

STATE OF FLORIDA  
DEPARTMENT OF POLLUTION CONTROL

**CERTIFICATION**

FOR A STEAM ELECTRIC POWER PLANT SITE

Certification no. PPS 74-01 Date October 16, 1974

Pursuant to the provisions of section 403.501(16) thru 403.515 of Chapter 403 Florida Statutes and Chapter 17-17 Florida Administrative Code. This certification is issued to:  
Florida Power & Light Company

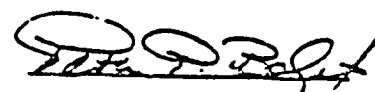
For the operation and construction of the following:  
506 MW Combined Cycle, Steam Electric Power Plant  
(280 MW gas turbines, 226 MW steam electric)

Located at: East Palatka, Florida UTM F443350-N3277560

In accordance with the application dated December 3, 1973  
and in conformity with the statements and supporting data entered therein, all of which  
are filed with the department and are considered apart of this permit.  
This certification shall be effective from the date of issue until October 15, 1979  
or until revoked or surrendered and shall be subject to all laws of the state and the  
rules and regulations of the department, and the conditions of certification appended  
hereto.

  
W.D. FREDERICK, JR.  
CHAIRMAN



  
PETER P. BALJEM  
EXECUTIVE DIRECTOR

MINUTES

PUBLIC MEETING

DEPARTMENT OF POLLUTION CONTROL BOARD

Montgomery Building  
2562 Executive Center Circle East  
Tallahassee, Florida

October 15-16, 1974

BOARD MEMBERS PRESENT:

Mr. W. D. Frederick, Jr., Chairman  
Mr. Y. E. Hall  
Dr. Mark D. Hollis  
Mr. John Robert Middlemas  
Mrs. Alice C. Wainwright

STAFF MEMBERS PRESENT:

Mr. Peter P. Baljet, Executive Director  
Mr. Stanley Winn  
Mr. John A. Redmond  
Mr. James R. Brindell  
Mr. Boone Kuersteiner  
Mr. John Bottcher  
Dr. J. P. Subramani  
Mr. Howard Rhodes  
Mr. Vance Kidder  
Dr. Tim Stuart  
Mr. Jesse Borthwick  
Ms. Pat Dunn

- I. The public meeting was called to order by Chairman Frederick at 1:45 P. M., October 15, 1974.
- II. Approval of Minutes of September 16, 1974, Public Meeting (State Air Implementation Plan); Public Meeting of September 17-18, 1974; and Public Hearing of September 18, 1974, (New Rule Chapter 17-7, F.A.C.)

The September 18, 1974, Public Hearing minutes on the new Rule Chapter 17-7, F.A.C., were omitted for approval until the public meeting scheduled for November 19-20, 1974.

Upon motion by Mrs. Wainwright and second by Mr. Hall, the other two sets of minutes were approved unanimously as written.

- III. Executive Director's Report on Departmental Activities.

Mr. Baljet commented that the monthly report was basically from the Division of Planning. He did, however, report on the success of the Department in stopping the dumping of chemicals into the Gulf of Mexico by The DuPont Company. He stated that one

a report would be made to the Board during the November meeting.

Chairman Frederick indicated that no motion by the Board was necessary on the rule development schedule. However, he stated that a decision would be made on October 16 as to whether or not a public hearing should be scheduled shortly on the dredge and fill rule.

V. Consideration of certification of the environmental impact of Florida Power and Light Company's combined cycle peaking units and construction and operating permit conditions for the Palatka plant site in Putnam County.

Chairman Frederick commented that he understood from the staff input to the Board that staff and applicant had reached agreement on all issues with the exception of the service area--whether it would be a geographical or integrated service area.

Mr. Kuersteiner confirmed his remarks and reported that the applicant had met all standards and rules of the Department, which was a prime example that industry can comply with DPC rules and regulations.

