

**MAZAK MINE PERMIT SUMMARY**  
**SWFWMD AND DEP (NPDES)**  
**NOVEMBER 21, 2005**

## SUMMARY

Mazak Limerock Mine is operating under a relatively new SWFWMD permit, issued March 17, 2005 for a six (6) year term, copy enclosed. Authorized permit quantities for this are: 197,300-gpd average, 394,600-gpd peak, this quantity is for water entrained in the product (limerock) and other minor uses. **NO DEWATERING DISCHARGES ARE ALLOWED UNDER THIS PERMIT.** The conditions for discharge set forth in this permit are quite clear, and clarify that discharges offsite are **ONLY** allowed to occur for "...unusual or excess storm events" (Permit, page 3, special conditions (4)(B).) This same section also references the ERP and NPDES permits, each of which provide more latitude in interpreting these discharges, but SWFWMD clearly has the authority and jurisdiction to govern usage of aquifer/groundwater volumes.

The SWFWMD permit clarifies that even under normal rainfall events, discharge is not permitted, that only "unusual or excess" events excuse and warrant a discharge. Clearly the goal of this permit is total recharge of any pumped aquifer water volumes **AS WELL AS NORMAL RAIN EVENTS.** This same section of this permit also states that for ANY period in which discharges occur, the mine is obligated to document and report those events, and that these reports be submitted by the 10<sup>th</sup> of the following month.

A review of the DEP DMR's (discharge monitoring reports) data electronically provided from the Tallahassee DEP office indicates the mine has been in continuous non-compliance since the issuance of this permit. (Please note that there are two discharge points for the Mazak mine.)

The following two (2) non-compliances with the SWFWMD permit are self-evident by review of the DMR evidence:

1. Because the mine is continuously discharging - every month since March 2005 (and prior to this date as well, but under the previous permit), this is non-compliance. Continuous discharges are not permitted, unless "unusual or excess" storm events are also continuously ongoing during the same period. Continuous discharge indicates this is a discharge of aquifer volumes - not **storm water** volumes. Per SWFWMD Rainfall Data, Monthly Reports for this period rainfalls are not unusual - no unusual storm or events occurred during this time.

2. A review of the file of record for this mine at SWFWMD's Brooksville office provides no evidence that any of the required monthly reports to document and explain discharges have ever been submitted. Each failure to report is another non-compliance, every month since March 2005 to Aug 2005. Perhaps the non-compliances are to present, this will be determined upon review of the "actual paper" DMR's as the electronic version is only current to Aug 2005.

**In summary, this mine has continuously been in non-compliance with its SWFWMD permit since the permit was issued in March 2005. It does not conform to quantity limits; it does not conform to records/reporting requirements.**

Please note, no other aspects of the SWFWMD Permit or any other permit have been reviewed, such as monitoring wells/drawdown, property ownership representations etc...

Enclosed are:

- 1: Electronic DMR summaries for the period. Note that "avg" and "max" are always the same - this should not be.
- 2: Rainfall quantities from SWFWMD's "Southern Withlatchoochee Region", believed to be the closest rainfall data recording point for this mine's location.
- 3: Email of 6/10/05 (copy enclosed) both SWFWMD staffers Bielski and DeSmith were aware of the discharge data at that time, yet no compliance action of any kind has so far been initiated by SWFWMD.
- 4: SWFWMD Permit 20012255.001 issue March 17, 2005, expiration March 17, 2011.

To: Steve DeSmith/BKV\_REG/swfwmd@swfwmd  
cc:  
From: Vivian Bielski/BKV\_REG/swfwmd  
Date: 06/10/2005 08:06:17 AM  
Subject: Fw: NPDES Flow information - Mazak and Center Hill

Steve, Iliia Balcom (Supervisor, Industrial Waste Compliance Department) from DEP sent me the flow information provided by both entities for compliance with their NPDES permit. Thought you would like to have the Mazak data. See attachments below her email.

Vivian J Bielski, P.G.  
Brooksville Regulation Department  
Southwest Florida Water Management District  
2379 Broad Street  
Brooksville, FL 34604-6899

352-796-7211 Ext. 4328  
800-423-1476 Ext. 4328

----- Forwarded by Vivian Bielski/BKV\_REG/swfwmd on 06/10/2005 08:01 AM -----

"Balcom, Iliia"  
<Iliia.Balcom@dep.state.fl.us> To: <vivian.bielski@swfwmd.state.fl.us>  
> cc: "Bryant, Kimberly" <Kimberly.Bryant@dep.state.fl.us>  
06/09/2005 10:52 AM  
Subject: Flow information

Vivian:

Please see attached. I couldn't remember if you wanted the flow information for the Mazak Mine of the Center Hill Mine, so I'm sending you both. Mazak got an NPDES permit on 3/8/04, so the data for that facility under the NPDES program only goes back to 5/04. They were previously operating under General Permit FLA182613, which does not require them to submit data to the Department

Couple of things that will help you when reviewing the attached spreadsheets.

- The Monitoring Location of "1" means at the discharge point.

