

CONDITIONS OF CERTIFICATION

Modified 09/10/07

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**I. CONSTRUCTION: Unit 1, Unit 2, Unit 3 and Unit 4 [Replaced with Section A. General Conditions, Condition VII. Design and Performance Criteria]**

The Unit 1, Unit 2 and Unit 3 facility shall be constructed, as a minimum, pursuant to the design standards presented in the Hillsborough County Resource Recovery Facility site certification application. The Unit 4 facility shall be constructed, as a minimum, pursuant to the design standards presented in the Hillsborough County Resource Recovery Facility Expansion site certification application.

**A. CONTROL MEASURES**

1. Storm water Runoff [Replaced with Section A. General Conditions, Condition VI. Department Permits Under Federal Programs, paragraph B.2. NPDES Generic Permit for Stormwater Discharge from Construction Activities AND Section A. General Conditions, Condition XXXI. Environmental Resources, paragraphs A and B. General and Surface Water Management]

To control runoff during construction which may reach and thereby pollute Waters of the State, necessary measures shall be utilized to settle, filter, treat or absorb silt-containing or pollutant-laden Storm water to insure against spillage or discharge of excavated materials that may cause turbidity in excess of 50 Jackson Turbidity Units above backgrounds in Waters of the State and to comply with Hillsborough County and Southwest Florida Water Management District Storm water regulations. Control measures may consist of sediment traps, barriers beams, and vegetation plantings. Exposed or disturbed soil shall be protected and stabilized as soon as possible to minimize silt and sediment-laden runoff. The pH shall be kept within the range of 6.0 to 8.5.

2. Burning [Replaced with Section A. General Conditions, Condition X. Construction Practices, paragraph C. Open Burning]

Open burning in connection with land clearing shall be in accordance with Chapter 62-256, FAC, and applicable County regulations. No additional permits shall be required, but prior to each act of burning, the Division of Forestry shall be contacted to determine if satisfactory conditions exist for burning. Open burning shall not occur if the Division of Forestry has issued a ban on burning due to fire hazard conditions.

3. Sanitary Wastes [Replaced with Section A. General Conditions, Condition X. Construction Practices, paragraph E. Sanitary Wastes]

Disposal of sanitary wastes from construction toilet facilities shall be in accordance with applicable regulations of the appropriate local health agency.

4. Solid Wastes Wastes [Replaced with Section A. General Conditions, Condition X. Construction Practices, paragraph D. Solid Wastes]

Solid wastes resulting from construction shall be disposed of in accordance with the applicable regulations of Chapter 62-701, FAC.

5. Noise [Replaced with Section A. General Conditions, Condition XXXVIII. Noise]

Construction noise shall not exceed local noise ordinance specifications, or those standards imposed by zoning.

6. Dust [Replaced with Section A. General Conditions, Condition X. Construction Practices, paragraph B. Particulate Matter]

The Country shall employ proper dust-control techniques to minimize fugitive dust emissions.

7. Transmission Lines [Moved to Section B. Specific Conditions, Condition I. Department of Environmental Protection, paragraph C. Transmission Lines]

The directly associated transmission lines from the Resource Recovery Facility electric generators to the existing Tampa Electric Company (TECO) substation shall be along the existing abutting TECO transmission line right-of-way.

**B. ENVIRONMENTAL CONTROL PROGRAMS** [Moved to Section B. Specific Conditions, Condition I. Department of Environmental Protection, paragraph A. Environmental Control Programs]

1. An environmental control program shall be established under the supervision of a qualified person to assure that all construction activities conform to good environmental practices and the applicable conditions of certification.

2. If unexpected or harmful effects or evidence of irreversible environmental damages are detected during construction, the Licensee shall notify the DEP Southwest Florida District Office (SWD) by telephone, 813-632-7600, during the working day that the effect or damage occurs. If the occurrence is after normal business hours, the Licensee shall report any condition that poses a public health threat to the State Warning Point at telephone number (850) 413-9911 or (850) 413-9912. The Licensee shall confirm this in writing to the SWD, 13051 N. Telecom Parkway, Temple Terrace, FL 33637, within seventy-two (72) hours of becoming aware of such conditions, and shall provide in writing an analysis of the problem and a plan to eliminate or significantly reduce the harmful effects of damage.

