ENVIRONMENTAL PROTECTION DIVISION
DEPARTMENT OF NATURAL RESOURCES
STATE OF GEORGIA
PERMIT TO WITHDRAW, DIVERT OR IMPOUND SURFACE WATER

PERMIT HOLDER'S NAME **Power4Georgians, LLC** PERMIT NUMBER **150-0391-04 (New)**

PERMIT HOLDER'S ADDRESS **258 North Harris Street, Sandersville, Georgia 31082** - **Washington County**

In accordance with the provisions of the Georgia Water Quality Control Act, (O.C.G.A. § 12-5-20 et seq.) as amended, and the Rules and Regulations for Water Quality Control, Chapter 391-3-6, promulgated pursuant thereto, this permit is issued to **withdraw** surface water from the (source) **Oconee River in the Oconee River Basin** for the purpose of **refilling of storage ponds, cooling and process water for coal fired power plant**.

The permit holder must comply with the following limitations:

(1) Maximum 24 hour: Withdrawal **16.0** MGD; Impoundment ____ MGD; Diversion _____ MGD

(2) Not to exceed a monthly average of **13.5** MGD

This permit is conditioned upon the permit holder complying with the following:

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STANDARD CONDITIONS

(1) The provisions of the Water Quality Control Act, as amended, or any of the Rules and Regulations promulgated thereto;

(2) This permit shall not be transferred except with the approval of the Division;

(3) The use of surface water is limited to the quantities and purposes as specified herein;

(4) The permit holder shall submit annually to the Division, within 30 days of completion of the calendar year, a report listing for each month of the previous year:

a. The gallons per day withdrawn, based on an average of the daily withdrawals for the month;

b. The maximum 24 hour withdrawal;

(5) And the attached special conditions which are hereby made a part of this permit.

In accordance with the application dated **January 17, 2008,** as supplemented and amended, and in conformity with the statements and supporting data entered therein or attached thereto, all of which are filed with the Environmental Protection Division of the Department of Natural Resources and are hereby made part of this Permit.

This Permit is effective from the date written below and is subject to revocation pursuant to the Georgia Water Quality Control Act, as amended, O.C.G.A. § 12-5-31 (k).

Absent prior revocation in accordance with the above language, this Permit shall expire on the **XXst** day of **XX 2019**.

DIRECTOR'S SIGNATURE

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DATE:
XXXX, 2009

Director
Environmental Protection Division
Department of Natural Resources

SPECIAL CONDITIONS

1. The permit holder, located approximately 5 miles northeast of the City of Sandersville in Washington County, withdraws primarily from the Oconee River approximately 15 miles west of Sandersville. The intake is just downstream of the confluence of Gum Creek and the Oconee River. Water is pumped to a raw water storage basin beside the plant and then, after pretreatment, to the plant. All water withdrawn must be metered at or immediately upon leaving the intake structure.

2. The permit holder will monitor streamflow at the USGS Avant Mine gage (gage No. 02223056) located approximately 0.6 miles downstream of the Oconee River intake.

3. The permit holder must allow to pass the USGS Avant Mine gage at all times, a flow equal to the non-depletable flow shown in the schedule below or the natural flow, whichever is less.

Month	Oconee River – Instream Flows immediately below the USGS gage (cfs)		
	Monthly 7Q10	Prorated Downstream Users	Non-depletable
January	825	34	859
February	984	34	1018
March	1519	34	1553
April	709	34	743
May	355	34	389
June	332	34	366
July	290	34	324
August	287	34	321
September	297	34	331
October	318	34	352
November	327	34	361
December	507	34	541

When low flow conditions occur in the Oconee River, the permit holder will cease withdrawals from the river and switch to withdrawals from the 30-day on-site raw water storage and/or groundwater wells.

4. The permit holder will withdraw water based on the streamflow at the USGS Avant Mine gage as follows:
   a. When the streamflow equals or is greater than the non-depletable flow shown in the schedule above, plus the withdrawal limits shown on page one of this Permit, water will be withdrawn from the Oconee River.
   b. When the streamflow falls below the non-depletable flow shown in the schedule above, plus the withdrawal limits shown on page one of this Permit, river withdrawals will cease and water will be withdrawn from the 30-day on-site raw water storage until 40% of the storage is depleted and only then from Groundwater Use Permit No. 150-0026.
   c. When the streamflow increases to above the non-depletable flow shown in the schedule above, plus the withdrawal limits shown on page one of this Permit, backup water withdrawals from groundwater will continue so long as the on-site storage ponds have not been refilled. Refilling the on-site storage ponds from groundwater supply will take approximately 70 days at the permitted groundwater supply rate. Once the on-site storage ponds have been filled and the Oconee River streamflow has increased to the non-depletable flow shown in the schedule above plus the withdrawal limits shown on page one of this Permit, for 10 consecutive days, then water withdrawals from the Oconee River will resume.

5. The permit holder shall not withdraw surface water and backup groundwater at the same time. Surface water will be the primary source of water for this facility. The withdrawal limits on page one of this Permit for the raw water withdrawal from the Oconee River and the withdrawal limits on page one of the Groundwater Use Permit No. 150-0026 shall not be added together.

SPECIAL CONDITIONS

6. Groundwater withdrawals up to the limits 0.120 mgd / 0.120 mgd (monthly average / annual average) are allowed at all times for designated sanitary facilities, boiler water and other process needs.

7. The permit holder will operate and abide by its Water Metering Plan.

8. The permit holder must submit to the Environmental Protection Division (EPD) within 10 days of the completion of the calendar month, a combined Monthly Surface Water Withdrawal Report (Raw Water Intake Data) and Groundwater Use Report showing daily raw water withdrawals for the previous month associated with this Permit. In addition to the surface water withdrawals and the groundwater withdrawals, the report will provide the 30-day on-site raw water storage withdrawals, discharges to the Oconee River, and consumptive use.

9. The permit holder will submit to EPD a five-year Water Conservation Progress Report pursuant to the completed Water Conservation Plan no later than XXXX. Future modifications and renewals of this Permit will be linked to the appropriate implementation of the Water Conservation Plan. This Progress Report should include any actions and/or improvements made to conserve water and reduce water losses (e.g., leak detection and leak repair, meter installation and calibration, meter replacement, education efforts, enforcement of ultra-low flow plumbing fixtures, xeriscaping techniques, etc.) The Water Conservation Progress Report must also include consumptive loss trends, water loss trends (unaccounted for water), and annual efficiency (a comparison of gallons of water used per unit of product produced) for each of the previous five years.

10. The permit holder must abide by its Drought Contingency Plan and, in addition, must abide by applicable drought response requirements.

11. The permit holder shall not transfer any surface water withdrawn via this Permit to any entity.

12. The permit holder will cooperate with EPD in the coordination of the water withdrawal requirements associated with this Permit and the Groundwater Use Permit No. 150-0026.

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PERMIT MODIFICATION

The permit holder may seek modification of any of the terms of an unexpired permit upon written request to the Director.