

# Florida Department of Environmental Protection

Rick Scott  
Governor

Carlos Lopez-Cantera  
Lt. Governor

Southeast District Office  
3301 Gun Club Road, MSC 7210-1  
West Palm Beach, FL 33406  
561-681-6600

Ryan E. Matthews  
Interim Secretary

May 11, 2017

In the Matter of an  
Application for Permit by:

Sunbreak Farms, LLC  
Patrick B Cheney  
5101 Minute Maid Rd  
Fort Pierce, Florida 34945-4351  
Email: [pbcheney@colvin-co.com](mailto:pbcheney@colvin-co.com)

File Number FLA979830-001-DW1S  
St. Lucie and Indian River Counties  
Sunbreak Farms Compost Facility

## INTENT TO ISSUE

The Department of Environmental Protection gives notice of its intent to issue a permit (copy of conditions attached) for the proposed project as detailed in the application specified above, for the reasons stated below.

The applicant, Sunbreak Farms, LLC, applied on March 14, 2017, to the Department of Environmental Protection for a permit to construct and operate a Type I Biosolids Management Facility with a permitted Class AA compost production of 500 dry tons per day. The facility will be located at Latitude: 27° 13 ' 28.05" North Longitude: 80° 32' 50.96 West on 5101 Minute Maid Road, Fort Pierce, Florida 34945 in St. Lucie and Indian River Counties.

The Department has permitting jurisdiction under Chapter 403, Florida Statutes, and applicable rules of the Florida Administrative Code. The project is not exempt from permitting procedures. The Department has determined that a wastewater permit is required for the proposed work.

Based upon the application and supplemental information, the Department has determined that the applicant has provided reasonable assurance that the above described wastewater project complies with the applicable provisions of Chapter 403 of the Florida Statutes and Title 62 of the Florida Administrative Code.

Under Section 403.815, Florida Statutes, and Rule 62-110.106, Florida Administrative Code, you (the applicant) are required to publish at your own expense the enclosed Notice of Intent to Issue Permit. The notice must be published one time only within 30 days of receipt of this intent to issue in the legal ad section of a newspaper of general circulation in the area affected. For the purpose of this rule, "publication in a newspaper of general circulation in the area affected" means publication in a newspaper meeting the requirements of Sections 50.011 and 50.031, Florida Statutes, in the county where the activity is to take place. Where there is more than one newspaper of general circulation in the county, the newspaper used should be one with significant circulation in the area that may be affected by the permit. If you are uncertain that a newspaper meets these requirements, please contact the Department at the address or telephone number listed below. The applicant must provide proof of publication to the Department's Southeast District Office, 3301 Gun Club Road, MSC 7210-1, West Palm Beach, Florida 33406-3007, within two weeks of publication. Failure to publish the notice and provide proof of publication within the allotted time may result in the denial of the permit under Rule 62-110.106(11), Florida Administrative Code.

The Department will issue the permit with the attached conditions unless a timely petition for an administrative hearing is filed under Sections 120.569 and 120.57, Florida Statutes, within fourteen days of receipt of notice. The procedures for petitioning for a hearing are set forth below.

PERMITTEE: Sunbreak Farms, LLC.  
FACILITY: Sunbreak Farms

PERMIT NUMBER: FLA979830

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 120.60(3), Florida Statutes, however, also allows that any person who has asked the Department in writing 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, any e-mail address, any facsimile number, and telephone number of the petitioner, if the petitioner is not represented by an attorney or a qualified representative; 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.

PERMITTEE: Sunbreak Farms, LLC.  
FACILITY: Sunbreak Farms

PERMIT NUMBER: FLA979830

Executed in West Palm Beach, Florida.

STATE OF FLORIDA DEPARTMENT  
OF ENVIRONMENTAL PROTECTION



May 11, 2017

Diane Pupa  
Program Administrator  
Permitting and Waste Cleanup  
Southeast District

Date

FILING AND ACKNOWLEDGMENT

FILED, on this date, under Section 120.52, Florida Statutes, with the designated Deputy Clerk, receipt of which is hereby acknowledged.



May 11, 2017

[Clerk]

Date]

CERTIFICATE OF SERVICE

The undersigned hereby certifies that this INTENT TO ISSUE and all copies were mailed before the close of business on May 11, 2017, to the listed persons.



Name

May 11, 2017

Date

Enclosure

Certified copies furnished to:

Jeff Christian, DEP/SED, [Jeff.Christian@dep.state.fl.us](mailto:Jeff.Christian@dep.state.fl.us)  
Michael Bechtold, DEP/SED, [Mike.Bechtold@dep.state.fl.us](mailto:Mike.Bechtold@dep.state.fl.us)  
Maurice Barker, DEP/TLH, [Maurice.Barker@dep.state.fl.us](mailto:Maurice.Barker@dep.state.fl.us)  
Denise Watts, DEP/WPB, [Denise.Watts@dep.state.fl.us](mailto:Denise.Watts@dep.state.fl.us)  
Bruce Kay, DEP/WPB, [Bruce.Kay@dep.state.fl.us](mailto:Bruce.Kay@dep.state.fl.us)  
Tyler Bruch, Kip Cullers, [tyler@kipcullers.com](mailto:tyler@kipcullers.com)  
Toby Overdorf, Engineering and Design Construction, Inc., [tobyoverdorf@edc-inc.com](mailto:tobyoverdorf@edc-inc.com)  
David C. Baggett, P.E., Engineering and Design Construction, Inc., [davudbaggett@edc-inc.com](mailto:davudbaggett@edc-inc.com)  
Gary R. Priest P.E., South Florida Water Management District, [gpriest@sfwmd.gov](mailto:gpriest@sfwmd.gov)  
Raulie Raulerson, Florida Department of Agriculture and Consumer Services,  
[Raulie.Raulerson@freshfromflorida.com](mailto:Raulie.Raulerson@freshfromflorida.com)

STATE OF FLORIDA  
DEPARTMENT OF ENVIRONMENTAL PROTECTION  
NOTICE OF INTENT TO ISSUE PERMIT  
FLA979830-001-DWIS

The Department of Environmental Protection gives notice of its intent to issue a permit to Sunbreak Farms, LLC, 5101 Minute Maid Rd, Fort Pierce, Florida 34945 to construct and operate an 80,000 Dry Tons/year Type I domestic biosolids treatment facility which would compost biosolids that adds yard/green and agricultural wastes as a bulking agent to biosolids. The process consists of an accelerated aerated static pile composting methodology to produce Class AA Biosolids. The facility will be located at Latitude: 27° 13 ' 28.05" North Longitude: 80° 32' 50.96 West on 5101 Minute Maid Road, Fort Pierce, Florida 34945 in St. Lucie and Indian River Counties.

The Department has assigned permit file number FLA979830 to the proposed project.

