STORMWATER MANAGEMENT AND SPILL CONTAINMENT

AFFECTING HAWAII PROPERTY MANAGEMENT PROFESSIONALS

Cary Winters, QSSP

UltraTech International

- Western Regional Sales Manager, Seattle, WA
- 425-971-0057 cary.winters@spillcontainment.com
- www.stormwaterproducts.com

ULTRATECH INTERNATIONAL, INC.

Water is the lifeblood of Hawaii

Keeping water and beaches clean is critically important to all business owners in Hawaii

Everyone must do their part

The Basics of Stormwater Management

DID YOU KNOW?

Approximately 70% of all storm drains lead directly to open waterways, without treatment.

46% of all impaired rivers and lakes in the U.S. are polluted due to uncontrolled stormwater runoff.

A one quart oil spill can cause a 1 acre oil slick.

- ***REGULATIONS:*** ***Stormwater Management Regulations are a key component of EPA's Clean Water Act.***

- ***OVERRIDING GOAL:*** ***Protect the quality of U.S. waterways by reducing the discharge of sediment, oil and chemicals into storm drains, surface water and groundwater.***

- ***WHO IS REGULATED?*** *Three (3) main categories are now required to comply with these regulations:*

A. *Industrial - a total of 450 Standard Industrial Classification Codes (SIC)*
B. *Municipalities*
C. *Construction Activities*

KEY STORMWATER ACRONYMS AND PHRASES:

NPDES - "National Pollutant Discharge Elimination System" –

This is the technical name for EPA's stormwater management regulations. Regulated entities must comply with NPDES, 40 CFR 122.26 (1999).

KEY STORMWATER ACRONYMS AND PHRASES:

SWPPP - A "Stormwater Pollution Prevention Plan" is an erosion, sediment and waste chemical control plan.

All regulated entities must file a SWPPP with the EPA to be granted a stormwater permit.

KEY STORMWATER ACRONYMS AND PHRASES:

BMP – "Best Management Practices"

… include operating procedures and products to control site runoff, spills, leaks and drainage from raw material storage. When filing a SWPPP, a detailed description of BMPs planned for use at the site is required.

KEY STORMWATER ACRONYMS AND PHRASES:

MEP - "Maximum Extent Practicable" –

Stormwater permits require that the discharge of pollutants into storm drains be reduced to the "maximum extent practicable".

KEY STORMWATER ACRONYMS AND PHRASES:

TMDL – "Total Maximum Daily Loads"

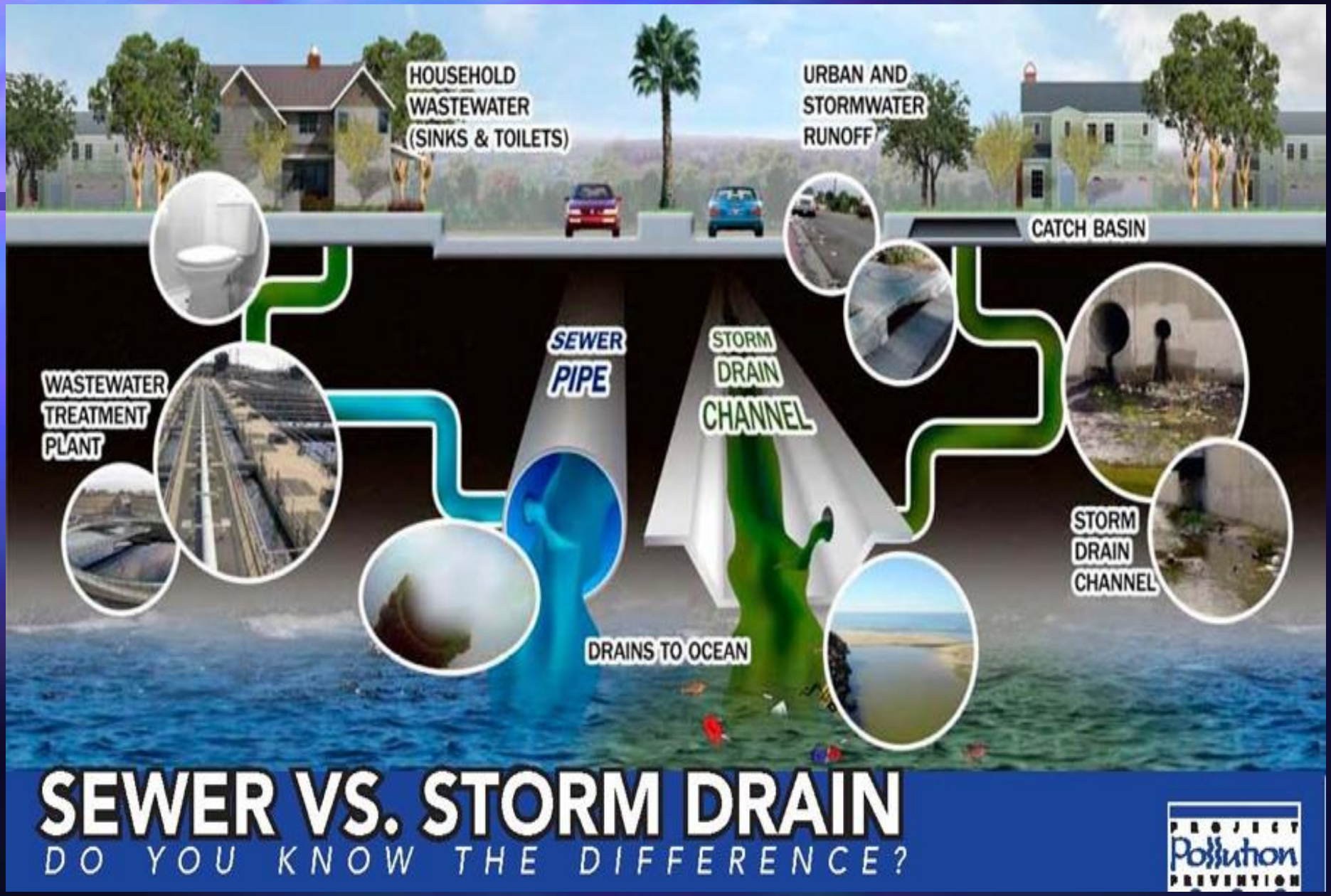
TMDL addresses the most common stormwater pollutants such as:

- Sediment
- Pathogens
- Nutrients
- Metals

KEY STORMWATER ACRONYMS AND PHRASES:

Non-Point Source Pollution - This term is synonymous with "stormwater runoff"...

Unlike stormwater pollution, "point source pollution" can be easily attributed to a single source, such as a catastrophic leak from a storage tank.