**C.     REPORTING** [Moved to Section B. Specific Conditions, Condition I. Department of Environmental Protection, paragraph B. Reporting]

1.     Starting three (3) months after certification, a quarterly construction status report shall be submitted to the Southwest Florida District Office of the Department of Environmental Protection. The report shall be a short narrative describing the progress of construction.

2.     Upon completion of construction, the DEP Southwest Florida District Office will be notified in order that an operational inspection can be performed.

**II.     OPERATION – Unit 1, Unit 2 and Unit 3**

**A.     AIR** [Replaced with Section A. General Conditions, Condition VI. Department Permits Under Federal Programs, paragraph A. Air]

1.     Administrative

a.     All documents related to applications for permits to construct, operate or modify an emissions unit should be submitted to the Bureau of Air Regulation, MS 5500, Florida Department of Environmental Protection, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, telephone (850) 488-1344, and the Siting Coordination Office, MS 48, Florida Department of Environmental Protection, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, telephone (850) 245-8001. All documents related to reports, tests, and notifications should be submitted to the Department's Southwest District office, at 13051 N. Telecom Parkway, Temple Terrace, FL 33637-0926, and the Environmental Protection Commission of Hillsborough County, 1900 Ninth Avenue, Tampa, Florida 33605 and telephone number (813) 272-5960.

b.     The terms, conditions, requirements, limitations, and restrictions set forth in Permit Title V - 0570261-005-AV, which is attached as Appendix A to these Conditions, and any modification or amendment to such Title V permit, are incorporated by reference herein, and are binding and enforceable Conditions of this Certification. The licensee is subject to and shall comply with the terms, conditions, requirements, limitations, restrictions set forth in Appendix A and any modification or amendment to such Title V permit. A violation of the terms conditions, requirements, limitations and restrictions in Appendix A or any modification or amendment to such Title V permit is a violation of these Conditions of Certification.

2.     Emissions Units 001, 002 and 003:

*Description:* Each unit is a municipal waste combustor and auxiliary burner having a nominal design rate capacity of 400 tons MSW per day, 150 MMBtu

per hour (excluding 9.9 MMBtu/hr from the combustion air preheaters) and 94,270 pounds steam per hour with MSW having a heating value of 4,500 Btu per pound. The units are described as follows;

EMISSIONS UNIT No.	EMISSIONS UNITS DESCRIPTION
001	150 MMBtu/hr (nominal) Municipal Waste Combustor & Auxiliary Burners - Unit No.1
002	150 MMBtu/hr (nominal) Municipal Waste Combustor & Auxiliary Burners - Unit No.2
003	150 MMBtu/hr (nominal) Municipal Waste Combustor & Auxiliary Burners - Unit No.3
xxx	Ash Building and Handling System

**B. COOLING TOWER** [Moved to Section B. Specific Conditions, Condition IV. Southwest Florida Water Management District, paragraph A. Cooling Tower]

1. Makeup Water Constituency

a. The Resource Recovery Facility shall utilize only treated sewage effluent or stormwater runoff from the stormwater holding pond as cooling tower makeup water. The effluent shall have received prior to use in the tower, as a minimum, secondary treatment, as well as treatment described in Condition II.B.2., below. Use of waters other than treated sewage effluent or site stormwater, i.e. higher quality potable waters or lower quality less than secondarily treated sewage effluent, will require a modification of these conditions of certification.

b. Notwithstanding the provisions of condition II. B,1.(a), Hillsborough County may use potable water as cooling tower makeup water: (i) on an interim basis for 24 months, (ii) on an emergency basis, after the Northwest Brandon Subregional Wastewater Treatment Plant is operational, whenever the wastewater treatment plant is unable to produce treated wastewater of suitable quality or quantities, if the County determines and the SWFWMD agrees that it is not feasible to use other sources of water; and (iii) under such other circumstances as may arise, if such use is approved in writing by the DEP and SWFWMD.

c. Hillsborough County may use treated effluent or potable water at any time as boiler makeup water.

d. Hillsborough County will report to the SWFWMD the daily quantities of potable or fresh water utilized as makeup water for the cooling tower. This data will be supplied on a monthly basis, with reports due by the 10th day of the month following data collection.

e. To implement condition II. B.1.(b)(ii), above, Hillsborough County shall submit reports to the SWFWMD concerning the feasibility of using other

sources of water for emergency purposes. A progress report shall be submitted to SWFWMD on June 1, 1987, and a final report shall be submitted on June 1, 1988.