The permit application file and supporting documentation is available electronically at the following link: <https://depedms.dep.state.fl.us/Oculus/servlet/hitlist?action=hitlist&searchResultParam=fromSearchResultPage>  
The intent to issue and application file are also 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's Southeast District Office, 3301 Gun Club Road, MSC 7210-1, West Palm Beach, Florida 33406-3007, at phone number (561)681-6600.

The Department will issue the permit with the attached conditions unless a timely petition for an administrative hearing is filed under Sections 120.569 and 120.57, Florida Statutes, within fourteen days of publication of notice. The procedures for petitioning for a hearing are set forth below.

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.

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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, any e-mail address, any facsimile number, and telephone number of the petitioner, if the petitioner is not represented by an attorney or a qualified representative; 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;

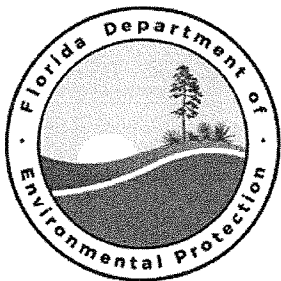
PERMITTEE: Sunbreak Farms, LLC.  
FACILITY: Sunbreak Farms

PERMIT NUMBER: FLA979830

- (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



# Florida Department of Environmental Protection

Rick Scott  
Governor

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Lt. Governor

Southeast District Office  
3301 Gun Club Road, MSC 7210-1  
West Palm Beach, FL 33406  
561-681-6600

Ryan E. Matthews  
Interim Secretary

## STATE OF FLORIDA DOMESTIC WASTEWATER FACILITY PERMIT

**PERMITTEE:** Sunbreak Farms, LLC

**PERMIT NUMBER:** FLA979830

**Authorized Representative:**

Patrick B Cheney  
5101 Minute Maid Rd  
Fort Pierce, Florida 34945-4351  
Email: [pbcheney@colvin-co.com](mailto:pbcheney@colvin-co.com)

**FILE NUMBER:** FLA979830-001-DW1S

**EFFECTIVE DATE:** DRAFT

**EXPIRATION DATE:** DRAFT \_\_\_\_\_

### FACILITY:

Sunbreak Farms, LLC  
5101 Minute Maid Road  
Fort Pierce, FL 34945  
St. Lucie and Indian River Counties  
Latitude: 27° 13 '28.05" N      Longitude: 80° 32' 50.96 W

This permit is issued under the provisions of Chapter 403, Florida Statutes (F.S.), and applicable rules of the Florida Administrative Code (F.A.C.). This permit does not constitute authorization to discharge wastewater other than as expressly stated in this permit. The above-named permittee is hereby authorized to construct and operate the facilities in accordance with the documents attached hereto and specifically described as follows:

### BIOSOLIDS TREATMENT FACILITY:

A new, Type I Biosolids Management Facility with a permitted Class AA compost production of 500 dry tons per day. Sunbreak Farms will utilize the Modified Static Aerated Pile (MSAP) method to achieve the required compost treatment of biosolids as approved by EPA. The MSAP method has been approved as a method modification by EPA Region 9 (July 1, 2003), granted an equivalency determination as an alternative PFRP. Biosolids will be blended at the facility with bulking agents that primarily consist of chipped yard trash debris and other green waste and mixed at a ratio of 3-to-1 (green waste to biosolids). They may include other organic wastes like chicken and other animal wastes mixed with the biosolids. Composting of these other wastes without mixing with biosolids can be under a solid waste compost permit at the option of the Permittee. Prior to placing blended biosolids in the management area a 50:50 blend of ground yard trash and screened compost from screening during post-processing, shall be used to create a 12-inch base layer upon which active composting will be placed. The blended biosolids will be placed into windrows constructed to dimensions that are approximately 16 feet wide and 8 feet tall. Once each windrow or windrow section is complete Sunbreak Farms staff shall apply a 12-inch layer of bulking agent. Pathogen reduction standards for Class AA compost will be achieved by maintaining a minimum temperature of 131degrees F (55 degrees C) in each windrow for a minimum period of 15 consecutive days. Vector attraction

PERMITTEE: Sunbreak Farms, LLC.  
FACILITY: Sunbreak Farms

PERMIT NUMBER: FLA979830

reduction of Class AA compost will be achieved by maintaining aerobic composting with a temperature greater than 40 degrees C for 14 days or longer after the Pathogens period of 15 days. Once Sunbreak Farms has confirmed the compost product meets all permitted criteria for a Class AA fertilizer it will be distributed and marketed as fertilizer with a Florida Department of Agriculture and Consumer Services (FDAC) issued fertilizer license.

**IN ACCORDANCE WITH:** The limitations, monitoring requirements, and other conditions set forth in this cover sheet and Part I through Part IX on pages 1 through 14 of this permit.

**I. REPORTING AND MONITORING REQUIREMENTS**

**A. Limitations and Monitoring and Reporting Requirement**

1. The permittee shall provide safe access points for obtaining representative samples which are required by this permit. *[62-600.650(2)]*
2. Monitoring requirements under this permit are effective on the first day of the second month following the effective date of the permit. Until such time, the permittee shall continue to monitor and report in accordance with previously effective permit requirements, if any. During the period of operation authorized by this permit, the permittee shall complete and submit to the Department Discharge Monitoring Reports (DMRs) in accordance with the frequencies specified by the REPORT type (i.e. monthly, quarterly, semiannual, annual, etc.) indicated on the DMR forms attached to this permit. Unless specified otherwise in this permit, monitoring results for each monitoring period shall be submitted in accordance with the associated DMR due dates below. DMRs shall be submitted for each required monitoring period including periods of no discharge.

| REPORT Type on DMR | Monitoring Period                      | Submit by                               |
|--------------------|--|---|
| Monthly            | first day of month - last day of month | 28 <sup>th</sup> day of following month |
| Quarterly          | January 1 - March 31                   | April 28                                |
|                    | April 1 - June 30                      | July 28                                 |
|                    | July 1 - September 30                  | October 28                              |
|                    | October 1 - December 31                | January 28                              |
| Semiannual         | January 1 - June 30                    | July 28                                 |
|                    | July 1 - December 31                   | January 28                              |
| Annual             | January 1 - December 31                | January 28                              |

The permittee may submit either paper or electronic DMR forms. If submitting electronic DMR forms, the permittee shall use the electronic DMR system approved by the Department (EzDMR) and shall electronically submit the completed DMR forms using the DEP Business Portal at <http://www.fldepportal.com/go/>. Reports shall be submitted to the Department by the twenty-eighth (28<sup>th</sup>) of the month following the month of operation. Data submitted in electronic format is equivalent to data submitted on signed and certified paper DMR forms.