HOUSEHOLD WASTEWATER (SINKS & TOILETS)
URBAN AND STORMWATER RUNOFF
CATCH BASIN
SEWER PIPE
STORM DRAIN CHANNEL
WASTEWATER TREATMENT PLANT
STORM DRAIN CHANNEL
DRAINS TO OCEAN
SEWER VS. STORM DRAIN
DO YOU KNOW THE DIFFERENCE?
Project Pollution Prevention

Los Angeles

Storm Drain System…


BEACH CLOSED
AVOID

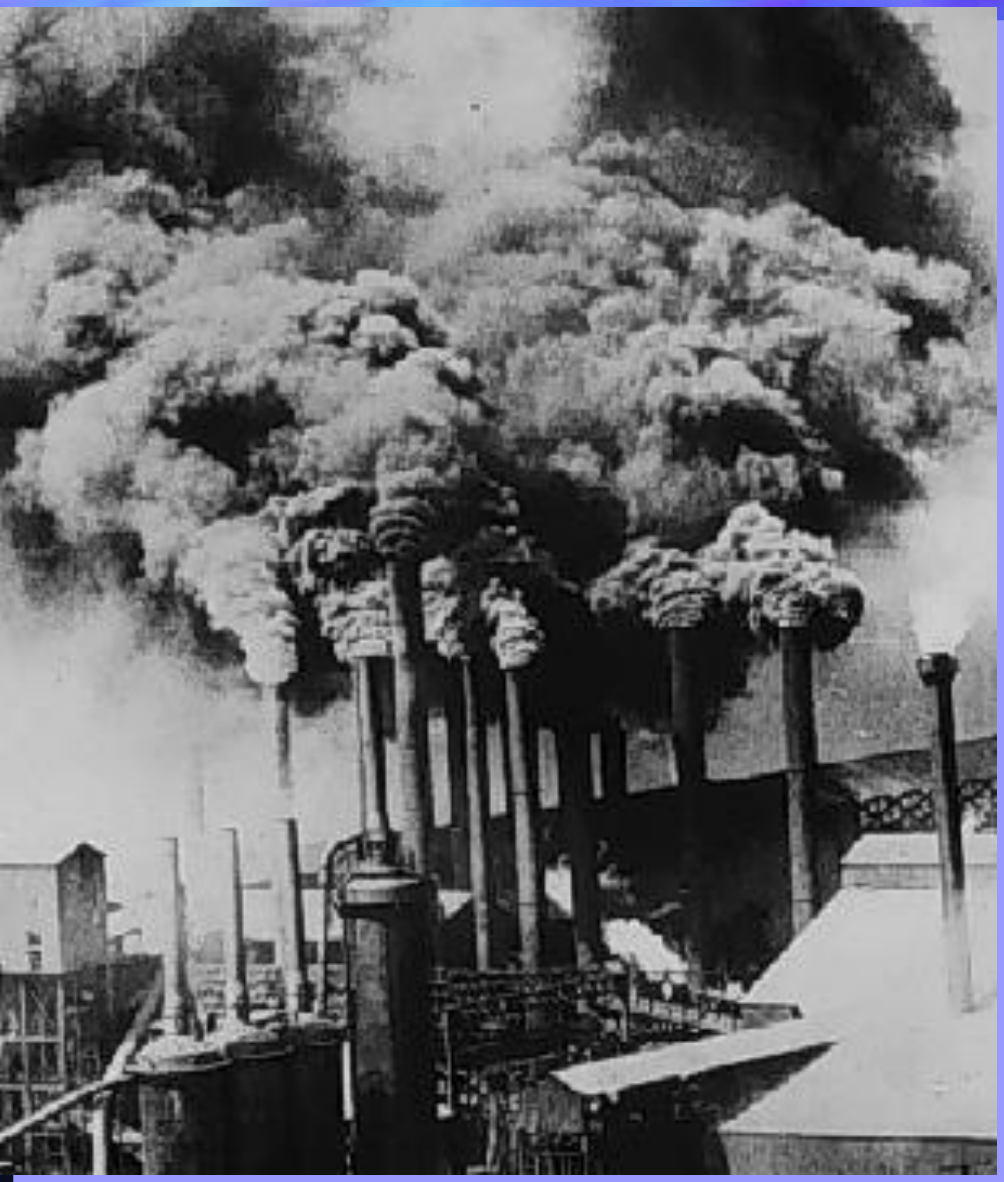
Sediment flows to the Storm Drains…

Sediment and trash on the river bottom

Oils and Grease wash Into drains…

Industrial Manufacturing

Pollutants enter the air via smokestacks



Add rain to the mix…


To the river it goes…

THE CHRISTIAN SCIENCE MONITOR csmonitor.com

Monitor Breakfast
posted March 28, 2002

On which environmental issue is the No. 1 challenge:

Christine Todd Whitman, administrator of the Environmental Protection Agency and former governor of New Jersey, was the guest at Wednesday's Monitor breakfast in Washington.

“I would put it in terms of what I think our single greatest challenge is, and I don't know how we are going to solve it all, and that is water. I think water is going to be the biggest environmental issue that we face for the 21st century in both quantity and quality. ”

On which environmental issue is the No. 1 challenge:

