



May 31, 2019

SUBMITTED VIA ELECTRONIC MAIL: Kaitlyn.Sutton@FLORIDADEP.gov

Mr. Daryll Joyner
Environmental Administrator
Water Quality Standards Program
Florida Department of Environmental Protection
2600 Blair Stone Road
Tallahassee, FL 32399

RE: Triennial Review of State Surface Water Quality Standards; Total Ammonia Nitrogen Criteria

Dear Mr. Joyner:

Florida Power & Light Company ("FPL") is the largest electric utility in Florida and one of the largest rate-regulated utilities in the United States. FPL is a leader in clean energy with one of the nation's lowest emissions profiles and has one of the leading energy efficiency programs among utilities nationwide. FPL owns and utilizes a diversified portfolio of properties, structures, and facilities to achieve its primary mission of providing affordable, reliable, and clean energy to its customers.

FPL appreciates the Florida Department of Environmental Protection's ("FDEP") administration of the state's surface water quality standards and their effort to protect this vital resource. FPL has an interest in previous revisions adopted to replace freshwater un-ionized ammonia criterion with total ammonia nitrogen ("TAN") criteria. Although TAN criteria was not discussed during the public workshop, FPL respectfully submits the following comments based upon water quality standards regulation at 40 CFR § 131.11(b)(1)(ii) which provides states with the opportunity to adopt water quality criteria that are "...modified to reflect site specific conditions."

- FPL suggests that specific language be included 62-302.530(3) F.A.C., that allows adaptive criteria for discharges that are intermittent. For example: if discharges occur 4 days or less per month, then only the 4-day criteria should apply. If the discharges occur more than 4 days per month, but less than daily for the period of a month, the criteria should be adjusted accordingly.
- FPL suggests that specific language be included in the rule stating that if species used to recalculate the derivation criteria are not found in the receiving water that the facility discharges to, as well as similar reference (control) receiving waters, applicants should have an option to submit for an alternative TAN effluent limit through the NPDES permitting process, rather than going through the site specific alternative criteria process.
- FPL suggests that specific language be included in the rule to identify adaptive criteria for discharges to receiving waterbodies that have a lower pH, such as wetlands, to allow for calculation of TAN at pH of less than 6.5.

FPL appreciates the opportunity to comment on the triennial review of state surface water quality standards. If you have any questions, please do not hesitate to contact Eric M. Shea at Eric.M.Shea@FPL.Com or (561) 691-2993.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Eric M. Shea', is written over the word 'Sincerely,'.

Eric M. Shea
Environmental Services Manager
Corporate Environmental Services