

FPL Port Everglades Energy Center  
PA 12-57

Cond. #	Activity Description	Timeframe	Due Date	Agency
I.D.	Within 60 days after completion of construction of the electrical power plant as defined by 403.503(14), F.S., but excluding off-site linear and non-linear associated facilities, the Licensee shall provide to the Department in .pdf format: a survey map signed by a professional land surveyor, or acceptable equivalent documentation such as an official legal description, delineating the boundaries of the site as defined by Section 403.503(28), F.S., and an aerial photograph delineating the boundaries of the site. The survey map and aerial photograph shall be identified as the Site Delineation and attached hereto as part of Attachment A (Maps). The Licensee shall notify the Department of any change to the site boundary depicted in the Site Delineation in Attachment A (Maps). The notification shall be accompanied by an updated land survey map (or legal description) and aerial photograph delineating the new boundaries of the site for review by the Department. Absent the above description/delineation of the site, the Department will consider the perimeter fence line of the property on which the electrical power plant's generating facility and on-site support facilities are located to be the boundaries of the site.	60 Days Post Construction	8/1/16	DEP Siting DEP SE District
I.E.	If both certified and uncertified facilities lie within the boundaries of the site, the Licensee shall also comply with the requirements of this paragraph. Within 60 days after completion of construction of the plant and on-site associated facilities, but excluding off-site linear and non-linear associated facilities, the Licensee shall provide to the Department in .pdf format: a survey map signed by a professional land surveyor, or acceptable equivalent documentation such as an official legal description, delineating the boundaries of the certified areas within the site; and an aerial photograph delineating the boundaries of the certified areas within the site. The boundaries of the certified areas within the site shall include both the certified electrical power plant's generating facilities as defined in Section 403.503(28), F.S. and its on-site certified associated facilities (including on-site linear facilities) as defined by Section 403.503(7), F.S. The survey map and the aerial photograph shall be known as the Delineation of the Certified Area and attached hereto as part of Attachment A (Maps).	60 Days Post Construction	8/1/16	DEP Siting DEP SE District
I.F.	Within 120 days after completion of construction of any off-site associated nonlinear facilities, the Licensee shall provide to the Department in .pdf format; a survey map signed by a professional land surveyor, or acceptable equivalent documentation such as an official legal description, delineating the boundaries of the certified area for each off-site non-linear facility. The survey map(s) and aerial photographs shall be known as Delineation of Certified Off-Site Non-linear Facilities and attached hereto as part of Attachment A (Maps).	120 Days Post Construction	10/1/16	DEP Siting DEP SE District
I.G.	Within 180 days after completion of construction of any new associated off-site linear facilities, as defined by Section 403.503(7), F.S., the Licensee shall provide; an aerial photograph(s)/map(s) at a scale of at least 1:400, or acceptable equivalent documentation such as an official legal description or survey map(s) signed by a professional land surveyor, delineating the boundaries of the certified area for the linear facilities, following acquisition of all necessary property interests and the corridor narrowing as described in Section 403.503(11), F.S., which shall be known as the Delineation of Certified Off-Site Linear Facilities and attached as part of Attachment A (Maps). Following any post-certification approvals that require a change to the boundaries of the certified area(s) depicted in the Delineation of Certified Off-Site Linear Facilities in Attachment A (Maps), the Licensee shall submit an updated aerial photograph/map, survey map or legal description. [Sections 403.511, 403.5113, F.S.; subsections 62-4.160(1-2) and 62-17.205(2), F.A.C.]	180 Days Post Construction	12/1/16	DEP Siting DEP SE District