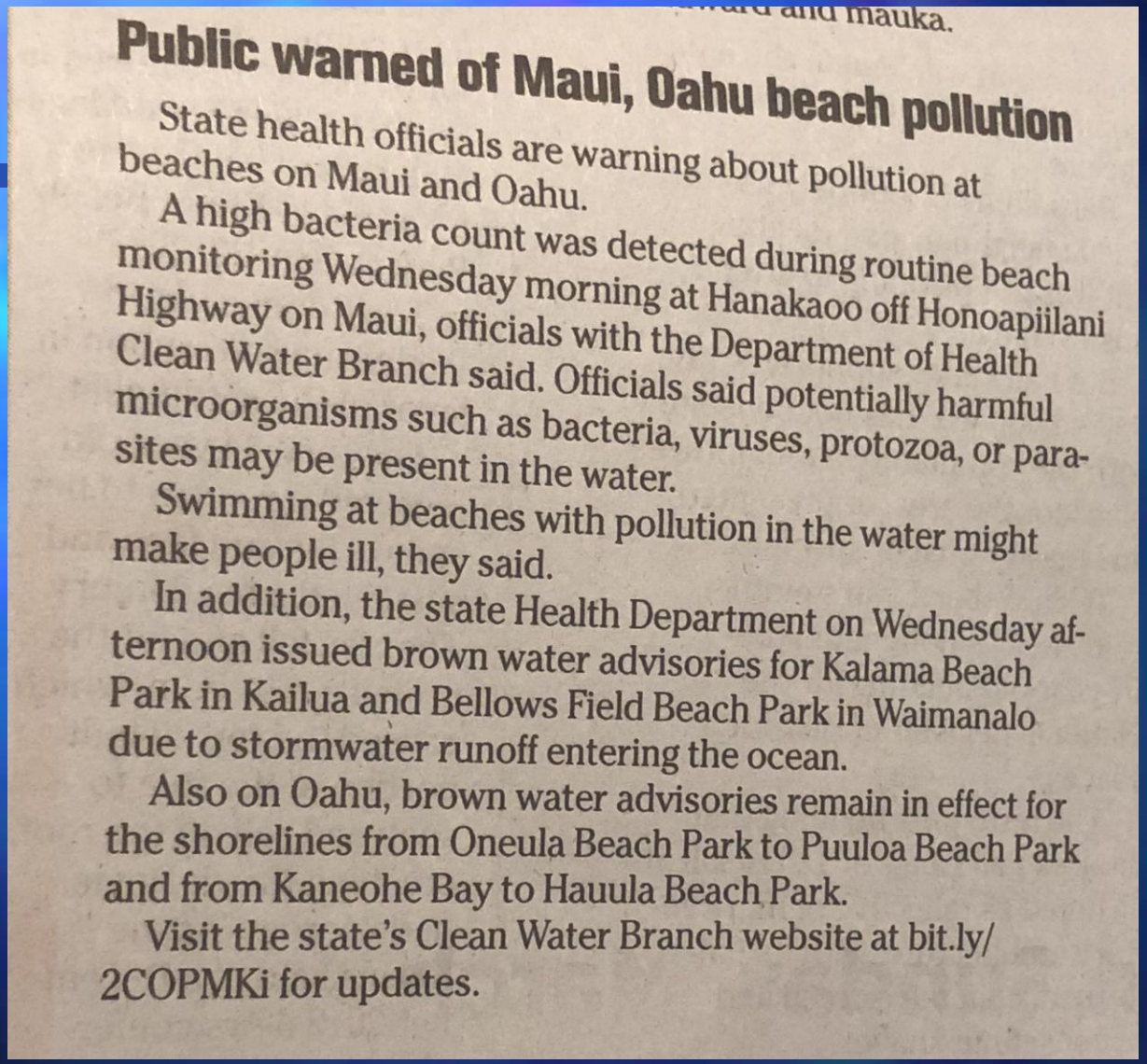
"I would put it in terms of what I think our single greatest challenge is, and I don't know how we are going to solve it all, and that is water. **I think water is going to be the biggest environmental issue that we face for the 21st century in both quantity and quality.** The agency doesn't really deal with quantity much – that falls more under (the Department of) Interior and others. But (EPA) clearly has

“... we have gotten really good at identifying and correcting the problem that comes from a single source from a pipe that's emitting into a stream. We are having now to get to the point where people understand what they do in their driveway can end up somewhere far away and have a cumulative impact”

... when you look at the problems we have in the West with the arsenic standard, the cost of that, all of those things say to me that water is going to be really one of our biggest challenges and I am not entirely sure that we have it all down on how to solve that."

DENNIS COOK/AP

Honolulu star advertiser Thursday, March 1, 2018



...ward and Hauka.

Public warned of Maui, Oahu beach pollution

State health officials are warning about pollution at beaches on Maui and Oahu.

A high bacteria count was detected during routine beach monitoring Wednesday morning at Hanakaoo off Honoapiilani Highway on Maui, officials with the Department of Health Clean Water Branch said. Officials said potentially harmful microorganisms such as bacteria, viruses, protozoa, or parasites may be present in the water.

Swimming at beaches with pollution in the water might make people ill, they said.

In addition, the state Health Department on Wednesday afternoon issued brown water advisories for Kalama Beach Park in Kailua and Bellows Field Beach Park in Waimanalo due to stormwater runoff entering the ocean.

Also on Oahu, brown water advisories remain in effect for the shorelines from Oneula Beach Park to Puuloa Beach Park and from Kaneohe Bay to Hauula Beach Park.

Visit the state's Clean Water Branch website at bit.ly/2COPMKi for updates.

https://eha-cloud.doh.hawaii.gov/cwb/#!/viewer

Hawaii Key Contacts

- Hawaii State Clean Water Board
  - 808 – 586 – 4309
- State Clean Water Board Permits to Cities
- Honolulu City and County Enviro Line
  - 808 – 768 – 3300

Hawaii Revised Statutes

- HAWAII REVISED STATUTES (HRS)
- http://openstates.org/hi/bills/2013%20Regular%20Session/SB1134/documents/HID00088359/
- No Person Shall Pollute

The Federal Clean Water Act of 1972 established the National Pollutant Discharge Elimination System (NPDES)

The Clean Water Act has been amended several times. One important amendment was the Water Quality Act of 1987.

The Water Quality Act of 1987 established a two-phase stormwater program…

Under Phase I, EPA required NPDES permit coverage for storm water discharges from:

- "Medium" and "large" **municipal separate storm sewer systems (MS4s)** located in incorporated places or counties with **populations of 100,000 or more**; and

- Eleven categories of industrial activity, one of which is construction activity that disturbs **five or more acres of land.**

The **Phase II Final Rule**, published in the Federal Register on December 8, 1999, requires NPDES permit coverage for storm water discharges from:

- ❑ Certain regulated small municipal separate storm sewer systems (MS4s); and …
- ❑ Construction activity disturbing between 1 and 5 acres of land (i.e., small construction activities
- ❑ Phase II Regulations permits are due **March 10, 2003.**

11 Industrial Categories Phase I

- Facilities with effluent limitations
- Manufacturing
- Mineral, Metal, Oil and Gas
- Hazardous Waste,Treatment, or **Disposal Facilities**
- Landfills
- Recycling Facilities
- Steam Electric Plants
- Transportation Facilities
- Treatment Works
- Construction Activity
- Light Industrial Activity

Industrial Activity Phase I

Manufacturing

- lumber and wood products
- paper & allied products
- chemicals & allied products
- petroleum & coal products
- leather tanning & finishing
- stone, clay & glass production
- primary metal industry
- fabricated structural metal
- ship and boat building and repair

Mineral Industry

- metal mining (metallic mineral/ores)
- coal mining
- oil and gas extraction
- non-metallic minerals except fuels

Industrial Activity Phase I

Manufacturing and Mineral Industries

- Dairy products processing
- Grain mills
- Canned & preserved fruits & veg. processing *
- Canned & preserved seafood processing
- Beet, crystalline & liquid cane sugar refining
- Textile mills
- Cement manufacturing
- Feedlots
- Organic Chemicals plastics and synthetic fibers
- Inorganic chemical manufacturing *
- Soap and detergent manufacturing
- Fertilizer manufacturing
- Petroleum refining
- Iron and steel manufacturing
- Nonferrous metal manufacturing
- Phosphate manufacturing *
- Steam electric power
- Glass manufacturing *
- Asbestos manufacturing
- Rubber manufacturing
- Timber products processing
- Pulp, paper, and paperboard *
- Builder's paper and board mills
- Meat products
- Metal finishing
- Coal Mining *
- Mineral mining & processing *
- Pharmaceutical manufacturing *
- Ore mining & dressing *
- Paving and roofing materials
- Paint formulating
- Ink formulating
- Pesticide Chemicals *
- Carbon Black manufacturing
- Battery manufacturing
- Plastics molding and forming
- Metal molding and casting
- Coil coating
- Porcelain enameling
- Aluminum forming
- Copper forming *
- Electrical & electronic component
- Nonferrous metal forming & powders

