405(3), F.A.C.)

Performed through water quality testing, formation sampling, geophysical logs (caliper ray, gamma, dual induction, bore compensated sonic, borehole televiwer, pumping and static flowmeter, pumping and static temperature, and pumping and static fluid resistivity), core samples and long and short term injection testing. A short term injection test at a rate of 7000 gallons per minute was conducted on injection well IW-2 for a 24 hour period. A short term injection test at a rate of 2880 gallons per minute was conducted on injection well IW-1 for a 24 hour period. The injection zone is in the Oldsmar Formation and

extends from a depth of 2670 feet bls to 3305 feet bls. See Document 1, Figures A-3 and B-1, Document 2, page 2 item 2 and Appendix B, Document 4, page E-14, Figure 5-3, and Sections 3, 4, and 5, and Appendix K and Rules 62-528.405(1)(a) and (3), 62-528.430(2)(d), 62-528.455(2)(a) and (d), and 62-528.455(3)(b)7., F.A.C.

E. Underground Source of Drinking Water (USDW) (Rule 62-528.405(1)(a), F.A.C.)

Water quality tests during drilling of monitor well MW2-2 and injection well IW-2, along with the geophysical logging results (see 2.B. above) and straddle packer testing from the monitor well and injection well, were used to identify the base of the USDW. The base of the lowermost USDW occurs in the Avon Park Formation at approximately 1962 feet bls. See Document 1, Figures A-3 and B-1, Document 4, page E-14, Figure 5-3, and Sections 3, 4, and 5, Document 9, Rules 62-528.430(2)(e), 62-528.455(2)(a) and (d), F.A.C., and permit specific conditions I.A. 4. and III.

F. Well Construction

Injection Well IW-1:

As-built casing program for injection well IW-1 (all casings were new unused steel, cemented to land surface, except for the 16-inch casing which has an uncemented zone used for annular monitoring). See Document 1, page 3, and Document 3, Figure 3, Document 6, Document 7, and Document 9.

As-built casing for injection well IW-1:

36-inch OD (0.50-inch thick) casing set to 318 feet bls  
24-inch OD (0.50-inch thick) casing set to 1010 feet bls  
Annular Monitor Interval 1010 to 1300 feet bls  
16-inch OD (0.50-inch thick) casing set to 2000 feet bls  
10.75-inch OD (0.365-inch thick) casing set to 2670 feet bls  
15-inch open hole from 2670 to 3305 feet bls

Monitor Well MW-2:

As-built casing for monitor well MW-2 (all casings were new and unused carbon steel, cemented to land surface): See Document 1, page 3, Document 3, Figure 4, and Document 9.

As-built casing for monitor well MW-2:

20-inch OD (0.375-inch thick) casing set to 210 feet bls  
10.75-inch OD (0.365-inch thick) casing set to 798 feet bls  
5.563-inch OD (0.50-inch thick) casing set to 1635 feet bls  
Monitor Zone 1635 to 1690 feet bls  
The pilot hole was back-plugged with neat cement from 1875 to 1690 feet bls

Injection Well IW-2:

As-built casing program for injection well IW-2 (all casings were new, unused steel, cemented to land surface). See Document 1, page 4 and Appendix E, Figure 5, Document 2, Appendix A, and Document 9.

As-built casing for the injection well IW-2:

54-inch OD (0.375-inch thick) casing set to 170 feet bls  
44-inch OD (0.375-inch thick) casing set to 835 feet bls  
34-inch OD (0.375-inch thick) casing set to 2100 feet bls  
24-inch OD (0.50-inch thick) casing set to 2887 feet bls  
24-inch open hole to total depth of well 3252 feet bls

As-built Monitor Well MW2-2:

As-built casing program for monitor well MW2-2 (all casings were new, unused steel, cemented to land surface). See Document 1, page 4, Document 2, Appendix A, and Document 9.