2. Chlorination [Per DEP recommendation, this condition has been removed based on the fact that chlorine has been discontinued and replaced by UV treatment at the Brandon Subregional Wastewater Treatment Plant]

Chlorine levels in the cooling tower makeup water shall continuously be monitored, prior to insertion in the cooling towers. Sewage effluent from the Brandon Subregional Wastewater Treatment Plant or alternate used as makeup shall be treated if necessary to maintain a 1.0 mg/liter total chlorine residual after fifteen minutes contact time at average daily flow, whichever provides a higher level of public health protection.

**C. WATER DISCHARGES** [Moved to Section B. Specific Conditions, Condition I. Department of Environmental Protection, paragraph E. Water Management, subparagraph 3. Water Discharges]

1. Any discharges from the site stormwater treatment system via the emergency overflow structure shall meet State Water Quality Standards, Chapters 62-302 and 62-520, FAC, shall comply with Hillsborough County and Southwest Florida Water Management District regulations, and shall comply with Chapter 62-25, FAC.

2. Cooling tower blowdown shall not be discharged to surface waters.

**D. OPERATIONAL SAFEGARDS** [Replaced by Section A. General Conditions, Condition XVI. Regulatory Compliance AND Condition XXXIII. Facility Operation]

The overall design and layout of the facilities shall be such as to minimize hazards to humans and the environment. Security control measures shall be utilized to prevent exposure of the public to hazardous conditions. The Federal Occupational Safety and Health Standards will be complied with during construction and operation. The safety standards specified under Chapter 440, Florida Statutes, shall be complied with during operation.

**E. TRANSMISSION LINES** [Moved to Section B. Specific Conditions, Condition I. Department of Environmental Protection, paragraph C. Transmission Lines]

The directly associated transmission lines from the Resource Recovery Facility electric generator to the TECO Substation shall be kept cleared without the use of herbicides.

**F. NOISE** [Replaced with Section A. General Conditions, Condition XXXVIII. Noise]

Operational noises shall not exceed local noise ordinance limitations nor those standards imposed by zoning.

**III. CONSTRUCTION – Unit 4**

**A. WEIR MODIFICATION** [Moved to Section B. Specific Conditions, Condition I. Department of Environmental Protection, paragraph D. Construction Unit 4, subparagraph 1. Weir Modification]

Prior to start of construction of the Facility expansion project, Hillsborough County shall install the approved weir modifications on the outfall control structures of Ponds “B” and “C”.

**B. CONSTRUCTION OBSERVATION** [Moved to Section B. Specific Conditions, Condition I. Department of Environmental Protection, paragraph D. Construction Unit 4, subparagraph 2. Construction Observation]

Hillsborough County shall retain the design engineer, or other professional engineer registered in Florida, to conduct on-site observation of construction and assist with the as-built certification requirements of this project. Hillsborough County shall inform the District in writing of the name, address and phone number of the professional engineer so employed. This information shall be submitted prior to construction.

**C. STORMWATER RUNOFF** [Replaced with Section A. General Conditions, Condition VI. Department Permits Under Federal Programs, paragraph B.2. NPDES Generic Permit for Stormwater Discharge from Construction Activities AND Section A, Condition XXX. Environmental Resources, paragraphs A and B. General and Surface Water Management]

To control runoff during construction which may reach and thereby pollute Waters of the State, necessary measures shall be utilized to settle, filter, treat or absorb silt-containing or pollutant-laden stormwater to insure against spillage or discharge of excavated materials that may cause turbidity in excess of 29 Nephelometric Turbidity Units (NTU's) above background levels and to comply with Hillsborough County and Southwest Florida Water Management District stormwater regulations. Control measures may consist of sediment traps, silt screen, turbidity barriers and vegetation plantings. Exposed or disturbed soil shall be protected and stabilized as soon as possible to minimize silt and sediment-laded runoff. The pH shall be kept within the range of 6.0 to 8.5.