Industrial Activity Phase I

Transportation

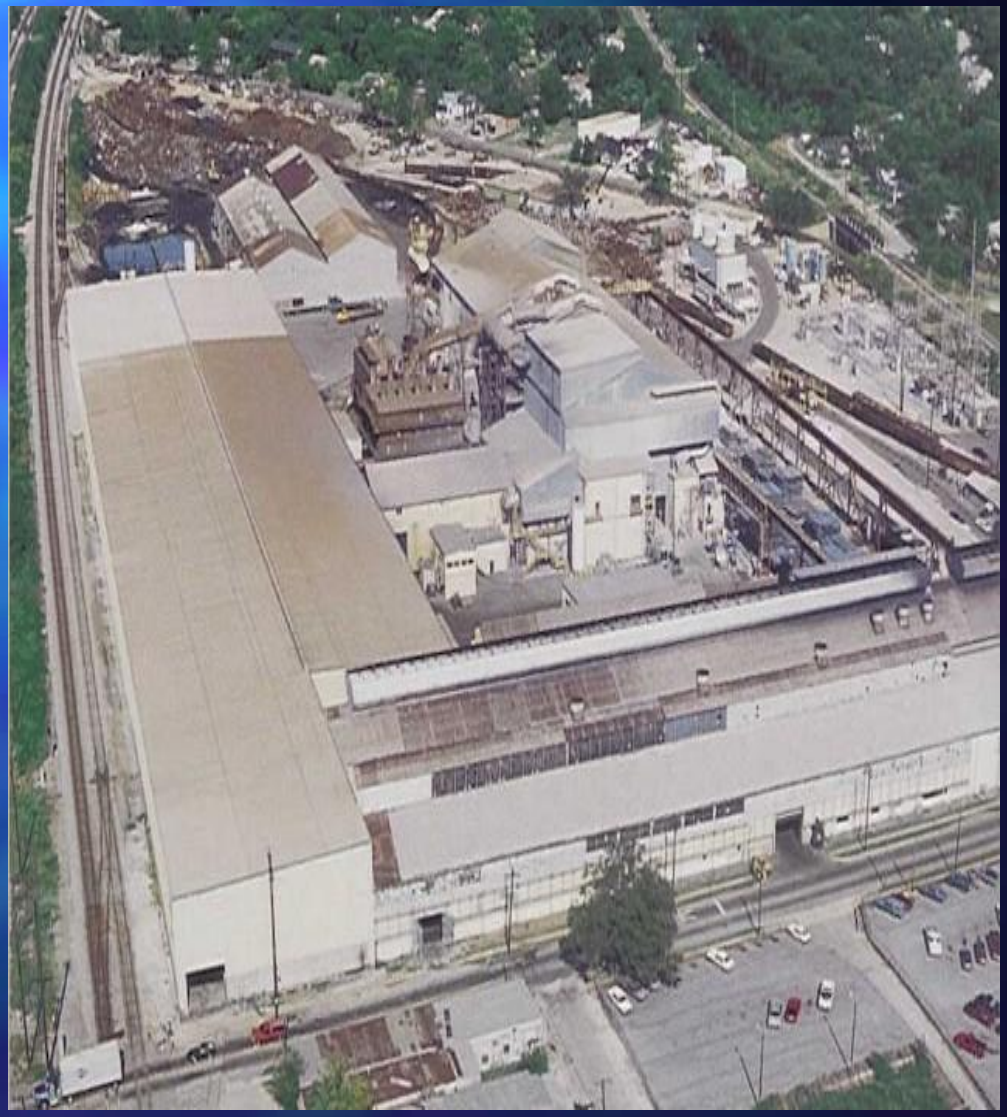
Transportation facilities listed below which have vehicle maintenance shops, equipment cleaning operations, or airport deicing operations… will need to submit a Permit

- railroad transportation
- local and inter-urban passenger transit
- trucking & warehousing
- US postal service
- water transportation
- transportation by air
- petroleum bulk stations and terminals

Industrial Activity Phase I

Light Industry

- food and kindred product
- tobacco products
- textile mill products
- apparel and other textile product
- wood kitchen cabinets
- furniture and fixtures
- paperboard containers and boxes
- miscellaneous converted paper products
- printing and publishing
- drugs
- paints and allied products
- rubber and miscellaneous plastic
- leather and products
- products of purchased glass
- fabricated metal products
- industrial machinery and equipment
- electronic and other electric equipment
- transportation equipment
- instruments and related products
- miscellaneous manufacturing
- farm product storage
- refrigerated storage
- general warehouse and storage



Industrial Activity Phase II

NO EXPOSURE CERTIFICATION

for Exclusion from
NPDES Storm Water Permitting

A condition of no exposure exists at an industrial facility when all industrial materials and activities are protected by a storm resistant shelter to prevent exposure to rain, snow, snowmelt, and/or runoff.


UltraTech
International, Inc.
Construction
Activities
Stormwater
BMP
BEST MANAGEMENT PRACTICE

The NPDES Storm Water Program requires operators of both large and small construction sites to obtain authorization to discharge storm water under an NPDES construction storm water permit.

- In 1990, the Phase I Storm Water regulations addressed construction activities that disturbed five or more acres of land

- The NPDES Storm Water Program also addresses small construction activities… those that disturb between one and five acres of land - with the signing of the Phase II Final Rule.


UltraTech
International, Inc.
Stormwater
BMP
BEST MANAGEMENT PRACTICE
Municipal
Municipal Separate
Storm Sewer Systems
MS4s

Operators of regulated small MS4s must have permit coverage no later than March 10, 2003. The Phase II Final Rule describes permit requirements… Under the Small MS4 Storm Water Program, operators of regulated small MS4s are required to:

- ❑ Apply for NPDES permit coverage
- ❑ Develop a storm water management program which includes the six minimum control measures
- ❑ Implement the storm water management program using appropriate storm water management controls, or best management practices (BMPs)
- ❑ Develop measurable goals for the program
- ❑ Evaluate the effectiveness of the program

Listed below are the six minimum control measures that operators of regulated small MS4s must incorporate into storm water management programs. These measures are expected to result in significant reductions of pollutants discharged into receiving water bodies.