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V.B.4.	<p>NPDES Generic Permit for Discharge of Produced Ground Water from any Non-Contaminated Site Activity</p> <p>Prior to discharge of produced ground water from any non-contaminated site activity which discharges by a point source to surface waters of the State, as defined in Chapter 62-620, F.A.C., the Licensee must first obtain coverage under the Generic Permit for Discharge of Produced Ground Water From any Non-Contaminated Site Activity. Similarly, if the activity involves a point source discharge of ground water from a petroleum contaminated site, the Licensee must obtain coverage under the Generic Permit for discharge from petroleum contaminated sites. Before discharge of ground water can occur from such sites, analytical tests on samples of the proposed untreated discharge water shall be performed as required by Rule 62-621.300, F.A.C., to determine if the activity can be covered by either permit. If the activity cannot be covered by either generic permit, the Licensee shall apply for an individual wastewater permit at least ninety (90) days prior to the date discharge to surface waters of the State is expected. No discharge to surface water is permissible without an effective permit. [Section 403.0885, F.S.; Rule 62-621.300, F.A.C.]</p>	Pre-Dismantlement and Pre-Construction	11/1/12	DEP Siting DEP SE District DEP NPDES Stormwater Section
VII.C.	<p>Within 60 days after Certification of any associated linear facility the Licensee shall file a notice of the certified route with the Department and the clerk of the circuit court for each county through which the corridor will pass. The notice shall consist of maps or aerial photographs in the scale of 1 : 24,000 which clearly show the location of the certified route and shall state that the Certification of the corridor will result in the acquisition of rights-of-way within the corridor. The Licensee shall certify to the Department and clerk that all lands required for the transmission line rights-of-way within the corridor have been acquired within such county. [Section 403.5112, F.S.]</p>	60 Days Post Certification of Linear Facilities	60 Days Post Certification of Linear Facilities	JES
XXI.	<p>Within 90 days after Certification, and within 90 days after any subsequent modification or Certification, the Licensee shall provide the Department a complete summary of those post-certification submittals that are identified in these Conditions when due-dates for the information required of the Licensee have been identified. A summary shall be provided as a separate document for each transmission line, if any. Such submittals shall include, but are not limited to, monitoring reports, management plans, wildlife surveys, etc. The summary shall be provided to the SCO, in a sortable spreadsheet, electronically, in the format shown below or equivalent. For subsequent modifications and certifications, a Post-Certification Submittal Requirements Summary shall be required for only those resulting in new or altered postcertification requirements.</p>	90 Days Post Certification	1/9/13	DEP Siting DEP SE District

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XXIX,B,5.	<p>Surface Water Management</p> <p>At least 48 hours prior to the commencement of construction of any new surface water management system authorized by this Certification, the Licensee shall submit to the Department a written notification of commencement using an "Environmental Resource Permit Construction Commencement Notice" (DEP Form 62-343.900(3), F.A.C.), indicating the actual start date and the expected completion date. When the duration of construction will exceed one year, the Licensee shall submit construction status reports to the Department on an annual basis utilizing an "Annual Status Report Form" (DEP Form No. 62-343.900(4), F.A.C.). Status Report Forms shall be submitted the following June of each year.</p>	48 Hours Pre-Construction and Annual Reports	12/3/2012 (Submitted)	DEP Siting DEP SE District
XXIX,B,7.	<p>Surface Water Management</p> <p>Within 30 days after completion of construction of any new portions of the surface water management system, the Licensee shall submit to the SCO and DEP District Office a written statement of completion and certification by a registered professional engineer (P.E.), or other appropriate registered professional, as authorized by law, utilizing the required "AsBuilt Certification by a Registered Professional" (DEP Form 62-343.900(5), F.A.C). Additionally, if deviations from the approved drawings are discovered, the As-Built Certification must be accompanied by a copy of the approved drawings with deviations noted.</p>	30 Days Post Construction	7/1/16	DEP Siting DEP SE District