If submitting paper DMR forms, the permittee shall make copies of the attached DMR forms, without altering the original format or content unless approved by the Department, and shall mail the completed DMR forms to the Department's Southeast District Office at the address specified in Permit Condition I.A. 3. by the twenty-eighth (28<sup>th</sup>) of the month following the month of operation. *[62-620.610(18)][62-600.680(1)]*

3. Unless specified otherwise in this permit, all reports and other information required by this permit, including 24-hour notifications, shall be submitted to or reported to, as appropriate, the Department's Southeast District Office at the address specified below:  
Florida Department of Environmental Protection  
Southeast District  
3301 Gun Club Road, MSC 7210-1  
West Palm Beach, Florida 33406-3007

PERMITTEE: Sunbreak Farms, LLC.  
 FACILITY: Sunbreak Farms

PERMIT NUMBER: FLA979830

Phone Number - (561)681-6600  
 [62-620.305]

- All reports and other information shall be signed in accordance with the requirements of Rule 62-620.305, F.A.C. [62-620.305]

**II. BIOSOLIDS MANAGEMENT REQUIREMENTS**

**A. Basic Requirements**

- Biosolids generated by this facility may be distributed and marketed or disposed of in a Class I solid waste landfill. [62-620.320(6), 62-640.880(1)]
- The permittee shall monitor and keep records of the quantities of biosolids generated, received from source facilities, treated, distributed and marketed, land applied, used as a biofuel or for bioenergy, transferred to another facility, or landfilled. These records shall be kept for a minimum of five years. [62-640.650(4)(a)]
- Biosolids quantities shall be monitored for each composting site by the permittee as specified below. Results of all compost sites distributed and marketed that month shall be reported on the permittee's Discharge Monitoring Report for Monitoring Group RMP-Q in accordance with Condition I.A.3.

| Parameter  | Units   | Max/<br>Min | Biosolids Limitations |                   | Monitoring Requirements |             |                        |
|--|---------|-------------|-----------------------|-------------------|-------------------------|-------------|------------------------|
|  |         |             | Limit                 | Statistical Basis | Frequency of Analysis   | Sample Type | Monitoring Site Number |
| Biosolids Quantity (Distributed & Marketed in FL)      | ton (d) | Max         | Report                | Monthly Total     | Monthly                 | Calculated  | RMP-01                 |
| Biosolids Quantity (Distributed & Marketed outside FL) | ton (d) | Max         | Report                | Monthly Total     | Monthly                 | Calculated  | RMP-02                 |
| Biosolids Quantity (Landfilled)                        | ton (d) | Max         | Report                | Monthly Total     | Monthly                 | Calculated  | RMP-03                 |
| Biosolids Quantity (Received)                          | ton (d) | Max         | Report                | Monthly Total     | Monthly                 | Calculated  | RMP-04                 |

[62-640.650(5)(a)1]

- Biosolids quantities shall be calculated as listed in Permit Condition II.3. and as described below:

| Monitoring Site Number | Description of Monitoring Site Calculations |
|------------------------|---|
| RMP-01                 | See Specific Condition II. A. 5.            |
| RMP-02                 | See Specific Condition II. A. 5.            |
| RMP-03                 | See Specific Condition II. A. 5.            |
| RMP-04                 | See Specific Condition II. A. 5.            |



PERMITTEE: Sunbreak Farms, LLC.  
FACILITY: Sunbreak Farms

PERMIT NUMBER: FLA979830

5. The following are the approved Monitoring Site Calculations:
  - Dry tons = gallons of biosolids x 8.34 lbs./gallon x ton/2000 lbs. x percent solids/100
  - Dry tons = cubic yards (wet) of biosolids x bulk density of biosolids/cubic yard x ton/2000 lbs. x percent solids/100
  - Dry tons = wet tons x percent solids/100
  - If a biosolids analysis is not available then the percent total solids can be estimated using 1.75 % total solids for liquid biosolids and 17.75 % total solids for dewatered "cake".
  - Percent solids will be obtained from the annual biosolids analysis required by the permit. The gallons are the total transferred to another facility, used as a biofuel/for bioenergy or landfilled. As a guide, a typical load of liquid biosolids removed by truck is usually 6,000 gallons.
6. The treatment, management, transportation, use, land application, or disposal of biosolids shall not cause a violation of the odor prohibition in subsection 62-296.320(2), F.A.C. [62-640.400(6)]
7. Storage of biosolids or other solids at this facility shall be limited to 15 days unless the Permittee submits and receive approval of the Facility Biosolids Storage Plan. Afterwards, storage of biosolids or other solids at this facility shall be in accordance with the Facility Biosolids Storage Plan. [62-640.300(4)]
8. Biosolids shall not be spilled from or tracked off the treatment facility site by the hauling vehicle. [62-640.400(9)]

#### **B. Treatment and Monitoring Requirements**

1. The permittee is authorized to produce Class AA biosolids.
2. The permittee shall achieve Class A pathogen reduction by meeting the pathogen reduction requirements in section 503.32(a)(7) (Use of PFRP (Processes to Further Reduce Pathogens - Composting – Temperatures are monitored on a daily basis at depths of 10", 20", 30", and 40" at every 100' along pile or another method as approved in the operating protocol. Temperatures are greater than 131 degrees F at all locations in the pile for a minimum of 15 days.) of Title 40 CFR Part 503. [62-640.600(1)(a)]
3. The permittee shall achieve vector attraction reduction for Class A or B biosolids by meeting the vector attraction reduction requirements in section 503.33(b)(5) (Use aerobic processes at greater than 40°C (average temperatures 45°C) for an additional 14 days or longer after completion of pathogens reduction (e.g., during biosolids composting) of Title 40 CFR Part 503. [62-640.600(2)(a)]
4. The time and temperature shall be routinely monitored to demonstrate compliance with pathogen reduction requirements specified in Rule 62-640.600, F.A.C. [62-640.650(3)(a)2]
5. The time and temperature shall be routinely monitored to demonstrate compliance with vector attraction reduction requirements specified in Rule 62-640.600, F.A.C. [62-640.650(3)(a)2]
6. Treatment of liquid biosolids or septage for the purpose of meeting the pathogen reduction or vector attraction reduction requirements set forth in Rule 62-640.600, F.A.C., shall not be conducted in the tank of a hauling vehicle. Treatment of biosolids or septage for the purpose of meeting pathogen reduction or vector attraction reduction requirements shall take place at the permitted facility. [62-640.400(7)]