- Public Education and Outreach
- Public Participation/Involvement
- Illicit Discharge Detection and Elimination
- Construction Site Runoff Control
- Post-Construction Runoff Control
- Pollution Prevention/Good Housekeeping

Stormwater Violations

- **(Washington, D.C.) Home Depot has agreed to pay a $1.3 million penalty and implement a nationwide compliance program to resolve alleged violations of the Clean Water Act, the Justice Department and Environmental Protection Agency announced today. The settlement resolves alleged violations that were discovered at more than 30 construction sites in 28 states where new Home Depot stores were being built.**

Stormwater Violations

- ***Department of Ecology News Release***
- **Tacoma concrete plant fined $147,000 for stormwater violations**
- **OLYMPIA – The Washington Department of Ecology (Ecology) has levied a fine of $147,000 against a Tacoma manufacturer of concrete products.**
- **"Hanson Pipe and Precast is not taking adequate measures to treat its stormwater and correct the violations. The company's quarterly monitoring reports continue to show violations," said Kelly Susewind, Ecology's Water Quality Program manager. "These are repeat violations. Hanson has been fined for these practices in the past."**

Stormwater Violations

- Department of Ecology News Release - February 18, 2009
- Sumner construction company fined for stormwater violations
- OLYMPIA – A Sumner construction company has been fined $36,000 for violations of its construction stormwater permit.
- The Washington Department of Ecology (Ecology) levied the fine against Stowe Construction for failure to prevent, control and treat stormwater runoff from its Rainier Park of Industry Division Four construction site, West Valley and 52nd Street East in Sumner. Ecology provided company owner Bryan Stowe with technical assistance several times to help him bring the Rainier Park property and another site in Sumner into compliance with stormwater regulations.

Stormwater Violations

- 4 Companies Charged almost $1,000,000 in total for stormwater violations
- http://www.komonews.com/news/local/4-companies-fined-847000-for-stormwater-runoff-violations-221572871.html

BASIC REQUIREMENTS OF A STORMWATER POLLUTION PREVENTION PLAN

- A Stormwater Pollution Prevention Plan (SWPPP) is an erosion, sediment and waste chemical control plan. It is up to the permit holder to decide what types of Best Management Practices (BMPs) to use at a given site, but the company, municipality or contractor must comply with the permit requirement.

SWPPPs will typically include:

- Site Description with a map.
- A description of the sediment, erosion and polluted water controls used on-site, including stabilization and structural practices (such as seeding, and catch basin inserts like the Ultra-DrainGuard or Ultra-GrateGuard).
- Descriptions of the BMPs to control stormwater runoff after completion of a construction activity or as a part of a long term maintenance plan.

What are the Permit Requirements?

Permit holders are required to develop, implement and enforce a stormwater management program to:

- **Reduce the discharge of pollutants to the maximum extent practicable (MEP).**
- **Protect water quality.**
- **Satisfy the appropriate water quality requirements of the Clean Water Act.**
- **Submit a Notice of Intent (NOI) which includes BMPs to be used, measurable goals, frequency of actions and responsible persons.**

What are Baseline BMPs?

- Good Housekeeping: reduce spill potential, routine inspections.
- Preventive Maintenance: maintain pipes, pumps, drum/tank storage and stormwater devices.
- Visual Inspections: signs of obvious stormwater contamination in outdoor storage and processing areas.
- Spill Prevention and Response: spill containment of drums and tanks, spill clean-up procedures, easily accessible spill response products.
- Sediment and Erosion Control: control methods for high erosion areas due to topography activities or other factors.
- Runoff Management: flow diversion, filtering using catch basin inserts, use of sumps, berms, mitigative techniques such as vacuuming, use of sorbents.

What are Advanced BMPs?

- Vegetated Filter Strips
- Detention Basins and Ponds
- Catch Basin Filters (disposable)
- Passive Skimmers
- Litter Removal Devices
- Silt Fences
- Drain Inlet Inserts
- Permanent Catch Basin Inserts

Stormwater Products

Drain Guards

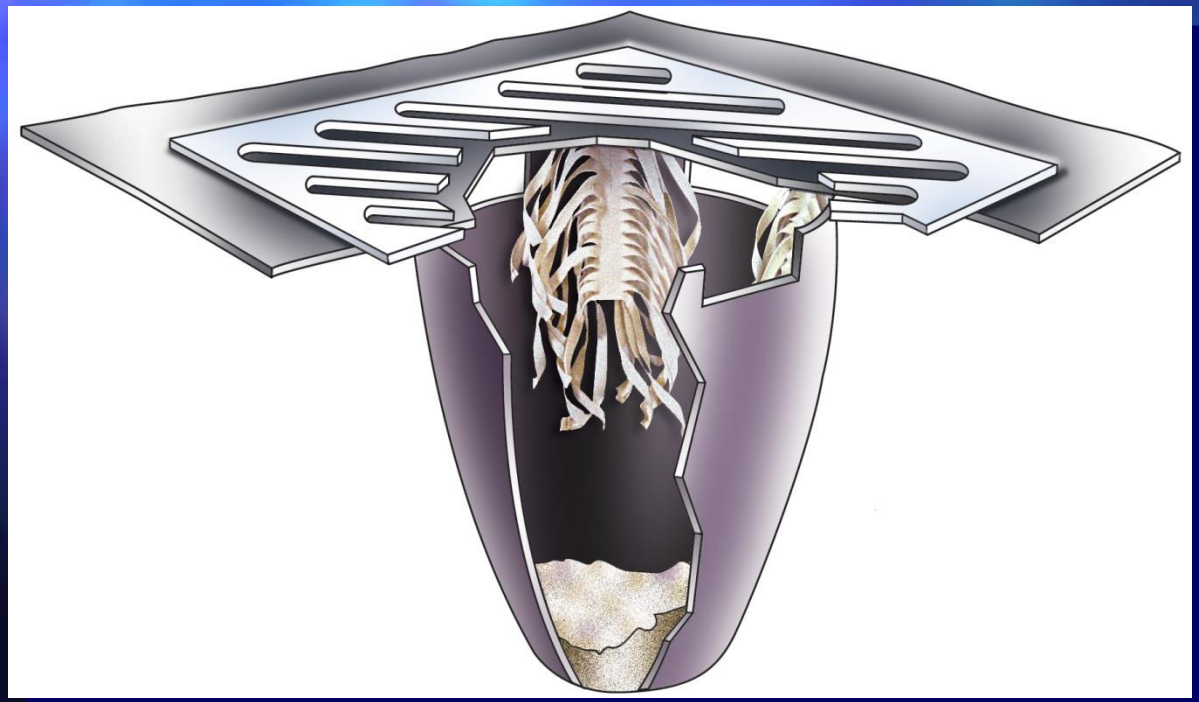
- Oil & Sediment Model
- Sediment Only Model

Stormwater BMP™ BEST MANAGEMENT PRACTICE

Stormwater Products
Drain Guards

Oil & Sediment Plus®

- **X-TEX "Filter Strips" capture hydrocarbons**



Stormwater Products

Drain Guards – Heavy Metal Model

Heavy Metal Removal Media sewn into the catch basin insert's walls

Filterable Metals:

Rubidium • Lithium
Potassium • Caesium
Ammonium • Sodium
Calcium • Silver
Cadmium • Lead
Zinc • Barium
Strontium • Copper
Mercury • Magnesium
Iron • Cobalt
Aluminum • Chromium