- For the "No Data Indicator" column, following is the meaning of the codes on the spreadsheets: "G" means "sampling equipment failure"; "C" means "No Discharge"; "9" means "No required to be monitored during the period", and sometimes it is used instead of the "C"; "8" means "Other". These codes are used when data is not reported for a particular reason.

Please let me know if you need any other information.

Have a great day.

Iliia G. Balcom  
Environmental Manager  
Industrial Wastewater Program

MAZAK NPDES REPORTED FLOW JAN TO AUG 2005.xls

Outfall	Report Freq	Param Code	Description	Limit Start	Limit End	Monitor Period	Data	Limit	Stat Base	Unit
	002-1	P 50050	FLOW	May 01, 2004	April 30, 2009	January 31, 2005	255,000	3.7	MO AVG	GAL/D
	002-1	P 50050	FLOW	May 01, 2004	April 30, 2009	January 31, 2005	255,000	ADDMON	MAXIMUM	GAL/D
	002-1	P 50050	FLOW	May 01, 2004	April 30, 2009	February 28, 2005	560,000	3.7	MO AVG	GAL/D
	002-1	P 50050	FLOW	May 01, 2004	April 30, 2009	February 28, 2005	560,000	ADDMON	MAXIMUM	GAL/D
	002-1	P 50050	FLOW	May 01, 2004	April 30, 2009	March 31, 2005	920,000	3.7	MO AVG	GAL/D
	002-1	P 50050	FLOW	May 01, 2004	April 30, 2009	March 31, 2005	920,000	ADDMON	MAXIMUM	GAL/D
	002-1	P 50050	FLOW	May 01, 2004	April 30, 2009	April 30, 2005	192,000	3.7	MO AVG	GAL/D
	002-1	P 50050	FLOW	May 01, 2004	April 30, 2009	April 30, 2005	192,000	ADDMON	MAXIMUM	GAL/D
	002-1	P 50050	FLOW	May 01, 2004	April 30, 2009	May 31, 2005	186,000	3.7	MO AVG	GAL/D
	002-1	P 50050	FLOW	May 01, 2004	April 30, 2009	May 31, 2005	186,000	ADDMON	MAXIMUM	GAL/D
	002-1	P 50050	FLOW	May 01, 2004	April 30, 2009	June 30, 2005	234,000	3.7	MO AVG	GAL/D
	002-1	P 50050	FLOW	May 01, 2004	April 30, 2009	June 30, 2005	234,000	ADDMON	MAXIMUM	GAL/D
	002-1	P 50050	FLOW	May 01, 2004	April 30, 2009	July 31, 2005	1,490,000	3.7	MO AVG	GAL/D
	002-1	P 50050	FLOW	May 01, 2004	April 30, 2009	July 31, 2005	1,490,000	ADDMON	MAXIMUM	GAL/D
	002-1	P 50050	FLOW	May 01, 2004	April 30, 2009	August 31, 2005	1,150,000	3.7	MO AVG	GAL/D
	002-1	P 50050	FLOW	May 01, 2004	April 30, 2009	August 31, 2005	1,150,000	ADDMON	MAXIMUM	GAL/D

NOTE: THAT  
FOR EVERY  
MONTH THE  
MONTHLY  
AVERAGE  
AND THE  
MAX ARE  
THE SAME.

11/15/2005

JAN-04-06 07:11 PM CALLACHER

352 429 9505

P.05

SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT  
WATER USE  
GENERAL  
PERMIT NO. 20012255.001

**EXPIRATION DATE: March 17, 2011**

**PERMIT ISSUE DATE: March 17, 2005**

THE PERMITTEE IS RESPONSIBLE FOR APPLYING FOR A RENEWAL OF THIS PERMIT PRIOR TO THE EXPIRATION DATE WHETHER OR NOT THE PERMITTEE RECEIVES PRIOR NOTIFICATION BY MAIL. FAILURE TO DO SO AND CONTINUED USE OF WATER AFTER EXPIRATION DATE IS A VIOLATION OF DISTRICT RULES AND MAY RESULT IN A MONETARY PENALTY AND/OR LOSS OF WATER. APPLICATION FOR RENEWAL PRIOR TO THE EXPIRATION DATE IS SUBJECT TO DISTRICT EVALUATION AND APPROVAL.

This permit, issued under the provision of Chapter 373, Florida Statutes and Florida Administrative Code 40D-2, authorizes the Permittee to withdraw the quantities outlined herein, and may require various activities to be performed by the Permittee as outlined by the Special Conditions. This permit does not convey to the Permittee any property rights or privileges other than those specified herein, nor relieve the Permittee from complying with any applicable local government, state, or federal law, rule, or ordinance. This permit, subject to all terms and conditions, meets all District permitting criteria.