7. Class AA biosolids shall comply with the limits and be monitored by the permittee as specified below. Results shall be reported on the permittee's Discharge Monitoring Report in accordance with Permit Condition I.A.3. Biosolids shall not be distributed and marketed or land applied if a single sample result or the monthly average of sample results for any parameter exceeds the following Class AA parameter concentrations:

| Parameter                                    | Units   | Max/Min    | Biosolids Limitations |                                  | Monitoring Requirements |             |                        |
|--|---------|------------|-----------------------|----------------------------------|-------------------------|-------------|------------------------|
|  |         |            | Limit                 | Statistical Basis                | Frequency of Analysis   | Sample Type | Monitoring Site Number |
| Nitrogen, Sludge, Total, Dry Weight (as N)   | percent | Max        | Report                | Monthly Average                  | Monthly                 | Composite   | RMP-AA                 |
| Phosphorus, Sludge, Total, Dry Weight (as P) | percent | Max        | Report                | Monthly Average                  | Monthly                 | Composite   | RMP-AA                 |
| Potassium, Sludge, Total, Dry Weight (as K)  | percent | Max        | Report                | Monthly Average                  | Monthly                 | Composite   | RMP-AA                 |
| Arsenic Total, Dry Weight, Sludge            | mg/kg   | Max<br>Max | 41.0<br>75.0          | Monthly Average<br>Single Sample | Monthly                 | Composite   | RMP-AA                 |
| Cadmium, Sludge, Total, Dry Weight (as Cd)   | mg/kg   | Max<br>Max | 39.0<br>85.0          | Monthly Average<br>Single Sample | Monthly                 | Composite   | RMP-AA                 |
| Copper, Sludge, Total, Dry Weight. (as Cu)   | mg/kg   | Max<br>Max | 1500.0<br>4300.0      | Monthly Average<br>Single Sample | Monthly                 | Composite   | RMP-AA                 |
| Lead, Dry Weight, Sludge                     | mg/kg   | Max<br>Max | 300.0<br>840.0        | Monthly Average<br>Single Sample | Monthly                 | Composite   | RMP-AA                 |
| Mercury, Dry Weight, Sludge                  | mg/kg   | Max<br>Max | 17.0<br>57.0          | Monthly Average<br>Single Sample | Monthly                 | Composite   | RMP-AA                 |
| Molybdenum, Dry Weight, Sludge               | mg/kg   | Max        | 75.0                  | Single Sample                    | Monthly                 | Composite   | RMP-AA                 |
| Nickel, Dry Weight, Sludge                   | mg/kg   | Max<br>Max | 420.0<br>420.0        | Monthly Average<br>Single Sample | Monthly                 | Composite   | RMP-AA                 |
| Selenium Sludge Solid                        | mg/kg   | Max<br>Max | 100.0<br>100.0        | Monthly Average<br>Single Sample | Monthly                 | Composite   | RMP-AA                 |
| Zinc, Dry Weight, Sludge                     | mg/kg   | Max<br>Max | 2800.0<br>7500.0      | Monthly Average<br>Single Sample | Monthly                 | Composite   | RMP-AA                 |
| pH   | s.u.    | Max        | Report                | Single Sample                    | Monthly                 | Grab        | RMP-AA                 |
| Solids, Total, Sludge, Percent               | percent | Max<br>Max | Report<br>Report      | Monthly Average<br>Single Sample | Monthly                 | Composite   | RMP-AA                 |
| Coliform, Fecal                              | MPN/g   | Max        | 1000.0                | Single Sample                    | Monthly                 | Grab        | RMP-AA                 |
| Salmonella Sludge                            | MPN/4g  | Max        | 3.0                   | Single Sample                    | Monthly                 | Grab        | RMP-AA                 |

\*Either the fecal coliform limit or Salmonella sp. limit must be met.

\*\*Note, monthly averages of parameter concentrations shall be determined by taking the arithmetic mean of all sample results for the month. [62-640.650(3)(a)(3), 62-640.700(5)(a), 62-640.700(5)(b) and 62-640.850(4)]

9. Class AA biosolids that are stored for more than 45 days shall be re-sampled for fecal coliform or Salmonella sp. every Month until removed from the storage pads. [62-640.650(3)(a)5]
8. Sampling and analysis shall be conducted in accordance with 40 CFR Part 503.8 and the U.S. Environmental Protection Agency publication - POTW Sludge Sampling and Analysis Guidance Document, August 1989. In cases where conflicts exist between 40 CFR 503.8 and the POTW Sludge Sampling and Analysis Guidance Document, the requirements in 40 CFR Part 503.8 will apply. [62-640.650(3)(a)1]
9. All samples shall be representative and shall be taken after final treatment of the biosolids but before land application or distribution and marketing. [62-640.650(3)(a)5]

PERMITTEE: Sunbreak Farms, LLC.  
FACILITY: Sunbreak Farms

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10. Biosolids samples shall be taken at the composting site locations listed in II. B. 7. and as described below:

| Monitoring Site Number | Description of Monitoring Site   |
|------------------------|--|
| RMP-AA                 | Class AA Biosolids Monthly Samples composite representative sample of the compost piles after completion of Pathogens Reduction and Vector Attraction Reduction has been completed |

**C. Distribution and Marketing**

1. Biosolids or biosolids products may be distributed and marketed only if the biosolids or biosolids products meet Class AA standards and are either sold or given-away under a Florida fertilizer license or distributed and marketed to a person or entity that will sell or give-away the biosolids or biosolids products under Florida fertilizer license. Biosolids composts that are enrolled and certified under the U.S. Composting Council's Seal of Testing Assurance (USCC STA) program do not have to be sold or given-away under a Florida fertilizer license except if distributed and marketed within the Lake Okeechobee, St. Lucie River, and Caloosahatchee River watersheds. *[62-640.850]*
2. Within 24 hours of discovering that distributed and marketed biosolids did not meet the Class AA standards, the permittee shall notify the Department and all persons to whom they delivered or distributed and marketed the Class AA biosolids. *[62-640.650(6)(g)]*
3. The permittee shall make the following information available to users by product labels or other means:
  - a. The fertilizer label required by Florida fertilizer law or the equivalent information required by the USCC STA program;
  - b. The name and address of the facility or person that produced the Class AA biosolids;
  - c. A statement that the biosolids or biosolids product meets the criteria of subsection 62-640.700(5), F.A.C.;
  - d. Recommendation that biosolids be applied at a rate that does not exceed crop or plant nutrient needs and;
  - e. Recommendations on proper storage of the biosolids or biosolids product prior to use. For distributed quantities of biosolids or biosolids products greater than one dry ton, the recommendations shall include that biosolids may not be stored on property for more than seven days unless stored to prevent runoff of biosolids or stormwater that has been in contact with biosolids, violation of the odor prohibition in subsection 62-296.320(2), F.A.C., and vector attraction.