XXIX,B,9.	<p>Surface Water Management</p> <p>Prior to converting a construction phase surface water management system to an operation phase surface water management system, the Licensee shall submit to the Department a "Request for Transfer of Environmental Resource Permit Construction Phase to Operation Phase" (DEP Form 62-343.900(7), F.A.C). The operation phase of any new surface water management system approved by the Department shall not become effective until the Licensee has complied with the requirements of the Conditions herein, the Department determines the system to be in compliance with the approved plans, and the entity approved by the Department accepts responsibility for operation and maintenance of the system.</p>	Pre-Operation	6/1/16	DEP Siting DEP SE District
XXIX,B,10.	<p>Surface Water Management</p> <p>The DEP District ERP Section must be notified in advance of any proposed construction dewatering. If the dewatering activity is likely to result in offsite discharge or sediment transport into wetlands or surface waters, a written dewatering plan must be submitted to and approved by the Department prior to the dewatering event. Additional authorizations may be required for certain dewatering discharges. [Section 373.414, F.S.; Chapters 62-25, 62-302, 62-330, 62-343, and Rule 62-4.242, F.A.C.]</p>	Pre-Dewatering Activity	5/1/16	DEP Siting DEP SE District

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I.A.1.	<p>Waste Cleanup</p> <p>Licensee shall provide the DEP Southeast District Office (SED) with the proposed Port Everglades Plant Site Assessment and Remediation Plan ("Interim Source Removal Plan"), for review and approval. The Site Assessment and Remediation Plan will include elements such as a soil and debris management plan, soil and groundwater assessment and remediation strategies and closure options based upon historical activities in specific site sub-areas, tank and pipeline closures via implementation of the FPL Heavy Fuel Oil Protocol, universal and hazardous waste management.</p>	Pre-Assessment	10/18/2 (Submitted)	DEP Siting DEP SE District
I.A.2.	<p>Waste Cleanup</p> <p>The Licensee shall provide an alternate Site Assessment and Remediation Report ("Site Assessment Report") Time Schedule in lieu of the 270 day deadline contained in 62-780, F.A.C., Table A, within six months of certification.</p>	6 Months Post-Certification	4/1/13	DEP Siting DEP SE District
I.A.3.	<p>Waste Cleanup</p> <p>The Site Assessment Report shall meet the objectives and the requirements of Chapter 62-780.600, F.A.C. Licensee shall provide the DEP SED with update reports within sixty (60) days of initiating interim source removal activities and every 60 days thereafter for the duration of soil and groundwater site assessment, dewatering and remediation activities incorporated into the Port Everglades Plant Site Assessment and Remediation Plan "Interim Source Removal Plan". Licensee shall provide the DEP SED with the Site Assessment and Remediation Report "Interim Source Removal Report" within sixty (60) days of completion of interim source removal activities.</p>	60 Days Post Remediation Activity	4/1/13	DEP Siting DEP SE District
I.A.4.	<p>Waste Cleanup</p> <p>The Licensee may submit a Combined Document meeting the requirements of Chapter 62-780.450, F.A.C.</p>			DEP Siting DEP SE District
I.A.5.	<p>Waste Cleanup</p> <p>A Remedial Action Plan shall be submitted to the DEP SED within 90 days of approval of a SAR or RAR. Chapter 62-770 and Chapter 62-780, F.A.C.</p>	90 Days Post Approval of SAR or RAR	3/1/13	DEP Siting DEP SE District
II. A.2.a.	<p>Processing of Informational Requests</p> <p>Completeness and Sufficiency Review</p> <p>At least ninety (90) days prior to the commencement of construction of any portion of the project, the Licensee shall submit to SFWMD staff, for a completeness and sufficiency review, any pertinent additional information required under the SFWMD's conditions of Certification for that portion proposed for construction. If SFWMD staff does not issue a written request for additional information within thirty (30) days, the information shall be presumed to be complete and sufficient. Reference: Sections 373.219 and 373.342, F.S.</p>	90 Days Pre-Construction or Dewatering	3/1/13	DEP Siting DEP SE District SFWMD