**GRANTED TO:** Mazak Limerock Mine  
7000 State Road 50  
Webster, FL 34736

**COUNTY:** Sumter

**PROJECT NAME:** Florida Mining Corporation

**WATER USE CAUTION AREA:** N/A

**TYPE OF APPLICATION:** Modification      **APPLICATION FILED:** July 14, 2003

**APPLICATION AMENDED:** September 8, 2003      **ACRES:** 1,004 Owned

**PROPERTY LOCATION:** Sumter County, approximately 4 miles east of Webster, on the north side of State Road 50.

APR 01 2005  
JK

Date: 8/23/99  
Revised: 8/27/99  
Revised: 8/02/99  
Revised: 9/09/99  
BOCC Revision 9/14/99  
Final Approval 9/14/99

**SUMTER COUNTY BOARD OF COMMISSIONERS  
OPERATING PERMIT FOR  
LIMEROCK MINE**

**OP-99-2  
CUP 98-1**

**Property Owner:**  
Paul M. Mazak, II and Reba Y. Mazak  
P. O. Box 362  
Groveland, Florida 34736

**Mine Operator:**  
Bergeron, Sand, Rock & Aggregate, Inc.  
2710 Michigan Avenue  
Kissimmee, Florida 34744

This permit is approved and issued subject to the following general and specific terms and conditions:

**SECTION A - GENERAL TERMS AND CONDITIONS**

A1. That all statements in the application and supporting data are true and accurate and based upon the best information available, and that all conditions set forth herein will be complied with. If any of the statements in the application and in the supporting data are found to be untrue and inaccurate, or if applicant fails to comply with any or all of the conditions set forth herein, then this Permit may be suspended or revoked, pursuant to Section 13-174 Sumter County Land Development Regulations.

A2. The operation of this mine shall not constitute a hazard or threat to the health, safety, or general welfare of the public. The determination of a hazard or threat by the Board may be cause for permit amendment, suspension or revocation, pursuant to Section 13-174 Sumter County Land Development Regulations.

A3. All applicable sections of the Florida Statutes, Florida Administrative Code, and Sumter County Code shall be complied with. All mining activities shall remain in compliance with all permits, authorizations, and conditions applicable to the mine. All terms and conditions of permits issued by other agencies for the mining operation, not in conflict with the herein terms and conditions, shall be adhered to. A substantial, or repeated violation of the terms and conditions of this Permit, or the violation of any other

FILE DATE: 09/17/1999 FILE TIME: 04:49 OR BOOK: 766 PAGE: 340  
SUMTER CO., FL, GLORIA HAYWARD - CLERK CIRCUIT COURT INS #: 1999 14938 \*\*

731-1-2

Permit No.: 20012255.001

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March 17, 2005

**SPECIAL CONDITIONS:**

All conditions referring to approval by the Regulation Department Director, Resource Regulation, shall refer to the Director, Brooksville Regulation Department, Resource Regulation.

1. All reports required by the permit shall be submitted to the District on or before the tenth day of the month following data collection and shall be addressed to:

Permit Data Section, Records and Data Department  
Southwest Florida Water Management District  
2379 Broad Street  
Brooksville, Florida 34604-6899

Unless otherwise indicated, three copies of each plan or report, with the exception of pumpage, rainfall, evapotranspiration, water level or water quality data which require one copy, are required by the permit.

2. Any wells not in use, and in which pumping equipment is not installed shall be capped or vaied in a water tight manner in accordance with Subsection 62-532.500(3)(a)(4), F.A.C.
3. Prior to mining an area, any wells located within the area shall be properly abandoned (plugged) by a licensed water well contractor in accordance with Chapter 62-532.500 (4), F.A.C., under a Well Abandonment Permit issued by the District.
4. **MINING AND WATER MANAGEMENT PLAN**

The Permittee shall adhere to the mining and water management plan received on May 7, 2002, including those modifications provided in support of the application for this permit. The Permittee shall utilize all inactive quarry areas for water storage and aquifer recharge in order to prevent offsite discharge of water and reduce the drawdown effects caused by dewatering of active quarries. The Permittee shall do the following in accordance with the water management plan:

- A. Dewatering quantities from the actively dewatered quarry shall be routed to inactive mine areas and into the recharge ditch system;
- B. Water shall be retained in the inactive quarries, up to the limits of storage capacity. During unusual or excess storm events, excess stormwater may be discharged into Jumper Creek in accordance with Environmental Resource Permit (ERP) No. 0152843-005 and National Pollution Discharge Elimination System (NPDES) Permit No. FL0322890 issued by the Florida Department of Environmental Protection, whereby the Permittee may discharge up to 3.698 MGD via a weir system to Jumper Creek. All available storage capacity shall be utilized prior to and during events when discharge may become necessary. During any period that discharge to Jumper Creek occurs, the Permittee shall document and report the beginning and ending hours and dates of operation of each withdrawal source used for dewatering groundwater or pumping surface water. The report shall include the gallons per day pumped from each withdrawal source based on pumping capacity, or if available, totalizing flow meter readings. The Permittee shall also monitor and report the volume of water discharged, in gallons per day, to Jumper Creek from each weir discharge structure. This report shall be submitted by the 10th day of the month following each off-site discharge events, in accordance with Special Condition No. 1;
- C. The invert elevations shall be installed so as to be consistent with the water management plan;
- D. Water will be routed to impacted wetlands as necessary to provide mitigation to those wetlands;