Mr. Kuersteiner felt that the definition of the area to be served was moot inasmuch as the hearing examiner defined it and found that there was a need for electricity in the area to be served. He advised that a representative of the Public Service Commission was present and would address the Board on that issue.

Chairman Frederick stated that one of the things an applicant must prove is need and that need relates to the area to be served. He noted that there was some dispute of the area to be served, whether it should be an area 50 miles from the site, or perhaps the general grid area that the power feeds into. He felt that the Board could delay making judgment on this without setting a precedent for future applications because the need had been established, and he felt that the Board was not required to make a judgment at this time on the definition of need,

but could reserve that option until a later time. He stated he thought that this would be agreeable both to the staff and the applicant.

Dr. Hollis felt that the Board would be setting a precedent it would have to follow because the service area was the real issue.

Mr. Kuersteiner commented that he felt that point could be resolved on a case by case basis and at such time as it becomes controversial in subsequent cases. He advised that all parties were on record as to the position presently and that the Board would not be endorsing or rejecting the point.

Chairman Frederick recommended that further questions along this line be delayed until after the Board heard from the representative of the Florida Public Service Commission.

Mr. Joseph A. McGlothlin, Office of the General Counsel, Florida Public Service Commission, advised the Board that the Commission supported the granting of certification and that he hoped it could be done today without further delay. He advised that they objected to the Hearing Examiner's conclusion on the definition of the area to be served and pointed out that the Board should address the issue to avoid setting a precedent that could affect other applications in the future.

Mr. McGlothlin pointed out that the Power Plant Siting Act placed the ultimate authority and responsibility of certifying proposed plant sites with the Department of Pollution Control, with other agencies taking part in the decision-making process. He explained that the role of the Florida Public Service Commission was to submit reports and recommendations as to present and future needs for electrical power in the area to be served.

Mr. McGlothlin was of the opinion that the Hearing Examiner erred in restricting the area to be served by the additional generating facility to a 50-mile geographical area and pointed out that the definition of the area to be served by the plant was of considerable importance in that it would directly broaden or restrict the benefits that would be measured against the detrimental environmental impact in reaching a decision on the application. He advised that the Public Service Commission had recommended that the additional generating capacity be a part of the total integrated system of Florida Power and Light Company. He commented that such a determination by the Hearing Examiner was completely against the clear weight of the evidence presented during the August 30, 1974, hearing.

Chairman Frederick inquired whether or not the DPC staff was in agreement with Mr. McGlothlin's recommendation on the issue. Mr. Kuersteiner advised him that it was not in agreement.

Chairman Frederick commented that he felt that the service area of a facility should be based on the need of the total system and that this would be consistent with the Department's efforts to protect the environment, i.e., to get power plants away from downtown areas into the rural areas.

Mr. Kuersteiner recommended that the Board approach this issue through further rule studies and that the Board today adopt the hearing examiner's report with stipulated modifications and leave the definition of the area to be served to a later date after more study.

Mr. Wade Hopping, representing Florida Power and Light Company, told the Board that it did not have to approve the hearing examiner's report as it related to the 50-mile radius, but instead could approve

a statewide integrated area as suggested by the Chairman.

Chairman Frederick commented that he felt that it could be stipulated that the area to be served was the entire system, but that if evidence was presented in a subsequent application that the rule needed to be revised, then the Board could do so.

Mr. Middlemas expressed concern that in the future this could result in all power plants being built in rural areas because the more populous counties would not want them inasmuch as they would have sufficient electrical power coming from an integrated statewide system.

Mr. Hall commented that he felt the Board should approve the certification as recommended by the Florida Public Service Commission.

Chairman Frederick indicated that he would entertain a motion approving the hearing examiner's report, subject to the stipulation and clarification entered into between the Department and the parties, with the further clarification that the Board found that the need should be based on a consideration of the total system as opposed to the geographical limits.

Dr. Hollis so moved and was seconded by Mr. Hall.

Mr. Middlemas indicated that he would like to have included language to the effect that individual companies, not parent companies, were a holding company.