Stormwater Products

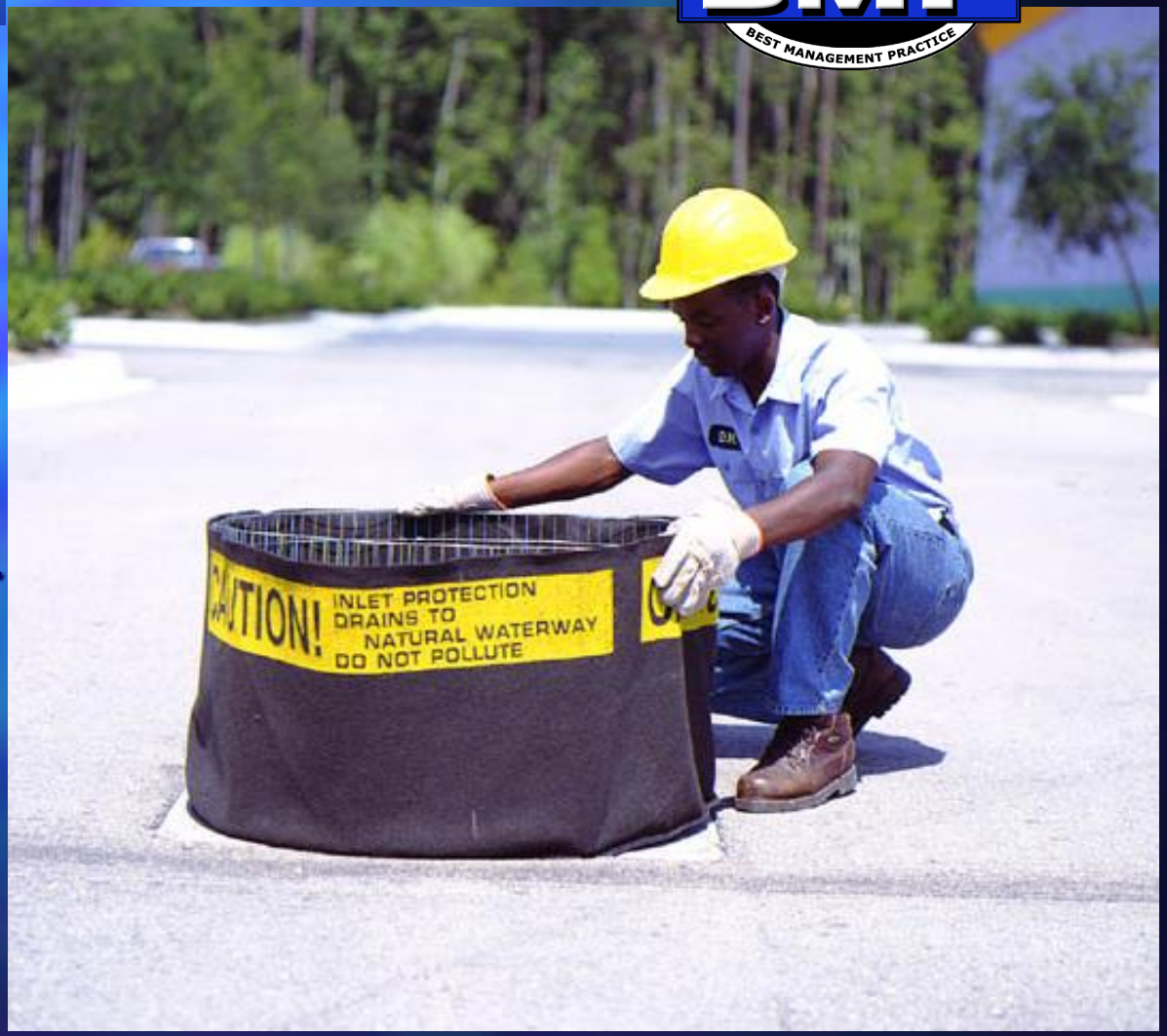
Grate Guards

- Oil & Sediment
- Sediment Only

Stormwater Products

Basin Guard

- Oil & Sediment
- Sediment Only
- 36 Inch Diameter
- 4 ft. x 6 ft.



Stormwater Products

Basin Guard

- Oil & Sediment
- Sediment Only
- 36 Inch Diameter
- 4 ft. x 6 ft.

Stormwater Products

Passive Skimmer

- Removes Oil From Catch Basins and Storm Drains
- Floats on water surface continuously absorbs oil.

Stormwater Products

Passive Skimmer

- Removes Oil From Catch Basins and Storm Drains
- Holds up to 2 gallons of oil.

Stormwater Products

Dewatering Bag

- Contain Sediment And Oil Pumped Out During Dewatering Operations
- Standard and custom sizes available.

Stormwater Products

Pipe Sock

- Control The Flow Of Sediment And Oil Out Of Headwall And Other Types Of Pipes

- Standard and custom sizes available.

Stormwater Products

Filter Sock

- Control The Flow Of Sediment And Oil Out Of Headwall And Other Types Of Pipes

- Reduce Water Velocity In Gullies, Ditches, And Construction Sites

Stormwater Products

Drain Seal Spill Response

- Stop spills from going down the drain

- Urethane construction allows the pad to deform and seal off most drains temporarily "seals" to any smooth surface

Stormwater BMP™ BEST MANAGEMENT PRACTICE

Stormwater Products

Drain Seal Spill Response

Wall Mount Unit

- Drain Seal **Wall Mount Units** allow quick response to any spill - just "grab and go"!

Stormwater Products

Drain Plug Spill Response

- Tapered design wedges securely into standard drains to stop any flow

Stormwater Products

Spill Berms Spill Response

- Temporary Berm Seals Off Spills From The Environment, Nearby Drains And Doorways

- Unique, urethane material "weeps" into small cracks and crevices to seal off liquid flow

Stormwater BMP™ BEST MANAGEMENT PRACTICE

Stormwater Products

1 Drum Outdoor Drum Storage

- The Only 1-Drum Lockable Outdoor Containment Unit Available

Stormwater BMP™ BEST MANAGEMENT PRACTICE

Stormwater Products

2 and 4 Drum Outdoor Drum Storage

- Store hazardous drums Safely outdoors With pumps And funnels In place!