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II. B.2.a.	<p>SITE SPECIFIC DESIGN AUTHORIZATIONS/REQUIREMENTS</p> <p>Dewatering Activities</p> <p>Prior to commencement of construction of those portions of the project that involve dewatering activities, the Licensee shall submit a detailed plan for any such activities to the SFWMD for a determination of compliance with the non-procedural requirements of Chapters 40E-2, 40E-3 and 40E-20, F.A.C., in effect at the time of certification. The following information, referenced to NGVD where appropriate, shall be submitted:</p> <p>(1) A detailed site plan which shows the location(s) for each proposed dewatering area;</p> <p>(2) The method(s) used for each dewatering operation;</p> <p>(3) The maximum depth for each dewatering operation;</p> <p>(4) The location and specifications for all proposed wells and/or pumps associated with each dewatering operation;</p> <p>(5) The duration of each dewatering operation;</p> <p>(6) The discharge method, route, and location of receiving waters generated by each dewatering operation, including the measures (Best Management Practices) that will be taken to prevent water quality problems in the receiving water(s);</p> <p>(7) An analysis of the impacts of the proposed dewatering operations on any existing on and/or off-site legal users, wetlands, or existing groundwater contamination plumes;</p> <p>(8) The location of any infiltration trench(es) and/or recharge barriers; and</p> <p>(9) All plans must be signed and sealed by a Professional Engineer or a Professional Geologist registered in the State of Florida.</p> <p>Reference: Sections 373.229 and 373.308, F.S.; Rules 40E-2.091, 40E-2.301, and 40E-3.500-531, F.A.C.</p>	Pre-Dewatering Activity	3/1/13	DEP Siting DEP SE District SFWMD
III. A.1.c.	<p>West Indian Manatee</p> <p>Interim Warm-Water Refuge Heating System</p> <p>The Licensee shall submit its BMP manual to FWC for review and comment. Except for those specific details described herein which must be reviewed and approved by FWC, Licensee will review, consider, and incorporate if practicable, all other comments from FWC. An approved BMP manual will be in place prior to the operation of the interim heating system and prior to cessation of operations of the existing Port Everglades Plant and discontinuation of the current warm-water discharge and PEEC conversion commences. A copy of the Licensee's BMP manual for the interim heating system shall be maintained at all times at the PEEC site and shall be made available upon request to authorized representatives of FWC and DEP.</p>	Pre-Cessation	1/31/13	DEP Siting DEP SE District FWCC
III. A.1.g.	<p>West Indian Manatee</p> <p>Interim Warm-Water Refuge Heating System</p> <p>The Licensee anticipates taking the Port Everglades Plant off line on January 31, 2013. The Licensee will notify FWC seven days in advance of the plant ceasing operations for the duration of the modernization, before, or on this anticipated date. In addition, FWC will be notified 24 hours in advance of any operation of the interim heater before January 31, 2013.</p> <p>[Section 403.507, F.S.; Section 379.1025, F.S.; Section 379.2291, F.S.; Section 379.2431 (2), F.S.; Section 20.331, F.S.]</p>	7 Days Pre-Cessation	1/24/13	DEP Siting DEP SE District FWCC
III. A.2.a.(1)	<p>West Indian Manatee</p> <p>Environmental Monitoring</p> <p>Prior to cessation of operations of the existing Port Everglades Plant and discontinuation of the current warm-water discharge, the interim heating system must be operational. After the initial monitoring tests of the interim warm-water heating system have been conducted at the Port Everglades Plant, the Licensee will contact FWC to provide and discuss the results. At that time, FWC, in consultation with the DEP, USFWS, and the Licensee, will determine what, if any, modifications need to be made to the operation of the interim heating systems. If necessary, FWC will require a revision to the Environmental Monitoring Plan.</p>	Post-Initial Monitoring	1/1/13	DEP Siting DEP SE District FWCC

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III. A.2.b.	West Indian Manatee Environmental Monitoring Prior to cessation of operations of the existing Port Everglades Plant and discontinuation of the current warm-water discharge, an approved Environmental Monitoring Plan shall be in place. The Licensee shall submit to the FWC, DEP Siting Office, and the final Environmental Monitoring Plan. The final Environmental Monitoring Plan shall include, at a minimum, the following components:	Pre-Cessation	1/15/13	DEP Siting DEP SE District FWCC
III. A.2.b.(3)	West Indian Manatee Environmental Monitoring As part of this Environmental Monitoring Plan the Licensee shall include a plan to convey the data from the temperature monitoring stations to the appropriate agencies on a daily basis when the trigger is on and the heaters are running, and on a weekly basis when the trigger protocols have not been met.	Pre-Cessation	1/15/13	DEP Siting DEP SE District FWCC