Mrs. Wainwright recommended that future applications be handled on a case-by-case basis and moved for this amendment to the motion. Mr. Hall seconded the amendment.

Mr. Brindell then recommended that the respective attorneys leave the public meeting temporarily and work out a written motion to properly incorporate the desires of the Board.



Later in the public meeting, Mr. Kuersteiner advised the Board that staff and the applicant were ready with a suggested resolution for adoption by the Board, but that he would prefer that Mr. Hopping present it inasmuch as it was pretty much the language desired by the applicant.

Mr. Wade Hopping then read the following proposed resolution to the Board for consideration:

"That the Board adopts the Hearing Examiner's Report as modified by the Stipulation of Clarification and as further modified as follows:

1. The Board concurs with the ultimate finding of the Hearing Examiner that a need exists for the additional generating capacity in this case.

2. The definition of 'area to be served' as a circular area having a radius of fifty miles is rejected in this case by the Board.

3. The Board finds that the definition of 'area to be served' in this case is the service area of the applicant.

4. The Board finds that the term 'area to be served' will be defined on a case-by-case basis."

Mr. Hall moved for adoption of the resolution, seconded by Dr. Hollis, and the motion carried unanimously.

Mr. Hopping then recommended that the Board should now certify and execute the agreement of certification and approve the application for certification, subject to the resolution.

Dr. Hollis so moved, seconded by Mr. Hall, and the motion carried unanimously.

Mr. Middlemas made reference to Florida Power and Light Company's environmental report and the fact that industry can meet the State's non-degradation clause as it presently exists.

He suggested that prebriefing sessions of the Board by the staff that had been noticed publicly was about the only way the Board could meet and discuss such problems. He stated that anytime the Board was in doubt that it should assume the law was not on its side.

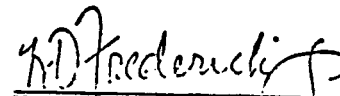
Chairman Frederick commented that it should be included in the public notice that the Board would meet in the action center at noon and eat and discuss issues that may be necessary, or plan to do this at 8:00 A. M., with coffee and doughnuts perhaps. He stated that the door would be open and anyone who so desired could come in and listen or join in any discussions.

There being no further business to come before the Board for consideration, the public meeting was adjourned at 4:06 P. M.

HEREBY APPROVED:

  
PETER P. BALJET  
Executive Director

FOR THE BOARD:

  
W. D. FREDERICK, JR.  
Chairman of the Board

Approved at a public meeting of  
the Board held November 19, 1974,  
at Tallahassee, Florida.



### CONDITIONS OF CERTIFICATION

The permittee shall comply with the following conditions of certification:

1. Fuel consumed should not contain more than 0.7% sulfur nor should stack emissions exceed those specified in Chapter 17-2.04(e).
2. The stack height shall be not less than 150 feet high.
3. The permittee shall install a sampling platform on one stack or shall provide sampling ports and such temporary access facilities as may be prescribed by the Department in performing stack sampling.
4. The permittee shall install and operate monitoring devices on each stack for the following: Opacity, Nitrogen Oxides. Records of such monitoring shall be available for inspection.
5. The permittee shall install and operate two continuous monitoring devices for sulfur dioxide and two particulate samplers. The location of these ambient air samplers shall be determined by consultation with the Northeast Regional Administrator of the Department. The data collected will be reported to the Regional Administrator monthly by the 10th of each subsequent month.
6. Water effluents shall conform to the limitation of Chapter 17-3, FAC.
7. The following parameters shall be reported monthly to the Regional Administrator:

<u>Effluent Characteristics</u>	<u>Limitations</u>	<u>Monitoring</u>
a. flow	1430 gpm-to existing plant intake	continuous - recorders or pump logs
b. temperature	Not to exceed 92°F. or 5° above ambient	continuous
c. Phosphate from Blow down tank	50 ppm	daily

d. Dissolved Solids	6000 ppm	daily
e. PH	6.0-8.5	daily
f. Floating Solids visible foam	none visible	none