Stormwater Products

Containment Berms
Spill Containment

- Economical design offers cost savings and secure containment
- Collapsible wall model features rugged PVC sidewall assemblies

Stormwater Products

Self Bailer

- Allows clean stormwater to drain passively from Containment Berms while filtering out oils and other hydrocarbons
- Can also be attached to other outdoor containment products

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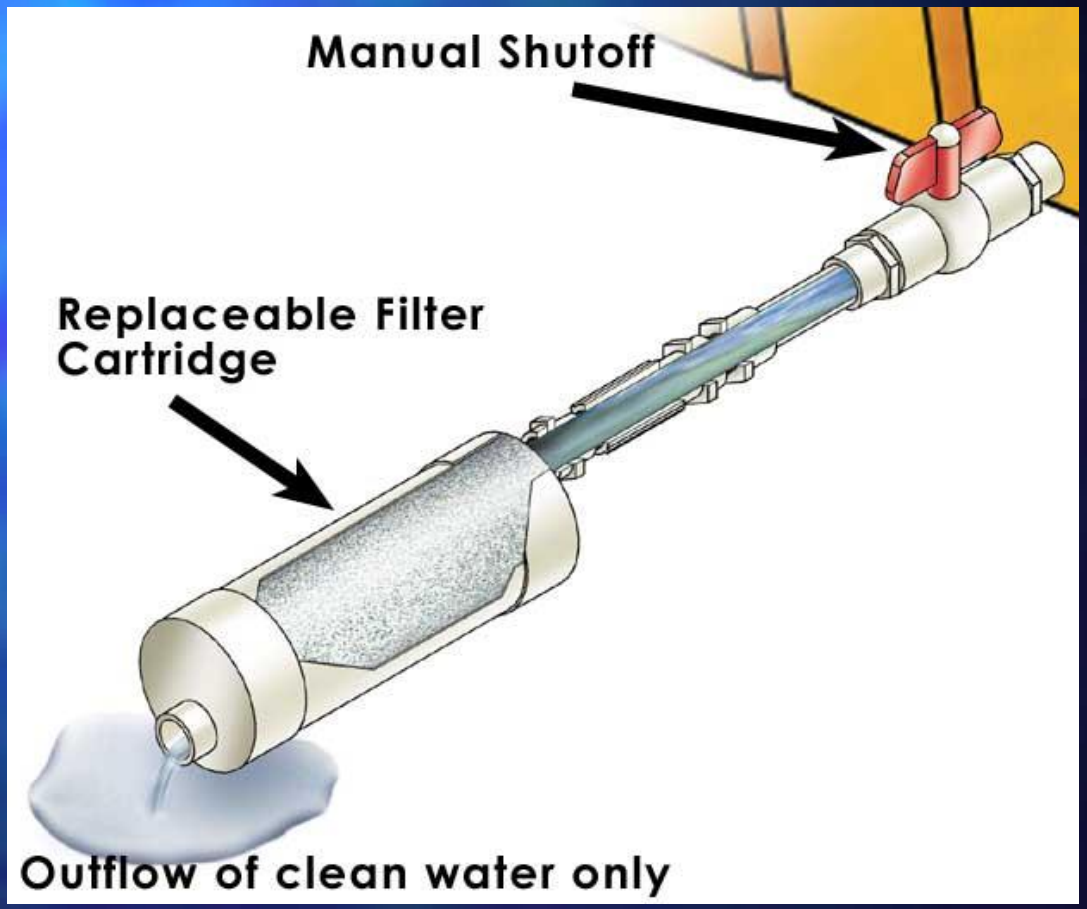


Stormwater Products

Down Spout Guard

- Removes pollutants from stormwater flow in gutters and downspouts
- Quick and easy to install on most downspouts
- Polyethylene construction will not rust or corrode

Stormwater Products

Down Spout Guard

- Special “X-Tex” oil-absorbing material removes oil, grease and other hydrocarbons from gutter and downspout water flow
- Filter material is easily removed and replaced

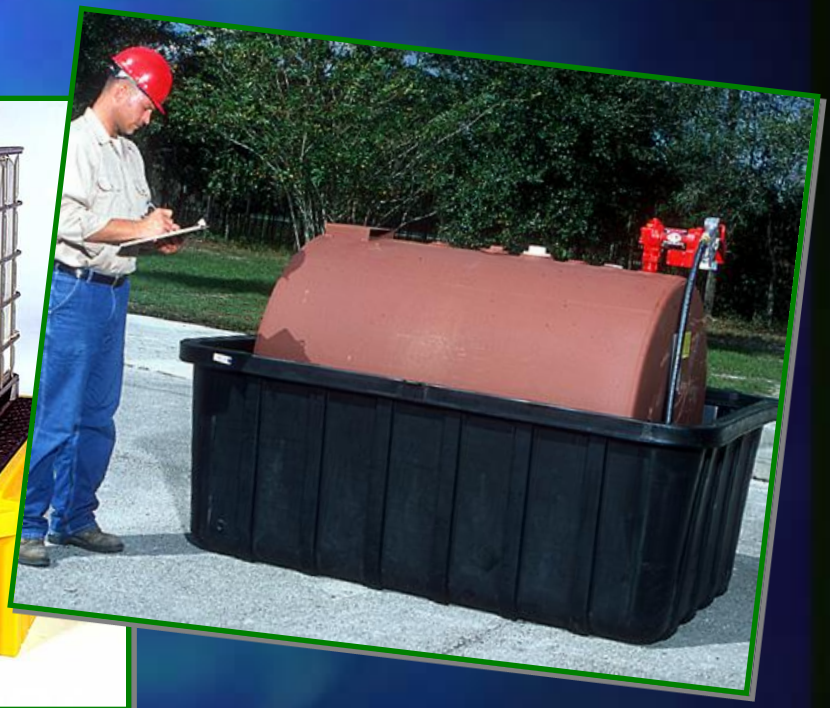
Non-Structural BMPs

Materials Management

Alternative Products
Hazardous Materials Storage
Road Salt Application and Storage
Spill Response and Prevention
Used Oil Recycling
Materials Management

What Does EPA's Amended SPCC Regulation *Really* Mean ???

("SPCC" stands for Spill Prevention, Control and Countermeasure)



General Overview of SPCC

- Requires that certain facilities prepare and implement a written SPCC Plan to prevent "oil" from reaching navigable waters and adjoining shorelines
- "Oil" includes (but is not limited to) gasoline, diesel, animal oils and fats, vegetable oils, grease, synthetic oils, mineral oils and oil mixed with other wastes

SPCC Overview (continued)

- Facilities with total, above-ground oil storage capacity greater than 1,320 gallons must comply with SPCC
- Facilities with total, completely buried oil storage greater than 42,000 gallons must comply with SPCC
- Note: There are some exempted facility types, i.e., convenience stores

History: Under authority of EPA's Clean Water Act, the Spill Prevention, Control and Countermeasure (SPCC) rule took effect originally on January 10, 1974

Problems: The language was unclear; and compliance was expensive due to the need for each facility's SPCC Plan to be certified by a Professional Engineer (PE)

Result: Tens of thousands of facilities have not developed an SPCC Plan and are now *out of compliance*

Estimated Number of Existing SPCC – Regulated Facilities by Size Category (2005

Size Category	Aggregate Capacity	Estimated Number of Facilities
I	1,320 to 10,000 gallons	317,000
II	10,001 to 42,000 gallons	187,000
III	42,001 to 1 million gallons	63,700
IV	Greater than 1 million gallons	3,370
Total		571,000

EPA's Remedy

- SPCC rule was amended in July 2002 to streamline requirements for certain facilities and to reduce the cost to comply

- **Key changes**: (1) containers with a capacity of **55 gallons or larger** are now specified when determining maximum oil storage capacity at a facility; (2) facilities with above-ground oil storage capacity of 10,000 gallons or less are permitted to **self-certify** (no PE required) if they meet certain criteria related to their spill history

Where are we now ???