*[62-640.850(5)]*

**D. Disposal**

1. Disposal of biosolids, septage, and "other solids" in a solid waste disposal facility, or disposal by placement on land for purposes other than soil conditioning or fertilization, such as at a monofill, surface impoundment, waste pile, or dedicated site, shall be in accordance with Chapter 62-701, F.A.C. *[62-640.100(6)(b) & (c)]*

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**E. Receipt**

1. The permittee shall enter into a written agreement with each source facility that it intends to receive biosolids from. The agreement shall address the quality and quantity of the biosolids accepted by the permittee. The agreement shall include a statement, signed by the permittee, as to the availability of sufficient permitted capacity to receive the biosolids from the source facility, and indicating that the permittee will continue to operate in compliance with the requirements of its permit. The agreement shall also address responsibility during transport of biosolids between the facilities. The permittee shall submit a copy of this agreement to the Department's Southeast District Office at least 30 days before transporting biosolids from the source facility to the permittee. [62-640.880(1)(c)]

**III. GROUND WATER REQUIREMENTS**

1. Section III is not applicable to this facility.

**IV. ADDITIONAL REUSE AND LAND APPLICATION REQUIREMENTS**

1. Section IV is not applicable to this facility.

**V. OPERATION AND MAINTENANCE REQUIREMENTS**

**A. Staffing Requirements**

1. During the period of operation authorized by this permit, the wastewater facilities shall be operated under the supervision of one or more operators certified in accordance with Chapter 62-602, F.A.C. In accordance with Chapter 62-699, F.A.C., this facility is a Type I Biosolids Treatment Facility and, at a minimum, operators with appropriate certification must be on the site as follows:

The level of operator staffing at a biosolids treatment facility shall be Class A Operator for 8 hours/day for 5 days/week.

2. An alternative to the above staffing is as follows:

A Certified Compost Program Manager certified by the Solid Waste Association of North America (SWANA), in partnership with the U.S. Composting Council's Professional Credentials Committee or a Florida Professional Engineer. A lead/chief operator shall be present at the facility at least 8 hours per week. 62-640.880(2)(j)4.

A lead operator assistant under the direct supervision of the lead/chief operator shall be present at the facility 8 hours/day for 5 days/week. If the lead/chief operator is present more than 8 hours per week, the lead/chief operator can substitute for the lead operator assistant coverage on an hour for hour basis for hours over the minimum 8 hours per week. The lead/chief operator and the lead operator assistant shall work together at the plant for at least 8 hours per week unless the lead/chief operator works more than 8 hours/day for 5 days/week. 62-640.880(2)(j)4.

3. A lead/chief operator or a Florida Professional Engineer (P.E) shall be available during all periods of plant operation. "Available" means able to be contacted as needed to initiate the appropriate action in a timely manner. Due to the nature of the composting operations, seldom will a lead/chief operator or P.E. be needed outside normal work schedules. [62-699.311(10), (6) and (1)]

**B. Capacity Analysis Report and Operation and Maintenance Performance Report Requirements**

1. The application to renew this permit shall include a detailed operation and maintenance performance report prepared in accordance with Rule 62-600.735, F.A.C. [62-600.735(1)]

**C. Recordkeeping Requirements**

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1. The permittee shall maintain the following records and make them available for inspection on the site of the permitted facility.
  - a. Records of all compliance monitoring information, including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation, including, if applicable, a copy of the laboratory certification showing the certification number of the laboratory, for at least three years from the date the sample or measurement was taken;
  - b. Copies of all reports required by the permit for at least three years from the date the report was prepared;
  - c. Records of all data, including reports and documents, used to complete the application for the permit for at least three years from the date the application was filed;
  - d. Monitoring information, including a copy of the laboratory certification showing the laboratory certification number, related to the residuals use and disposal activities for the time period set forth in Chapter 62-640, F.A.C., for at least three years from the date of sampling or measurement;
  - e. A copy of the current permit;
  - f. A copy of the current operation and maintenance manual as required by Chapter 62-600, F.A.C.;
  - g. A copy of any required record drawings;
  - h. Copies of the licenses of the current certified operators;
  - i. Copies of the logs and schedules showing plant operations and equipment maintenance for three years from the date of the logs or schedules. The logs shall, at a minimum, include identification of the plant; the signature and license number of the operator(s) and the signature of the person(s) making any entries; date and time in and out; specific operation and maintenance activities, including any preventive maintenance or repairs made or requested; results of tests performed and samples taken, unless documented on a laboratory sheet; and notation of any notification or reporting completed in accordance with Rule 62-602.650(3), F.A.C. The logs shall be maintained on-site in a location accessible to 24-hour inspection, protected from weather damage, and current to the last operation and maintenance performed; and
  - j. Records of biosolids quantities, treatment, monitoring, and hauling for at least five years.

*[62-620.350, 62-602.650, 62-640.650(4)]*

## VI. SCHEDULES

1. The following self-improvement actions (the following schedule is not a compliance schedule) are planned by the Permittee according to the following schedule:

| Improvement Action                                | Completion Date |
|---|-----------------|
| 1. Completion construction of composting facility | July 1, 2020    |

2. Prior to placing the new facilities into operation, the Permittee shall submit and have approved by the Department an Operation and Maintenance Manual that will include but not limited to detail monitoring and calculation requirements contained in Section II of this permit. *[62-4.070 (1) & (3).*
3. Prior to placing the new facilities into operation or any individual unit processes into operation, for any purpose other than testing for leaks and equipment operation, the Permittee shall complete and submit to the Department DEP Form 62-620.910(12), Notification of Completion of Construction for Wastewater Facilities or Activities. *[62-620.410(7)]*
4. Within six months after a facility is placed in operation, the permittee shall provide written certification to the Department on Form 62-620.910(13) that record drawings pursuant to Chapter 62-620, F.A.C., and that an operation and maintenance manual pursuant to Chapters 62-600 and 62-610,

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F.A.C., as applicable, are available at the location specified on the form. *[62-620.410(6) and 62-620.630(7)]*

5. The permittee is not authorized to produce distribute and market composted biosolids after the expiration date of this permit, unless:
  - a. The permittee has applied for renewal of this permit at least 180 days before the expiration date of this permit using the appropriate forms listed in Rule 62-620.910, F.A.C., and in the manner established in the Department of Environmental Protection Guide to Permitting Wastewater Facilities or Activities Under Chapter 62-620, F.A.C., including submittal of the appropriate processing fee set forth in Rule 62-4.050, F.A.C.; or
  - b. The permittee has made complete the application for renewal of this permit before the permit expiration date.