8. The phosphate concentration of the 50 gpm "Blow Down Tank" shall not exceed 50 ppm. The dilution as required to the "Blow Down Tank" and "Holdup Tank" will not be allowed. The discharge of phosphate not to exceed 50 ppm and Total Dissolved Solids not to exceed 6000 ppm shall be achieved by appropriate treatment.
9. Effluent to the existing plant intake shall not be more than 1430 gpm and shall be placed into the intake in such a manner as to preclude direct discharge to the St. Johns River.
10. Change in Discharge:  
All discharges or emissions authorized herein shall be consistent with the terms and conditions of this certification. The discharge of any pollutant identified in this certification more frequently than or at a level in excess of that authorized shall constitute a violation of the certification. Any anticipated facility expansions, production increases, or process modifications which will result in new, different, or increased discharges of pollutants or expansion in steam generating capacity must be reported by submission or a new application.
11. Noncompliance Notification:  
If, for any reason, the permittee does not comply with or will be unable to comply with any limitation specified in this certification, the permittee shall provide the Northeast Regional Administrator of the Department with the following information, in writing, within forty eight (48) hours of becoming aware of such condition:
  - A. A description of the discharge and cause of noncompliance; and
  - B. The period of noncompliance, including exact dates and times; or, if not corrected, the anticipated time, the noncompliance is expected to continue, and steps being taken to reduce, eliminate and prevent recurrence of the noncomplying discharge.

12. Facilities Operation:

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

13. Adverse Impact:

The permittee 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.

14. Bypassing:

Any diversion or bypass of facilities necessary to maintain compliance with the terms and conditions of this certification is prohibited, except (i) where unavoidable, or (ii) where excessive storm drainage or runoff would damage any facilities necessary for compliance with the conditions of this certification. The permittee shall promptly notify the Northeast Regional Administrator of the Department in writing of each such diversion or bypass within 24 hours.

15. Removed Substances:

Solids, sludges, filter backwash, or other pollutants removed in the course of treatment or control of wastewaters shall be disposed of in a manner such as to prevent any pollutant from such materials from entering waters of the State.

16. Right of entry:

The permittee shall allow the Director of the Florida Department of Pollution Control and/or authorized representatives, upon the presentation of credentials:

- a. To enter upon the permittee's premises where an effluent source is located or in which any records are required to be kept under the terms and conditions of this permit; and
- b. To have access to and copy any records required to be kept under the conditions of this certification and
- c. To inspect any monitoring equipment or monitoring method required in this certification and to sample any discharge or pollutants.

17. **Revocation or Suspension:**  
After notice and opportunity for a hearing, this certification may be suspended, or revoked in whole or in part during its term for cause including, but not limited to, the provision of Section 403.512, Chapter 403, Florida Statutes.
18. **New Pollutant Standards:**  
If an effluent or emission standard or prohibition (including any schedule of compliance specified in such effluent or emission standard or prohibition) is established for a pollutant which is present in this certification and such standard or prohibition is more stringent than any limitation for such pollutant in this certification, this certification shall be revised in accordance with the new effluent or emission standard or prohibition and the permittee so notified.
19. **Civil and Criminal Liability:**  
Nothing in this certification shall be construed to relieve the permittee from civil or criminal penalties for noncompliance with any condition of this certification applicable rules or regulations of the Department or Chapter 403, Florida Statutes.
20. **Nothing in this certification shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities, or penalties established pursuant to any applicable State Statutes, or Regulation, including Departmental rules and regulations promulgated by the Department pursuant to Chapter 403, F.S.**
21. **Property Rights:**  
The issuance of this certification does not convey any property rights in either real or personal property, or 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.
22. **Severability:**  
The provisions of this certification are severable, and if any provision of this certification or the application or any provision of this certification to any circumstances, is held invalid, the application of such provision to other circumstances, and the remainder of this certification shall not be affected thereby.