As-built casing for monitor well MW2-2:

20-inch OD (0.375-inch thick) casing set to 170 feet bls  
14-inch OD (0.375-inch thick) casing set to 835 feet bls  
6.625-inch OD (0.562-inch thick) casing set to 1600 feet bls  
Monitor zone 1600 to 1650 feet bls

As-built Monitor Well DMW-1 :

As-built casing for monitor well DMW-1 (all casings were new unused steel, cemented to land surface). See Document 1, page 4, Document 3, Figure 6, Document 7, and Document 9 and permit specific condition 1.A.9.

As-built casing for monitor well DMW-1:

24-inch OD (0.50-inch thick) casing set to 310 feet bls  
16-inch OD (0.50-inch thick) casing set to 1200 feet bls  
8.625-inch OD (0.50-inch thick) casing set to 2027 feet bls  
Monitor Zone from 2027 to 2093 feet bls

The total depth of monitor well was originally 2993 feet bls. The open hole was plugged with gravel from 2752 to 2993 feet bls and then cemented from 2752 feet bls up to 2093 feet bls (see Section 1.D. for history of plugging).

G. Monitor Plan (Rule 62-528.425(1), F.A.C.)

Injection well IW-1's annular monitor interval (MW-1) occurs in between the 16-inch and 24-inch casings from 1010 to 1300 feet bls (Ocala Formation). This annular monitor well interval is used for monitoring within the USDW. See Document 1, page 3, Document 3, Figure 3, Document 4, Figure 5-3, Document 7, Document 9, Rules 62-528.425(1)(e) and 62-528.425(1)(g), F.A.C., and permit specific conditions I.C., II, and III.

Single-zone monitor well MW-2 is located approximately 120 feet east of injection well IW-1. The interval monitored is 1635 to 1690 feet bls (Avon Park Formation). This monitor well is for monitoring the USDW. See Document 1, page 3, Document 2, Appendix A, Figure 1, Document 3, Figure 4, Document 4, Figure 5-3, Document 9, Rules 62-528.425(1)(e) and 62-528.425(1)(g), F.A.C., and permit specific conditions I.C., II, and III.

Single zone monitor well MW2-2 is located approximately 75 feet south of injection well IW-2. The interval monitored is at 1600 to 1650 feet bls (Avon Park Formation). This monitor well is for monitoring the USDW. See Document 1, page 4, Document 2, Appendix A, Figure 1, Document 3, Figure 7, Document 4, Figure 5-3, Document 9, Rules 62-528.425(1)(e) and 62-528.425(1)(g), F.A.C., and permit specific conditions I.C., II, and III.

Single zone monitor well DMW-1 is located approximately 47 feet southwest of injection well IW-2 and 460 feet northeast of the injection well IW-1. The interval monitored is at 2027 to 2093 feet bls (lower Avon Park Formation). This monitor well interval is used for early warning monitoring below the USDW. See Document 1, page 4, Document 2, Appendix A Figure 1, Document 3, Figure 6, Document 4, Figure 5-3, Document 9, and Rules 62-528.425(1)(e) and 62-528.425(1)(g), F.A.C., and specific conditions I.A.9., I.C., II, and III.

Ground water from the all the monitor zones is monitored monthly for total dissolved solids (TDS), specific conductance, chloride, pH, ammonia, total kjeldahl nitrogen (TKN), sulfate, and temperature. See Document 3, pages 14 through 17, Table 2, and Appendix D, Rules 62-528.425(1)(e), 62-528.425(1)(g), and 62-528.430(2)(b)1.d., F.A.C., and permit specific conditions I.A., II, and III.

The pressure or water level for all the monitor zones is monitored continuously. See Document 3, pages 14 through 17, Table 2, and Appendix D, Rules 62-528.425(1)(e), 62-528.425(1)(g), and 62-528.430(2)(b)1.d., F.A.C., and permit specific conditions I.A., II, and III.

Both injection wells are monitored continuously for pressure and flow. See Document 3, pages 14 through 17, Table 2, and Appendix D, Rules 62-528.425(1)(b) and 62-528.430(2)(b)1.b. and c., F.A.C., and permit specific conditions I.A., II, and III.