**D. AS-BUILT CERTIFICATION** [Replaced with Section A. General Conditions, Condition XXX. Environmental Resources, paragraph B. Surface Water Management]

Within 30 days after completion of construction of the permitted activity, Hillsborough County shall submit to the SWFWMD's Tampa Service Office a written statement of completion and certification by a registered professional engineer or other appropriate individual as authorized by law, utilizing the required Statement of Completion and Request for Transfer to Operation Entity form identified in Chapter 40D-1.659, F.A.C., signed, dated and sealed as-built drawings. The as-built drawings shall identify any deviations from the approved construction drawings.

**E. AIR** [Moved to Section B. Specific Conditions, Condition I. Department of Environmental Protection, paragraph D. Construction Unit 4, subparagraph 3. Air]

1. Unconfined Particulate Matter Emissions: Pursuant to Rules 62-296.320(4)(c)1., 3. & 4., F.A.C., reasonable precautions to prevent emissions of unconfined particulate matter include the following requirements consistent with current practices by the Licensee: All roads shall be adequately paved, and vacuum swept if appropriate, to minimize accumulations of ash and dust. The unpaved areas of the facility will be maintained and either sodded or landscaped. Hoods, fans, filters, or similar equipment will be used to contain, capture, and/or vent particulate matter. The conveyor systems of the Facility will be enclosed or covered. The ash shall be wetted before being stored in the ash handling building. Speed limit signs shall be posted. Unprocessed refuse storage areas which must be open for operational purposes (e.g., tipping floor or the refuse bunker while trucks are entering or leaving) shall be under negative air pressure. [Rule 62-296.320(4)(c)2., F.A.C.; and, items proposed by the applicant.]

2. General Pollutant Emission Limiting Standards. Objectionable Odor Prohibited. No person shall cause, suffer, allow, or permit the discharge of air pollutants which cause or contribute to an objectionable odor. [Rule 62-296.320(2), F.A.C.]

**IV. OPERATION – Unit 4**

**A. AIR** [Replaced by Section A. General Conditions, Condition VI. Department Permits Under Federal Programs, paragraph A. Air]

1. The terms, conditions, requirements, limitations, and restrictions set forth in Permit PSD-FL-369, which is attached as Appendix B, and any final issuance, modification, or amendment to such PSD permit, are incorporated by reference herein, and are binding and enforceable Conditions of this Certification. The Licensee is subject to and shall comply with the terms, conditions, requirements,

limitations, and restrictions set forth in Appendix B and any final issuance,, modification, or amendment to such PSD permit. A violation of the terms conditions, requirements, limitations, and restrictions in Appendix B is a violation of these Conditions of Certification.

2. General and Administrative

a. Permitting Authority: All documents related to applications for permits to construct, modify or operate this emissions unit shall be submitted to the Bureau of Air Regulation (BAR), Florida Department of Environmental Protection (DEP), at 2600 Blair Stone Road, Tallahassee, Florida 32399-2400 and phone number 850/488-0114. Copies of these documents shall be submitted to the Compliance Authority.

b. Compliance Authority: All documents related to compliance activities such as reports, tests, and notifications should be submitted to the compliance authority. The compliance authority is the Department's Southwest District Office at 13051 N. Telecom Parkway, Temple Terrace, FL 33637-0926.

c. General Conditions: The owner and operator are subject to, and shall operate under, the attached General Conditions listed in *Appendix GC* of Appendix B and any final issuance, modification, or amendment to such PSD permit. General Conditions are binding and enforceable pursuant to Chapter 403 of the Florida Statutes. [Rule 62-4.160, F.A.C.]

d. The proposed new emissions units are:

E.U. ID No.	Emission Unit Description
-107	Nominal 288 MMBtu/hr Municipal Waste Combustor & Auxiliary Burners - Unit 4
-108	Pebble Lime Storage Silo - Unit 4
-109	Dolomitic Lime Storage Silo - Unit 4
-110	Activated Carbon Storage Silo - Unit 4
-111	Cooling Tower Cell

B. **WATER MANAGEMENT**

1. Inspection Reports

a. Hillsborough County shall submit to the ~~Southwest Florida Water Management District (SWFWMD)~~ DEP's Southwest District Office inspection reports for the wet detention stormwater treatment systems on-site two years after operation and every two years thereafter in the form required by the Department, FDEP