III. A.2.c.	West Indian Manatee Environmental Monitoring The Licensee will prepare an Environmental Monitoring Report that includes all data (made available in electronic form) and statistical analyses completed as a result of the requirements set forth in the Environmental Monitoring Plan. This report will be submitted yearly by the date designated in the Environmental Monitoring Plan, while the interim warm-water system is in operation during the construction period of the PEEC. A summary report including information collected throughout the modernization process shall be completed and submitted to the FWC and DEP Siting Office for review. All annual reports shall be submitted as directed in the Environmental Monitoring Plan. [Section 403.507, F.S.; Section 379.1025, F.S.; Section 379.2291, F.S.; Section 379.2431 (2), F.S.; Section 20.331, F.S.]	Construction	8/30/13	DEP Siting DEP SE District FWCC
III. A.3.a.	West Indian Manatee Biological Monitoring Prior to cessation of operations of the existing Port Everglades Plant and discontinuation of the current warm-water discharge the Licensee shall submit to FWC, a Biological Monitoring Plan. The Biological Monitoring Plan shall be reviewed and approved by FWC and the Licensee shall submit the final Biological Monitoring Plan to FWC and the DEP Siting Office. The Biological Monitoring Plan shall include at a minimum the following components:	Pre-Cessation	1/15/13	DEP Siting DEP SE District FWCC
III. A.3.a.(8)	West Indian Manatee Biological Monitoring The Licensee will prepare a Biological Monitoring Report that includes all data (made available in electronic form) and statistical analyses completed as a result of the requirements set forth in the Biological Monitoring Plan. This report will be submitted yearly by the date designated in the Biological Monitoring Plan. A summary report including information collected throughout the modernization process shall be completed and submitted to the FWC and DEP Siting Office for review. All annual reports shall be submitted as directed in the Biological Monitoring Plan. [Section 403.507, F.S.; Section 379.1025, F.S.; Section 379.2291, F.S.; Section 379.2431 (2), F.S.; Section 20.331, F.S.]	Construction	9/30/13	DEP Siting DEP SE District FWCC
III. A.6.	West Indian Manatee Development of a Long-Term Manatee Strategy It is expected that at some point in the future the warm-water habitat created by the PEEC will diminish or be terminated; in that event the FWC and USFWS believes it is in the best interest of the Licensee, FWC, USFWS, DEP, and the Florida manatee population to begin strategic long term planning to reduce the adverse effects to the Florida manatee population before this occurs.	TBD	TBD	DEP Siting DEP SE District FWCC USFWS

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III. A.6.a.	West Indian Manatee Development of a Long-Term Manatee Strategy Within two years of the formal approval by FWC and USFWS of a Warm-Water Action Plan (Plan), inclusive of a future-oriented Management Policy for Warm-Water Manatee Habitat, the Licensee shall host and chair a workshop designed to: (a) articulate a strategy for achieving the goals of that Plan, (b) develop a timetable for implementing the strategy, (c) review progress to date in achieving the strategy, and (d) identify impediments and solutions.	TBD	TBD	DEP Siting DEP SE District FWCC USFWS
III. A.6.b.	West Indian Manatee Development of a Long-Term Manatee Strategy Within one year of the workshop held pursuant to Final Order # PA 12-57, the Licensee shall provide the FWC with a formal report of the workshop, including findings, conclusions, and recommendations.	TBD	TBD	DEP Siting DEP SE District FWCC USFWS
III. B.1.	Terrestrial Wildlife All undeveloped habitat onsite shall be surveyed for the presence of state- and federally listed species no more than six months before land clearing and the results shall be reported to the FWC. We recommend that the report includes methodology, results, discussion, and references to all survey protocols and documents used. If there is evidence that any state-listed species are present, then the licensee must report the findings to the FWC at least 60 days prior to the commencement of clearing. If impacts to those species cannot be avoided, then the licensee must contact the FWC before taking any action that might result in an impact to those species. [Section 403.507, F.S.; Article IV, Sec. 9, Fla. Const.; Chapter 68A-27, F.A.C.; Section 20.331, F.S.]	Pre-Dismantlement and Pre-Construction	2/1/13	DEP Siting DEP SE District FWCC