A controlled quarterly injectivity test to determine changes in the capacity of the injection wells is conducted. As part of the injectivity test a quarterly pressure fall-off test is required. See Document 1, Appendix E, Addendum to the City of Stuart's Injection Well System, Operations and Maintenance Manual – August 2004, Rules 62-528.425(1)(c) and 62-528.430(2)(b) and (d), F.A.C., and permit specific conditions I.A., II, and III.

The effluent is monitored monthly for chloride, TDS, pH, temperature, ammonia, TKN, sulfate, and specific conductance. See Document 3, pages 14 through 17, Table 2, and Appendix D, Rules 62-528.425(1)(a) and 62-528.430(2)(b)1.a. and 2.b., F.A.C., and permit specific conditions I.A., II, and III.



H. Financial Responsibility (Rules 62-528.435(9) and 62-528.455(3)(b)8. and (c)3., F.A.C.)

Demonstrated by Local Government Guarantee. See Document 1, Rules 62-528.435(9), 62-528.455(3)(b)8. and (c)3., F.A.C., and permit specific condition VI.

I. Emergency Disposal (Rule 62-528.455(1)(d), F.A.C.)

Injection well IW-2 is the primary injection well. If injection well IW-2 is out-of-service the flows would be diverted to injection well IW-1. See Document 1, Document 3, Document 9, Rule 62-528.455(1)(d), F.A.C., and permit specific condition V.

If both wells are out-of-service the effluent would be disposed of via the outfall system into the St. Lucie River. See Document 3, pages 12 and 13 and Appendix B and C, Document 9, Rule 62-528.455(1)(d), F.A.C., and permit specific condition V.

3. Agency Action

Generation of an operation renewal permit.

4. Public Rights (Rules 62-528.315, .321, and .325, F.A.C.)

The Department will accept public comment concerning the draft permit for a minimum of 30 days following publication of the Notice of Draft Permit. Public comment shall be received up to 5 p.m. of the day of the public meeting, as listed below. [Public notice is pursuant to section 403.815, F.S., and Rule 62-110.106(12), F.A.C.] A public meeting will be held on August 28, 2013, at 2:00 P.M., at the City of Stuart Hall, located at 121 SW Flagler Avenue, Stuart, Martin County, Florida 34994, for the purpose of receiving oral and written comments concerning this project. Comments received within the 30 day period and during the public meeting will be considered by the Department in formulating a final decision concerning this project. Please contact Mark Silverman at (561)681-6778 for additional information concerning this project. Comments can be mailed to the Department of Environmental Protection, Mr. Mark Silverman, Southeast District Office, 400 North Congress Avenue, 3<sup>rd</sup> Floor, West Palm Beach, Florida 33401.

After the conclusion of the public comment period and public meeting described above, the Department may revise the conditions of the permit based on such public comment. Then the applicant will publish Notice of the Proposed Agency Action. A person whose substantial interests are affected by the Department's proposed permitting decision may petition for an administrative proceeding (hearing). Accordingly, the Department's final action may be different from the position taken by it in the Notice of Proposed Agency Action. The petition must conform to the requirements specified in the Notice and be filed (received) within 14 days of publication of the Notice in the Department's Office of General Counsel, MS 35, 3900 Commonwealth Boulevard, Tallahassee, Florida 32399-3000. The failure of any person to file a petition within the appropriate time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under sections 120.569 and 120.57 of the Florida Statutes, or to intervene in this proceeding and participate as a party to it. Any subsequent intervention (in a proceeding initiated by another party) will only be at the discretion of the presiding officer upon the filing of a motion in compliance with rule 28-106.205 of the Florida Administrative Code.

The application and draft permit are available for public inspection during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at the Department of Environmental Protection, Southeast District Office, 400 North Congress Avenue, 3<sup>rd</sup> Floor, West Palm Beach, Florida, 33401. Please contact Mr. Mark Silverman at (561)681-6778 for additional information concerning this project.

5. Department of Environmental Protection Contacts

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