Form #: 62-343.900(6), *Inspection Certification*. [Moved to Section B. Specific Conditions, Condition I. Department of Environmental Protection, paragraph E. Water Management, subparagraph 1. Inspection Reports]

b. The removal of littoral shelf vegetation (including cattails) from wet detention ponds is prohibited unless otherwise approved by the ~~District Department~~. Removal includes dredging, the application of herbicide, cutting, and the introduction of grass carp. Any questions regarding authorized activities within the wet detention ponds shall be addressed to the ~~SWFWMD Surface Water Regulation Manager, Tampa Service Office~~ DEP's Southwest District Office. [Moved to Section B. Specific Conditions, Condition I. Department of Environmental Protection, paragraph E. Water Management, subparagraph 2. Wet Detention Stormwater Ponds]

2. Cooling Tower [Moved to Section B. Specific Conditions, Condition IV. Southwest Florida Water Management District, paragraph B. Operation Unit 4, subparagraph 1. Cooling Tower]

a. The Resource Recovery Facility shall utilize only treated sewage effluent as cooling tower makeup water. As a minimum, prior to use in the tower the effluent shall have received secondary treatment. Use of waters other than treated sewage effluent, i.e. higher quality potable waters or lower quality less than secondary treated sewage effluent, will require a modification of these conditions subject to agreement by the SWFWMD and the DEP.

b. Notwithstanding the provisions of condition IV.B.2. above, Hillsborough County may use potable water as cooling tower makeup water on a limited basis whenever

(1) Treated wastewater is unavailable in suitable quality or quantities and the County determines, with SWFWMD and DEP agreement, that it is not feasible to use other sources of water; or

(2) under such emergency circumstances that may arise, if such use is approved by the SWFWMD and the DEP.

3. Boiler Water [Moved to Section B. Specific Conditions, Condition IV. Southwest Florida Water Management District, paragraph B. Operation Unit 4, subparagraph 2. Boiler Water]

a. Hillsborough County may use treated effluent or potable water at any time as boiler makeup water.

b. Hillsborough County will report to the SWFWMD the daily quantities of potable or fresh water utilized as makeup water for the cooling tower. This

data will be supplied within Hillsborough County's Public Supply per Capita Water Use Survey.

4. Water Discharges [Moved to Section B. Specific Conditions, Condition I. Department of Environmental Protection, paragraph E. Water Management, subparagraph 3. Water Discharges]

a. Any discharges from the on-site stormwater treatment system shall meet State Water Quality Standards, Chapter 62-302, F.A.C., shall comply with Hillsborough County and Southwest Florida Water Management District regulations, and shall comply with Chapter 62-25, F.A.C.

b. Cooling tower blowdown shall not be discharged to surface waters.

**C. TRANSPORTATION** [Moved to Section B. Specific Conditions, Condition II. Department of Transportation]

A. Traffic control during plant construction and maintenance will be subject to the standards in the Manual on Uniform Traffic Control Devices; Statewide Minimum Level of Service Standards, Chapter 14-94, Florida Administrative Code; Florida Department of Transportation's Roadway and Traffic Design Standards; and Florida Department of Transportation Standard Specifications for Road and Bridge Construction, whichever is more stringent.

B. Operation of overweight or overdimensional loads by the applicant on State transportation facilities during the construction and operation of the Unit 4, shall be subject to safety and permitting requirements of Chapter 316, Florida Statutes, and Rule Chapter 14-26, Safety Regulations and Permit Fees for Overweight and Overdimensional Vehicles, F.A.C.

C. Any new access to the State Highway System shall follow the provisions of Chapter 14-96, State Highway System Connection Permits, Administrative Process, and Chapter 14-97, State Highway Access Management Classification System and Standards, F.A.C.

D. Any use of State of Florida right of way and certain activities on State transportation facilities will be subject to the requirements of the Department of Transportation's Utility Accommodation Manual (Document 710-020-001) and Rule 14-46.001, F.A.C.

E. Any structures proposed in the application which exceed 200 feet in height will be subject to an aeronautical study by the Federal Aviation Authority under the provisions of 14 CFR Part 77. If the aeronautical study finds an adverse effect on the safe and efficient use of navigable airspace, the project will require the issuance of

a variance by state or local government.