*[62-620.335(1) - (4)]*

#### **VII. INDUSTRIAL PRETREATMENT PROGRAM REQUIREMENTS**

This facility is not required to have a pretreatment program. *[62-625.500]*

#### **VIII. OTHER SPECIFIC CONDITIONS**

1. In the event that the treatment facilities or equipment no longer function as intended, are no longer safe in terms of public health and safety, or odor, noise, aerosol drift, or lighting adversely affects neighboring developed areas at the levels prohibited by Rule 62-600.400(2)(a), F.A.C., corrective action (which may include additional maintenance or modifications of the permitted facilities) shall be taken by the permittee. Other corrective action may be required to ensure compliance with rules of the Department. Additionally, the treatment, management, use or land application of residuals shall not cause a violation of the odor prohibition in Rule 62-296.320(2), F.A.C. *[62-600.410(5) and 62-640.400(6)]*
2. The permittee shall provide verbal notice to the Department's Southeast District Office as soon as practical after discovery of a sinkhole or other karst feature within an area for the management or application of wastewater, wastewater residuals (sludges), or reclaimed water. The permittee shall immediately implement measures appropriate to control the entry of contaminants, and shall detail these measures to the Department's Southeast District Office in a written report within 7 days of the sinkhole discovery. *[62-620.320(6)]*

#### **IX. GENERAL CONDITIONS**

1. The terms, conditions, requirements, limitations, and restrictions set forth in this permit are binding and enforceable pursuant to Chapter 403, Florida Statutes. Any permit noncompliance constitutes a violation of Chapter 403, Florida Statutes, and is grounds for enforcement action, permit termination, permit revocation and reissuance, or permit revision. *[62-620.610(1)]*
2. This permit is valid only for the specific processes and operations applied for and indicated in the approved drawings or exhibits. Any unauthorized deviations from the approved drawings, exhibits, specifications, or conditions of this permit constitutes grounds for revocation and enforcement action by the Department. *[62-620.610(2)]*
3. As provided in subsection 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

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that may be required for other aspects of the Total project which are not addressed in this permit. [62-620.610(3)]

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. [62-620.610(4)]
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 biosolids 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. [62-620.610(5)]
6. If the permittee wishes to continue an activity regulated by this permit after its expiration date, the permittee shall apply for and obtain a new permit. [62-620.610(6)]
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. [62-620.610(7)]
8. This permit may be modified, revoked and reissued, or terminated for cause. The filing of a request by the permittee for a permit revision, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance does not stay any permit condition. [62-620.610(8)]
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.[62-620.610(9)]
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. [62-620.610(10)]

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11. When requested by the Department, the permittee shall within a reasonable time provide any information required by law which is needed to determine whether there is cause for revising, revoking and reissuing, or terminating 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 promptly submitted or corrections promptly reported to the Department. *[62-620.610(11)]*
12. Unless specifically stated otherwise in Department rules, the permittee, in accepting this permit, 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. A reasonable time for compliance with a new or amended surface water quality standard, other than those standards addressed in Rule 62-302.500, F.A.C., shall include a reasonable time to obtain or be denied a mixing zone for the new or amended standard. *[62-620.610(12)]*
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. *[62-620.610(13)]*
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. *[62-620.610(14)]*
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. *[62-620.610(15)]*
16. The permittee shall apply for a revision to the Department permit in accordance with Rules 62-620.300, F.A.C., and the Department of Environmental Protection Guide to Permitting Wastewater Facilities or Activities Under Chapter 62-620, F.A.C., at least 90 days before construction of any planned substantial modifications to the permitted facility is to commence or with Rule 62-620.325(2), F.A.C., for minor modifications to the permitted facility. A revised permit shall be obtained before construction begins except as provided in Rule 62-620.300, F.A.C. *[62-620.610(16)]*
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.*[62-620.610(17)]*
18. Sampling and monitoring data shall be collected and analyzed in accordance with Rule 62-4.246 and Chapters 62-160, 62-600, and 62-610, 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.



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- 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 Rule 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.

*[62-620.610(18)]*

19. Reports of compliance or noncompliance with, or any progress reports on, interim and final requirements contained in any compliance schedule detailed elsewhere in this permit shall be submitted no later than 14 days following each schedule date. *[62-620.610(19)]*
20. The permittee shall report to the Department's Southeast District Office 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 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 STATE WATCH OFFICE 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 Watch Office:
      - (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;

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- (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's Southeast District Office 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's Southeast District Office shall waive the written report.

*[62-620.610(20)]*

21. The permittee shall report all instances of noncompliance not reported under Permit Conditions IX.17., IX.18., or IX.19. of this permit at the time monitoring reports are submitted. This report shall contain the same information required by Permit Condition IX.20. of this permit. *[62-620.610(21)]*

22. Bypass Provisions.

- a. "Bypass" means the intentional diversion of waste streams from any portion of a treatment works.
- b. 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 Permit Condition IX.22.c. of this permit.
- c. 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 Permit Condition IX.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.
- d. 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 Permit Condition IX.22.b.(1) through (3) of this permit.
- e. 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 provisions of Permit Condition IX.22.b. through d. of this permit.

*[62-620.610(22)]*

23. Upset Provisions.

- a. "Upset" means an exceptional incident in which there is unintentional and temporary noncompliance with technology-based effluent limitations because of factors beyond the reasonable control of the permittee.



**FACT SHEET  
FOR  
STATE OF FLORIDA DOMESTIC WASTEWATER FACILITY PERMIT**

May 8, 2017

**DRAFT**

PERMIT NUMBER: FLA979830-001

FACILITY NAME: Sunbreak Farms

FACILITY LOCATION: 5101 Minute Maid Road, Fort Pierce, FL 34945  
St. Lucie County

NAME OF PERMITTEE: Sunbreak Farms

PERMIT WRITER: Bruce R. Kay

1. SUMMARY OF APPLICATION

a. Chronology of Application

Application Number: FLA979830-001-DW1R

Application Submittal Date: March 14, 2017

b. Type of Facility

Domestic Wastewater Treatment Plant

Ownership Type: Private

SIC Code: 4952

c. Facility Capacity

|  |                      |
|--|----------------------|
| Existing Permitted Capacity:             | N/A                  |
| Proposed Increase in Permitted Capacity: | 500 Dry Tons per Day |
| Proposed Total Permitted Capacity:       | 500 Dry Tons per Day |

d. Description of Wastewater Treatment

A new, Type I Biosolids Management Facility with a permitted Class AA compost production of 500 dry tons per day. Sunbreak Farms will utilize the Modified Static Aerated Pile (MSAP) method to achieve the required compost treatment of biosolids as approved by EPA. The MSAP method has been approved as a method modification by EPA Region 9 (July 1, 2003), granted an equivalency determination as an alternative PFRP Biosolids will be blended at the facility with bulking agents that primary consist of chipped yard trash debris and other green waste and mixed at a ratio of 3-to-1 (green waste to biosolids). They may include other organic wastes like chicken and other animal wastes mixed with the biosolids. Composting of these other wastes without mixing with biosolids can be under a solid waste compost permit at the option of the Permittee. Mixing is by mechanical means to thoroughly mix the biosolids and bulking agent together. Where possible, the most freshly ground yard trash shall be set aside separately due to its ideal properties for mixing directly into the biosolids (relatively low moisture content and high porosity). Windrows for active composting shall be constructed directly on a compost pad. Prior to placing blended biosolids in the management area a 50:50 blend of ground yard trash and screened compost from screening during post-processing, shall be used to create a 12-inch base layer upon which active