23. No debris shall be discharged to waters of the State from the intake screens with the exception of viable nekton. Additionally, the permittee shall evaluate methods of returning viable nekton collected on the intake screens to ambient temperature waters and shall submit a report presenting results within twelve (12) months of the date of commencement of plant operation.
24. Free available chlorine shall not exceed an average concentration of 0.2 mg/l and a maximum concentration of 0.5 mg/l during a maximum of one, two-hour period a day. No discharge of total residual chlorine is allowed from one unit while another unit at the same station is being chlorinated. Monitoring shall be conducted two times per week during the period of maximum expected residual. The results of such a monitoring shall be reported quarterly to the Regional Administrator. Additionally, a study shall be instituted to evaluate all practicable methods to reduce total chlorine (free and combined) levels, including, but not necessarily limited to (1) minimization of chlorine addition commensurate with control requirements, (2) reduction of flow during chlorination, and (3) chemical scavenging. Results of this study including facilities and/or methods proposed to reduce total chlorine residuals shall be submitted within twelve months of commencement of plant operation. Subsequently, chlorination procedures to reduce total chlorine residuals shall be implemented to the extent practicable.
25. Any biocide discharge from any point source shall comply with the requirements of the Federal Insecticide, Fungicide, and Rodenticide Act, as amended (7 U.S.C. 136 et seq.) and the use of such pesticide shall be in a manner consistent with the labeling.
26. There shall be no discharge of polychlorinated biphenyl transformer fluids to waters of the State.
27. There shall be no surface discharge of turbid waters to waters of the State from the spoil disposal/barrow pit system. Any spoil excavated during construction or maintenance dredging shall be deposited on an upland area. A berm or other control device shall be constructed around the spoil disposal area to insure against spillage or discharge of excavated material which may cause turbidity in excess of 50 Jackson Turbidity Units above background in waters of the State.

28. The Barge Slip shall be of a sheet pile type construction with a poured concrete cap. Rip-rap shall be placed on the river bank adjacent to the barge slip to prevent erosion due to removal of natural vegetation. Spilled oil shall be removed from the barge slip prior to the departure of any barge. Such oil shall be disposed of by the plant's oil treatment system.
29. Construction of the utilities tunnel under US 17 shall be expedited to occur in a minimal amount of time. Such construction shall be performed in accordance with the standards of the Florida Department of Transportation and in close coordination with:

Mr. C. A. Benedict  
District Engineer, Fifth Division  
Florida Department of Transportation  
P. O. Box 47  
Deland, Florida 32720

and with:

Mr. J. A. Crookshank, Jr.  
Maintenance Engineer, Putnam County  
P. O. Drawer "X"  
St. Augustine, Florida 32084

30. During construction and plant operation necessary measures shall be employed to settle, filter or absorb silt containing or pollutant loaded storm-water runoff to prevent contamination of waters of the State. Such measures may include sediment traps, barriers and use of berms or vegetation. Exposed or disturbed soil shall be sodded as soon as possible to minimize silt and sediment runoff into waters of the State.
31. Turbidity control shall be installed prior to any construction or maintenance dredging to insure that turbidity of State waters is not increased more than 50 Jackson Turbidity Units.
32. The permittee as condition precedent to issuance of this certification shall submit an application fee, the total amount of which shall not exceed \$25,000 to be applied toward the costs of any study investigation, hearing or processing procedures conducted pursuant to Section 405.501 through 403.516, F.S.



33. **Renewal of Site Certification:**

This certification shall expire five years from date of issuance. It is renewable by the Department upon receipt of a request from the permittee. The permittee shall file a written request for renewal of site certification no later than 120 days prior to the expiration date. Within 60 days of receipt of a request for renewal of site certification the Department shall request any additional necessary information.

The Department shall renew the site certification upon a finding of the permittee's compliance with the conditions of this original certification.