F. Any drainage onto State of Florida right of way and transportation facilities will be subject to the requirements of Rule Chapter 14-86, Drainage Connections, Florida Administrative Code, including the attainment of any permit required thereby. The Department reserves the right to raise further issues as additional information on this project becomes available.

**D. COMMUNITY AFFAIRS** [Moved to Section. Specific Conditions, Condition III. Department of Community Affairs]

1. Hillsborough County shall develop a Comprehensive Hurricane Preparation and Recovery Plan for the RRF Unit 4 project. The plan shall be submitted to the Department of Community Affairs as part of the Final Site Plan. In no case shall the plan be submitted later than commencement of construction of Unit 4.

2. Hillsborough County shall submit a formal update of the Comprehensive Hurricane Preparation and Recovery Plan to the Department of Community Affairs every five (5) years following commencement of commercial operation of Unit 4 and whenever an additional electrical generating unit is brought into service at the RRF Plant site.

**E. OPERATIONAL SAFEGARDS** [Replaced by Section A. General Conditions, Condition XVI. Regulatory Compliance AND Condition XXXIII. Facility Operation]

The overall design and layout of the facilities shall be such as to minimize hazards to humans and the environment. Security control measures shall be utilized to prevent exposure of the public to hazardous conditions. The Federal Occupational Safety and Health Standards and Chapter 440, Florida Statutes, shall be complied with during operation.

**F. TRANSMISSION LINES** [Moved to Section B. Specific Conditions, Condition I. Department of Environmental Protection, paragraph C. Transmission Lines]

The directly associated transmission lines from the Resource Recovery Facility electric generator to the TECO Substation shall be kept cleared without the use of herbicides.

**G. NOISE** [Replaced with Section A. General Conditions, Condition XXXVIII. Noise]

Operational noises shall not exceed local noise ordinance limitations nor those standards imposed by zoning.

**V. GENERAL: Unit 1, Unit 2, Unit 3 and Unit 4**

**A. CHANGE IN DISCHARGE** [Replaced with Section A. General Conditions, Condition XIV. Enforcement AND Section A. General Conditions, Condition XXV. Modification of Certification]

All discharge or emissions authorized herein shall be consistent with the terms and conditions of this certification. The discharge of any regulated pollutant not identified in the application, or more frequent than, or at a level in excess of that authorized herein, shall constitute a violation of the certification. Any anticipated facility expansions, production increases or process modifications which may result in new, different, or increases discharges or pollutants, change in fuel, or expansion in stream generating capacity must be reported by submission of a new or supplemental application pursuant to Chapter 403, Florida Statutes,

**B. NONCOMPLIANCE NOTIFICATION** [Replaced with Section A. General Conditions, Condition VIII. Notification]

If, for any reason, the licensee does not comply with or will be unable to comply with any limitation specified in this certification, the licensee shall notify the Southwest Florida District Manager of the Department by telephone during the working day the said non-compliance occurs. If the occurrence is after normal business hours, the Licensee shall report any condition that poses a public health threat to the State Warning Point at telephone number (850) 413-9911 or (850) 413-9912. The Licensee shall confirm this in writing to the SWD, 13051 N. Telecom Parkway, Temple Terrace, FL 33637, within seventy-two (72) hours of becoming aware of such conditions and shall supply the following information:

1. A description of the discharge and cause of non-compliance; and
2. The period of non-compliance, including exact dates and times; or, if not corrected, the anticipated time the non-compliance is expected to continue, and steps being taken to reduce, eliminate and prevent recurrence of the non-complying event.

**C. FACILITIES OPERATION** [Replaced with Section A. General Conditions, Condition XXXIII. Facility Operation]

The licensee shall at all times maintain in good working order and operate as efficiently as possible any treatment or control facilities or systems installed or used by the licensee to achieve compliance with the terms and conditions of this certification.

Such systems are not to be bypassed without prior Department approval.

**D. ADVERSE IMPACT** [Replaced with Section A. General Conditions, Condition XXXIII. Facility Operation]

The licensee shall take all reasonable steps to minimize any adverse impact resulting from non-compliance with any limitation specified in this certification, including such accelerated or additional monitoring as necessary to determine the nature and impact of the noncomplying discharge.