VI.B.2.	FPL shall obtain a Petroleum Pipeline License Agreement with Broward County for the installation, operation, and maintenance of the ULSD pipeline and submit an executed copy to the DEP Siting Coordination Office prior to initiating construction of the pipeline on County land. The License Agreement for the ULSD pipeline shall be incorporated herein as Attachment E.	Pre-Pipeline Construction	12/31/13	DEP Siting DEP SE District Broward County
VI.B.3.	FPL shall obtain a License Agreement with Broward County for the installation, operation, and maintenance of the Aquatic Organism Return System (AORS) and submit an executed copy to the DEP Siting Coordination Office prior to initiating construction of the AORS on County land. The License Agreement for the AORS shall be incorporated herein as Attachment F.	Pre-AORS Construction	12/31/13	DEP Siting DEP SE District Broward County
VI.B.4.	FPL shall perform an inspection of and develop a maintenance plan (consistent with the September 30, 1957 Intake and Discharge Easement, included in the SCA) for the intake and discharge canals and ducts off FPL's property. FPL shall submit the results of the inspection and a proposed maintenance plan to the Port Everglades Department for review prior to operation of the PEEC.	Pre-Operation	6/1/13	DEP Siting DEP SE District Broward County Port Everglades Dept.

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VI.C.2.	<p>Discharges to surface water from the Port Everglades Energy Center shall comply with the applicable Broward County Water Quality Standards. Reference: Sections 27-193 through 27-197, BCC.</p> <p>a. Compliance with the applicable Broward County Water Quality Standards shall be demonstrated through submittal of the once-through non-contact cooling water outfall D-001 Discharge Monitoring Report form required under FDEP-issued NPDES Permit No. FL0001538.</p> <p>i. Licensee shall submit the monthly outfall D-001 Discharge Monitoring Report to the Broward County Planning and Environmental Regulation Division on a semi-annual basis.</p> <p>ii. Water quality monitoring will be performed in accordance with the applicable FDEP sampling protocols.</p> <p>iii. A National Environmental Laboratory Accreditation Program certified laboratory shall analyze the water quality samples reported on the Discharge Monitoring Report.</p>	Semi-Annual	7/1/13	DEP Siting DEP SE District Broward County
VI.C.3.	Any dewatering performed within areas relative to the SCA and PEEC project requires a post-certification submittal by the Licensee to the County of a certified dewatering plan, as these areas are either contaminated or are located within one-quarter mile of contamination, in accordance with the Pollution Prevention and Remediation Division's Dewatering Standard Operating Procedure. DEP may coordinate review of any dewatering plans submitted by the Licensee to multiple agencies to ensure compliance with the Conditions and Certification and applicable non-procedural requirements of those affected agencies. Subsections 27-353(i) and 27-355(e), BCC.	Pre-Dewatering Activity	5/1/13	DEP Siting DEP SE District Broward County
VII.A.	The approved use shall be vested for development upon the receipt of a Final Order granting Certification pursuant to the Florida Electric Power Plant Siting Act (PPSA). FPL shall record a copy of the Certification in the public records of Broward County prior to commencement of development. Immediately following recordation a copy shall be provided to the City of Hollywood.	Receipt of Certification	Upon Receipt of Final Order	DEP Siting DEP SE District Broward County City of Hollywood
VII.B.	The applicable building permit and impact fees for the construction project shall be paid by FPL within thirty (30) days of commencing construction of those project features. FPL shall comply with the applicable provisions of the Florida Building Code.	30 Days Post Construction of Buildings	TBD	DEP Siting DEP SE District Broward County
VII.C.	FPL shall submit construction coordination plans to the City to address issues such as emergency services and traffic coordination and inspections 30 days prior to commencement of the demolition and construction phases of Project development.	30 Days Pre-Dismantlement	1/15/13	DEP Siting DEP SE District Broward County City of Hollywood