composting will be placed. Based on availability of material, this ratio is 100 percent of either material or any other ratio. The blended biosolids will be placed into windrows constructed to dimensions that are approximately 16 feet wide and 8 feet tall. Once each windrow or windrow section is completely formed and mixed, Sunbreak Farms Staff shall apply the Harvest Quest proprietary catalyst to the entire pile surface. When the windrow is completely covered by the catalyst, Sunbreak Farms staff shall apply a 12-inch layer of unscreened finished compost or ground yard trash (in any ratio). The purpose of this capping layer is to serve as an instant biofilter to reduce odors, add in aeration of the compost and insulation of the compost piles to maintain proper temperature. Pathogen reduction standards for Class AA compost will be achieved by maintaining a minimum temperature of 131 degrees F (55 degrees C) in each windrow for a minimum period of 15 consecutive days. Within several days, the entire pile will exceed the required 131 degrees F (55 degrees C). Composting of the materials shall continue for 30-45 days with the windrow remaining undisturbed. Vector attraction reduction of Class AA compost will be achieved by maintain aerobic composting with a temperature greater than 40 degrees C for 14 days or longer after the Pathogens period of 15 days. At any time, the piles can be turned if needed for aeration or for moisture control. After turning, the pathogens standards and vector attraction reduction standards may have to be repeated if it had not finished prior to the turning. After complying with both pathogens and vector attraction standards, the pile is considered completed. The Permittee may extend the composting time with additional turning of the piles for better curing. After curing, the product is screened and cooled. Another alternative for vector attraction reduction is for the incorporation of class AA with respect to pathogens within 8 hours of discharge from the compost per EPA 503.33 Z(b)(10)(ii). Once Sunbreak Farms has confirmed the compost product meets all permitted criteria for a Class AA fertilizer it will be distributed and marketed as fertilizer.

Instead of the typical biosolids treatment facility that concentrates the operation in one area, the Applicant plans to spread out the piles within the farm that it owns. A farmer (User of the compost) is under contract with the land owner (the Applicant) to farm the property. The farmer grows corn that will produce silage. The complete removal of the corn including the stalk requires rejuvenating the site after each harvest. Compost is superior product to add organic material to the field (soil amendment) and some of the fertilizer demand. Without the composting, the fields will lose more nutrients to the groundwater and potential discharge off site during heavy rainstorm events. By spreading the sites to each of the forty fields, there is a minimal amount of runoff from the compost operation which is first discharged to a retention ditch downgradient to the compost areas. The composting areas will be constructed with a 2% slope towards an internal v-ditch (inside containment berm). This will promote drainage away from the piles. The v-ditch will be constructed with sufficient storage to retain over 2.4" of runoff from the compost areas. Per FDEP's Evaluation of Stormwater Design Criteria within the State of Florida (Harper, 2007) this captures approximately 90% of annual rainfall events. Perimeter berms shall be formed around the composting areas prior to construction of windrows. The berms will be a minimum of 24" in height and will provide 100% containment of the 100-year, 3-day storm event over a typical compost area. No discharge from the compost areas to either the fields or perimeter ditches will occur. Most of the rainfall is pumped from the stormwater/irrigation ditches to a large irrigation storage pond (640 Acres). The site is within a large farming operation with around 6580 acres. Forty large fields (average slightly over 115 acres each) are surrounded by stormwater/irrigation system (ditches). Between the ditches and the fields are lime rock areas that are used for internal farm road system. On the western side of the fields are major road beds. The road beds of these sides are elevated above the fields. The fields have a slight slope from West to East. Therefore, the stormwater from the compost area will travel long distances from the compost area to the stormwater/irrigation ditches. The ditches are part of the stormwater management system and are not consider surface waters. Only when the ditches are pumped to the area canals, which are jurisdictional, do water quality standards apply. The general area has the rainfall near the amount of evaporation. The farmer plans to minimize discharge from the stormwater/irrigation ditches to the area canals. If wasting the rainwater to area canals would require the farmer to either be short of irrigation water or have to supplement from other sources. This supplemental of other sources of water may not be available when needed. The internal ditches are both used to irrigate the field during crop growing periods and stormwater management during rainfall events. The composting operation will be generally conducted after the crop has been harvested and before planting for the next crop. They plan on two crops per year. When the fields are outside the growing season, the ditches are kept really dry. During the summer raining season, the crops are not growing due to too hot for corn production. During the growing season, the compost operation should be completed or just about completed. The irrigation of the fields is by raising the water level in the stormwater/irrigation ditches. The level can be isolated by working weirs in the ditch system. The level is regulated by either pumping into the storage pond or discharge from the storage pond. A small area (less than 2 acres each) along the highest elevation road beds are being planned for the composting area. There is wide area where the composting operation can occur perpendicular to the elevated roads. The

compost areas will be bermed on all four sides. The compost area is higher or at the same elevation as the eastern berm that lies between the compost retention pond and the fields. This location prevents stormwater flowing into the compost area from adjacent properties. And, the drainage from the composting area will prevent wetting of the compost. Flooding the compost is not recommended as it will prevent the compost from reaching Class AA Biosolids Standards, and will be too wet for corn production. The size of each field composting area will be dependent on the availability of the biosolids and will be limited to the requirements of the adjacent fields. The compost product will replace other fertilizer that is faster leaching from the sites. The net effect will be reduction in fertilizer use and reduced discharge of nutrients to the area canals. The complete management of the compost will be contained in the facilities operation and maintenance (O & M) manual that is require prior to startup. Any changes in the operation would require updating of the O & M Manual.

2. SUMMARY OF SURFACE WATER DISCHARGE

This facility does not discharge to surface waters. South Florida Water Management District has issued Stormwater Permit 56-00111-S

3. DISCUSSION OF CHANGES TO PERMIT LIMITATIONS

The facility is a new BIO-SOLIDS TREATMENT FACILITY

5. BIOSOLIDS TREATMENT REQUIREMENTS

Biosolids generated by this facility may be distributed and marketed or disposed of in a Class I solid waste landfill.