**E. RIGHT OF ENTRY** [Replaced with Section A. General Conditions, Condition XI. Right of Entry]

The licensee shall allow the Secretary of the Florida Department of Environmental Protection and/or authorized representatives, upon the presentation of credentials:

1. To enter upon the licensee's premises where an effluent source is located or in which records are required to be kept under the terms and conditions of this certification, and
2. To have access to and copy any records required to be kept under the conditions of this certification, and
3. To inspect and test any monitoring equipment or monitoring method required in this certification and to sample any discharge or pollutants, and
4. To assess any damage to the environment or violation of ambient standards.

**F. REVOCATION OR SUSPENSION** [Replaced with Section A. General Conditions, Condition XV. Revocation or Suspension]

This certification may be suspended or revoked pursuant to Section 403.512, Florida Statutes, or for violations of any of its conditions.

**G. CIVIL AND CRIMINAL LIABILITY** [Replaced with Section A. General Conditions, Condition XVIII. Civil and Criminal Liability]

This certification does not relieve the licensee from civil; or criminal penalties for non-compliance with any conditions of this certification, applicable rules or regulations of the Department or Chapter 403, Florida Statutes, or regulations thereunder.

Subjects to Section 403.511, Florida Statutes this certification shall not preclude the institution of any legal action or relieve the licensee from any responsibilities, or penalties established pursuant to any other applicable State Statutes, or regulations.

**H. *PROPERTY RIGHTS*** [Replaced with Section A. General Conditions, Condition XVI. Regulatory Compliance]

The issuance of the certification does not convey any property rights in either real or personal property, nor any exclusive privileges, nor 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.

**I. *SEVERABILITY*** [Replaced with Section A. General Conditions, Condition XIII. Severability]

The provisions of this certification are severable, and if any provision of this certification or the application of any provision of this certification to any circumstances is held invalid, the application of such provision to other circumstances and the remainder of the certification shall not be affected thereby.

**J. *DEFINITIONS*** [Replaced with Section A. General Conditions, Condition IV. Definitions]

The meaning of terms used herein shall be governed by the definitions contained in Chapter 403, Florida Statutes, and any regulations adopted pursuant thereto. In the event of any dispute over the meaning of a term in these general or special conditions which is not defined in such statutes or regulations, such dispute shall be resolved by reference to the most relevant definitions contained in any other state or federal statute or regulation or, in the alternative, by the use of the commonly accepted meaning as determined by the Department.

**K. *REVIEW OF SITE CERTIFICATION*** [Replaced with Section A. General Conditions, Condition XV. Revocation or Suspension; Condition XXII. Procedures for Post-Certification Submittals; and Condition XXV. Modification of Certification]

The certification shall be final unless revised, revoked or suspended pursuant to law. At least every five years from the date of issuance of certification the Department will review all monitoring data that has been submitted to it during the preceding five-year period for the purpose of determining the extent of the licensee 's compliance with the conditions of this certification and the environmental impact of this facility. The Department will submit the result of its review and recommendations to the licensee.



Such review will be repeated at least every five years thereafter.

**L.      *MODIFICATION OF CONDITIONS*** [Replaced with Section A. General Conditions, Condition XXV. Modification of Certification]

1.      Pursuant to Subsection 403.516(1), Florida Statutes, the Board hereby delegates the authority to the Secretary to modify any condition of this certification dealing with sampling, monitoring, reporting, specification of control equipment, related time schedules, emission limitations (subject to notice and opportunity for hearing), or any special studies conducted, as necessary to attain the objectives of Chapter 403, Florida Statutes.

2.      This certification shall be automatically modified to conform to any subsequent amendments, modifications, or renewals made by the Department under a federally delegated or approved program to any separately issued Prevention of Significant Deterioration (PSD) permit, Title V air permit, or National Pollutant Discharge Elimination System (NPDES) permit for the certified facility. The licensee shall send each party to the original certification proceedings (at the party's last known address as shown in the record of such proceeding) notice of requests for modifications or renewals of the above listed permits if the request involves a relief mechanism (e.g., mixing zone, variance, etc.) from standards, a relaxation of conditions included in the permit due to state permitting requirements, or the inclusion of less restrictive air emission limitations in the air permits. The Department shall notify all parties to the certification proceeding of any intent to modify conditions under this section prior to taking final agency action.

3.      All other modifications to these conditions shall be made in accordance with section 403.516, Florida Statutes.