APPENDIX A
GENERAL CONDITIONS

1. The terms, conditions, requirements, limitations, and restrictions set forth in this permit, are "permit conditions" and are binding and enforceable pursuant to Sections **403.141, 403.727, or 403.859 through 403.861, Florida Statutes (F.S.).** The permittee is placed on notice that the DERM will review this permit periodically and may initiate enforcement action for any violation of these conditions.

2. This permit is valid only for the specific processes and operations applied for and indicated in the approved drawings or exhibits. Any unauthorized deviation from the approved drawings, exhibits, specifications, or conditions of this permit may constitute grounds for revocation and enforcement action by the DERM.

3. As provided in **Subsections 403.087(6) and 403.722(5), 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 any infringement of federal, state, or local laws or regulations. This permit is not a waiver of or approval of any other DERM permit that may be required for other aspects of the total project which are not addressed in this permit.

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

5. This permit does not relieve the permittee from liability for harm or injury to human health or welfare, animal, or plant life, or property caused by the construction or operation of this permitted source, or from penalties therefore; nor does it allow the permittee to cause pollution in contravention of Florida Statutes and DERM's rules, unless specifically authorized by an order from the DERM.

6. The permittee shall properly operate and maintain the facility and systems of treatment and control (and related appurtenances) that are installed or used by the permittee to achieve compliance with the conditions of this permit, as required by DERM's rules. This provision includes the operation of backup or auxiliary facilities or similar systems when necessary to achieve compliance with the conditions of the permit and when required by DERM's rules.

7. The permittee, by accepting this permit, specifically agrees to allow authorized DERM personnel, upon presentation of credentials or other documents as may be required by law and at reasonable times, access to the premises where the permitted activity is located or conducted to:

   (a) Have access to and copy any records that must be kept under the conditions of the permit;

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

   (c) Sample or monitor any substances or parameters at any location reasonably necessary to assure compliance with this permit or DERM's rules. Reasonable time may depend on the nature of the concern being investigated.

8. If, for any reason, the permittee does not comply with or will be unable to comply with any condition or limitation specified in the permit, the permittee shall immediately notify and provide the DERM with the following information:

   (a) A description of and cause of noncompliance; and

(b) The period of noncompliance, including exact dates and times; or, if not corrected, the anticipated time the noncompliance is expected to continue, and steps being taken to reduce, eliminate, and prevent recurrence of the noncompliance. The permittee shall be responsible for any and all damages which may result and may be subject to enforcement action by the DERM for penalties or for revocation of this permit.

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

10. The permittee agrees to comply with changes in DERM's 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 DERM's rules.

11. This permit is transferable only upon DERM approval in accordance with **Rule 62-4.120 and 62-30.300, Florida Administrative Code (F.A.C.),** as applicable. The permittee shall be liable for any noncompliance of the permitted activity until the transfer is approved by the DERM.

12. This permit or a copy thereof shall be kept at the work site of the permitted activity.

13. The permittee shall comply with the following :

(a) Upon request, the permittee shall furnish all records and plans required under DERM's rules. During enforcement actions, the retention period for all records will be extended automatically, unless otherwise stipulated by the DERM.

(b) The permittee shall hold at the facility or other location designated by this permit, records of all monitoring information (including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation) required by the permit, copies of all reports required by this permit, and records of all data used to complete the application for this permit. These materials shall be retained at least three years from the date of the sample, measurement, report or application unless otherwise specified by DERM's rule.

(c) Records of monitoring information shall include:

the date, exact place, and time of sampling or measurements;
the person responsible for performing the sampling or measurements;
the date(s) analyses were performed;
the person responsible for performing the analyses;
the analytical techniques or methods used; and
the results of such analyses.

14. When requested by the DERM, the permittee shall within a reasonable time furnish any information required by law which is needed to determine compliance with the permit. If the permittee becomes aware the relevant facts were not submitted or were incorrect in the permit application or in any report to the DERM, such facts or information shall be submitted or corrected promptly.