See the table below for the rationale for the Class AA biosolids limits and monitoring requirements.

| Parameter                                | Units   | Max/Min | Limit  | Statistical Basis | Rationale                          |
|--|---------|---------|--------|-------------------|------------------------------------|
| Nitrogen, Sludge, Tot, Dry Wt (as N)     | percent | Max     | Report | Monthly Average   | 62-640.650(3)(a)3. FAC             |
| Phosphorus, Sludge, Tot, Dry Wt (as P)   | percent | Max     | Report | Monthly Average   | 62-640.650(3)(a)3. FAC             |
| Potassium, Sludge, Tot, Dry Wt (as K)    | percent | Max     | Report | Monthly Average   | 62-640.650(3)(a)3. FAC             |
| Arsenic Total, Dry Weight, Sludge        | mg/kg   | Max     | 75.0   | Single Sample     | 62-640.700(5)(a) & 650(3)(a)3. FAC |
|  |         | Max     | 41.0   | Monthly Average   | 62-640.700(5)(b) & 650(3)(a)3. FAC |
| Cadmium, Sludge, Tot, Dry Weight (as Cd) | mg/kg   | Max     | 85.0   | Single Sample     | 62-640.700(5)(a) & 650(3)(a)3. FAC |
|  |         | Max     | 39.0   | Monthly Average   | 62-640.700(5)(b) & 650(3)(a)3. FAC |
| Copper, Sludge, Tot, Dry Wt. (as Cu)     | mg/kg   | Max     | 4300.0 | Single Sample     | 62-640.700(5)(a) & 650(3)(a)3. FAC |
|  |         | Max     | 1500.0 | Monthly Average   | 62-640.700(5)(b) & 650(3)(a)3. FAC |
| Lead, Dry Weight, Sludge                 | mg/kg   | Max     | 840.0  | Single Sample     | 62-640.700(5)(a) & 650(3)(a)3. FAC |
|  |         | Max     | 300.0  | Monthly Average   | 62-640.700(5)(b) & 650(3)(a)3. FAC |
| Mercury, Dry Weight, Sludge              | mg/kg   | Max     | 57.0   | Single Sample     | 62-640.700(5)(a) & 650(3)(a)3. FAC |
|  |         | Max     | 17.0   | Monthly Average   | 62-640.700(5)(b) & 650(3)(a)3. FAC |
| Molybdenum, Dry Weight, Sludge           | mg/kg   | Max     | 75.0   | Single Sample     | 62-640.700(5)(a) & 650(3)(a)3. FAC |
| Nickel, Dry Weight, Sludge               | mg/kg   | Max     | 420.0  | Single Sample     | 62-640.700(5)(a) & 650(3)(a)3. FAC |
|  |         | Max     | 420.0  | Monthly Average   | 62-640.700(5)(b) & 650(3)(a)3. FAC |
| Selenium Sludge Solid                    | mg/kg   | Max     | 100.0  | Single Sample     | 62-640.700(5)(a) & 650(3)(a)3. FAC |
|  |         | Max     | 100.0  | Monthly Average   | 62-640.700(5)(b) & 650(3)(a)3. FAC |
|  | mg/kg   | Max     | 7500.0 | Single Sample     | 62-640.700(5)(a) & 650(3)(a)3. FAC |

| Parameter   | Units          | Max/Min | Limit  | Statistical Basis                   | Rationale                          |
|---|----------------|---------|--------|-------------------------------------|------------------------------------|
| Zinc, Dry Weight, Sludge                            |                | Max     | 2800.0 | Monthly Average                     | 62-640.700(5)(b) & 650(3)(a)3. FAC |
| pH  | s.u.           | Max     | Report | Single Sample                       | 62-640.650(3)(a)3. FAC             |
| Solids, Total, Sludge, Percent                      | percent        | Max     | Report | Single Sample                       | 62-640.650(3)(a)3. FAC             |
|   |                | Max     | Report | Monthly Average                     | 62-640.650(3)(a)3. FAC             |
| Coliform, Fecal                                     | MPN/g          | Max     | 1000.0 | Single Sample                       | 62-640.600(1)(a) FAC               |
| Salmonella Sludge                                   | MPN/4g         | Max     | 3.0    | Single Sample                       | 62-640.600(1)(a) FAC               |
| Monitoring Frequency                                | All Parameters |         |        | 62-640.650(3)(a)4. & .850(4)(c) FAC |                                    |
| Pathogen and vector attraction reduction monitoring | All Parameters |         |        | 62-640.600 & 650(3)(a)1. FAC        |                                    |

See the table below for the rationale for the biosolids quantities monitoring requirements.

| Parameter  | Units          | Max/Min | Limit  | Statistical Basis    | Rationale                          |
|--|----------------|---------|--------|----------------------|------------------------------------|
| Biosolids Quantity (Landfilled)                        | dry tons       | Max     | Report | Monthly Total        | 62-640.650(5)(a)1. FAC             |
| Biosolids Quantity (Distributed & Marketed outside FL) | dry tons       | Max     | Report | Monthly Total        | 62-640.650(5)(a)1. & 850(4)(a) FAC |
| Biosolids Quantity (Distributed & Marketed in FL)      | dry tons       | Max     | Report | Monthly Total        | 62-640.650(5)(a)1. & 850(4)(a) FAC |
| Biosolids Quantity (Receive)                           | dry tons       | Max     | Report | Monthly Total        | 62-640.650(5)(a)1. & 850(4)(a) FAC |
| Monitoring Frequency                                   | All Parameters |         |        | 62-640.650(5)(a) FAC |                                    |

6. GROUND WATER MONITORING REQUIREMENTS

This section is not applicable to this facility.

7. PERMIT SCHEDULES

a. The following self-improvement actions (the following schedule is not a compliance schedule) are planned by the Permittee according to the following schedule:

| Improvement Action                                   | Completion Date |
|--|-----------------|
| 1. Completion of construction of composting facility | July 1, 2020    |

b. Prior to placing the new facilities into operation or any individual unit processes into operation, for any purpose other than testing for leaks and equipment operation, the Permittee shall complete and submit to the Department DEP Form 62-620.910(12), Notification of Completion of Construction for Wastewater Facilities or Activities. [62-620.410(7)]

c. Within six months after a facility is placed in operation, the permittee shall provide written certification to the Department on Form 62-620.910(13) that record drawings pursuant to Chapter 62-620, F.A.C., and that an operation and maintenance manual pursuant to Chapters 62-600 and 62-610, F.A.C., as applicable, are available at the location specified on the form. [62-620.410(6) and 62-620.630(7)]

9. ADMINISTRATIVE ORDERS (AO) AND CONSENT ORDERS (CO)

This permit is not accompanied by an AO and has not entered into a CO with the Department.

10. REQUESTED VARIANCES OR ALTERNATIVES TO REQUIRED STANDARDS

No variances were requested for this facility.

11. THE ADMINISTRATIVE RECORD

The administrative record including application, draft permit, fact sheet, public notice (after release), comments received and additional information is available for public inspection during normal business hours at the location specified in item 13. Copies will be provided at a minimal charge per page.

12. PROPOSED SCHEDULE FOR PERMIT ISSUANCE

|                           |              |
|---------------------------|--------------|
| Notice of Intent to Issue | May 8, 2017  |
| Publication               | May 15, 2017 |
| Notice of Permit Issuance | June 1, 2017 |

13. DEP CONTACT

Additional information concerning the permit and proposed schedule for permit issuance may be obtained during normal business hours from:

Bruce Kay  
Engineer II  
Southeast District Office

3301 Gun Club Road, MSC 7210-1  
West Palm Beach, FL 33406-3007

Telephone No.: (561) 681-6695