- EPA has issued several "compliance date extensions" since 2002
- A **significant amount of confusion has resulted,** and……
- Many thousands of facilities that should have complied years ago have incorrectly assumed that they are not currently regulated by SPCC – they are now unknowingly subject to fines, etc.

So What's The "Bottom Line" ???

Facilities (non-farm) that began operating on or before August 16, 2002 – MUST:

a. maintain their existing SPCC Plan
b. amend (if required) and implement required changes no later than July 1, 2009

Facilities in this group that do not have an SPCC Plan are out of compliance and are subject to regulatory action, fines, etc.

The "Bottom Line" (continued)

- Facilities that began operations after August 16, 2002 – July 1, 2008 MUST:

  Prepare and implement their SPCC Plan no later than July 1, 2009.

The "Bottom Line" **(continued)**

- Facilities that begin operations after July 1, 2009 MUST:

Prepare and implement an SPCC Plan before beginning operations.

Other SPCC Related Items

- An SPCC inspector is not required to provide advance notice of a facility inspection
- Facility owners or operators regulated by SPCC must designate a person who is accountable for discharge prevention and who reports directly to management
- In general, “transfers” of oils are regulated by SPCC; “transportation” of oil is not regulated

Company Fined for Failing to Comply with Oil Spill Prevention Requirements at 7 N.H. and Maine Facilities

Release date: 05/16/2007

Contact Information: David Deegan, (617) 918-1017

(Boston, Mass. May 16, 2007) - A Maine-based company with approximately 30 oil storage and distribution facilities subject to oil spill prevention requirements throughout northern New England will pay an EPA fine to resolve an enforcement action in which EPA alleged that the company failed to comply with these requirements at seven facilities in New Hampshire and Maine.

Under the terms of a settlement with EPA, the CN Brown Company of South Paris, Maine will pay a penalty of $157,500. The company has also committed to spend over $1 million to bring their New England facilities into compliance with federal Oil Pollution Prevention regulations.

U.S. Environmental Protection Agency

Region 1: New England

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Hampshire and Maine.

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Fuel Storage Tank


Containment Sump


JSC
1993
Containment Sump
1993
3

Spill Containment

Spill Containment

IBC Hard Top

Spill Containment

Drum Rack

Hard Top

Hard Top P2 Plus

Funnel

Twin IBC Spill Pallet

Drain Seal


Drain Seal
Truck
Mount
Emergency
Spill Response
Drain Cover


Drain Plug
Seal off the drain and capture the wash water

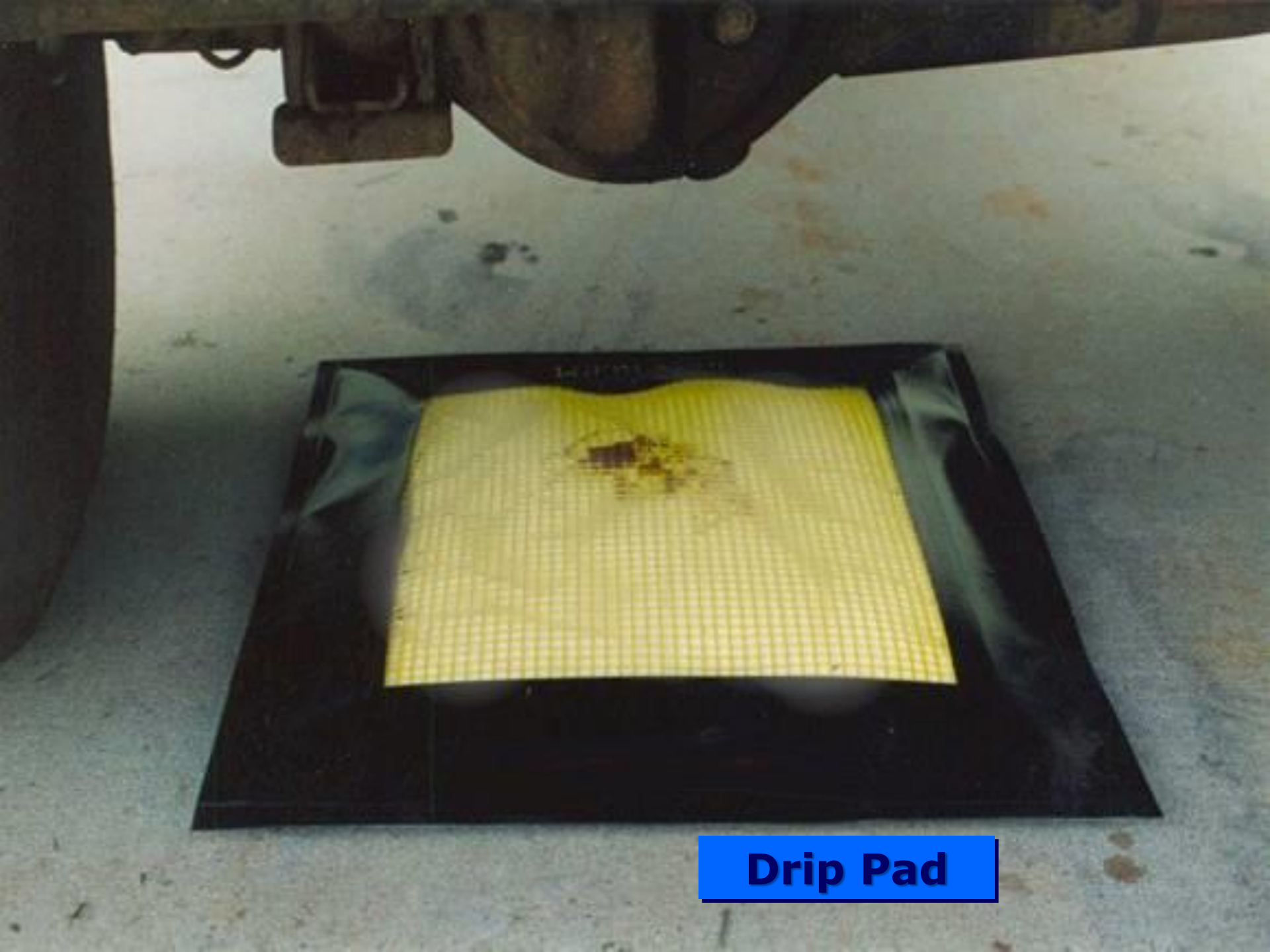

Spill Berm

PopUp Pool

Containment Berm

Containment Berm


Spill Kit


Drip Pad


Clean water…
A legacy to leave
for our kids…
…the Real Florida!
Manatee Springs State Park

Thank You !