

**STATE OF FLORIDA
DEPARTMENT
OF
ENVIRONMENTAL PROTECTION**



**DRAFT
Conditions of Certification**

**Progress Energy Florida
Crystal River Energy Complex
Unit 3 Nuclear Plant
Unit 4 and Unit 5 Fossil Plant**

PA 77-09P

July xx, 2012

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SECTION A: GENERAL CONDITIONS

SECTION A: GENERAL CONDITIONS

I. SCOPE

A. Pursuant to sections 403.501-518, Florida Statutes (F.S.), the Florida Electrical Power Plant Siting Act (PPSA), this certification is issued to Progress Energy Florida, Inc. (PEF) as owner/operator of the Crystal River Energy Complex. Subject to the requirements contained in these Conditions of Certification (Conditions) PEF will operate one 1,080 MW (nominal) nuclear plant (Unit 3), and a 1,437 MW (nominal) facility consisting of two coal-fired units (Units 4 and 5) and ancillary equipment. These units are located on a 4,738-acre site which is located in Citrus County, Florida. UTM coordinates are: Zone 17; 334.3 km East; 3,204.5 km North. The Department recognizes that Nuclear Unit 3 and Fossil Units 4 and 5 are under the control of different divisions of PEF. Unless otherwise specified, PEF shall be responsible for the compliance with the conditions herein. The Department does not intend, solely by the March 2010 incorporation of these General Conditions, to require the retrofitting of existing certified facilities. Violation of any conditions specific to Units 3, 4, or 5 shall solely affect the license of the responsible generating units. These General Conditions shall be applicable to all areas of the certified site. Compliance with the General Conditions shall be the joint responsibility of Progress Energy Nuclear Plant (Unit 3) and Progress Energy Fossil Fuel Plant (Units 4 and 5). Any violation of a General Condition shall be a violation by Progress Energy Florida. Except where otherwise specified, existing Units 1 and 2 are not subject to this certification or these conditions.

B. The Certified Facility includes but is not limited to the following major associated facilities;

Unit 4 & 5 coal storage area, coal storage area runoff treatment ponds and coal conveyor system;

Unit 4 & 5 Ash Storage Area;

Unit 4 & 5 Industrial Wastewater (IWW) Percolation Pond

Units 1, 2, and 3 and FGD IWW disposal Pond System; and

FGD Blowdown Treatment Ponds for Units 4 and 5.

This paragraph was formerly Section A.I.E.

C. These Conditions, unless specifically amended or modified, are binding upon the Licensee and shall apply to the construction, operation and maintenance of the Certified Facility. If a conflict should occur between the design criteria of this Certified Facility and the Conditions, the Conditions shall prevail unless amended or modified. In any conflict between any of these Conditions, the more specific condition governs. **This paragraph was formerly Section A.I.B.**

D. 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, and an aerial photograph delineating the boundaries of the site shall be identified as the Site Delineation and attached hereto as part of Attachment A.

The Licensee shall notify the Department of any change to the Site boundary depicted in the site delineation in Attachment A. The notification shall be accompanied by an

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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. **These paragraphs were formerly Section A.I.C.**

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. 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 of the Site and attached hereto as part of Attachment A. **This paragraph was formerly Section A.I.D.**

F. Within 120 days after completion of construction of any off-Site associated non-linear 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 for each off-Site non-linear Certified Facility. The survey map(s) and aerial photographs shall be known as Delineation of the Certified Areas of the Off-Site Non-linear Facilities and attached hereto as part of Attachment A. **[This is a new Condition]**

G. Within 180 days after completion of construction of any 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(s), 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 Off-Site Linear Facilities and attached as part of Attachment A.

Following any post-certification approvals that require a change to the boundaries of the Certified Area(s) depicted in the Delineation of Off-Site Linear Facilities in Attachment A, the Licensee shall submit an updated aerial photograph/map, survey map or legal description. **[This is a new Condition]**

[Sections 403.511, F.S.; Rules 62-4.160(8) and 62-17.205(2), F.A.C.]

II. APPLICABLE DEPARTMENT RULES

The construction, operation and maintenance of the Certified Facility shall be in accordance with all applicable non-procedural provisions of F.S. and Florida Administrative Code (F.A.C.), including, but not limited to, the applicable non-procedural portions of the following regulations, except to the extent a variance, exception, exemption or other relief is granted in the final order of certification or in a subsequent modification to the Conditions, under any federal permit or as otherwise provided under Chapter 403:

Florida Administrative Codes:

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18-2 (Management of Uplands Vested in the Board of Trustees)
18-14 (Administrative Fines for Damaging State Lands)
18-20 (Aquatic Preserves)
18-21 (Sovereign Submerged Lands Management)
62-4 (Permits)
62-17 (Electrical Power Plant Siting)
62-25 (Regulation of Stormwater Discharge)
62-256 (Open Burning)
62-296 (Stationary Sources-Emission Standards)
62-297 (Stationary Sources-Emission Monitoring)
62-301 (Surface Waters of the State)
62-302 (Surface Water Quality Standards)
62-304 (Total Maximum Daily Loads)
62-312 (Dredge and Fill Activities)
62-330 (Environmental Resource Permitting)
62-340 (Delineation of the Landward Extent of Wetlands and Surface Waters)
62-341 (Noticed General Environmental Resource Permits)
62-343 (Environmental Resource Permit Procedures)
62-345 (Uniform Mitigation Assessment Method)
62-346 (Environmental Resource Permitting in Northwest)
62-520 (Groundwater Classes and Standards)
62-522 (Groundwater Permitting and Monitoring)
62-528 (Underground Injection Control)
62-531 (Water Well Contractor Licensing Requirements)
62-532 (Water Well Permitting and Construction Requirements)
62-550 (Drinking Water Standards, Monitoring and Reporting)
62-555 (Permitting, Construction, Operation, and Maintenance of Public Water Systems)
62-560 (Requirements for Public Water Systems That Are Out of Compliance)
62-600 (Domestic Wastewater Facilities)
62-601 (Domestic Wastewater Treatment Plant Monitoring)
62-604 (Collection Systems and Transmission Facilities)
62-610 (Reuse of Reclaimed Water and Land Application)
62-620 (Wastewater Facility and Activities Permitting)
62-621 (Generic Permits)
62-640 (Biosolids)
62-650 (Water Quality Based Effluent Limitations)
62-660 (Industrial Wastewater Facilities)
62-699 (Treatment Plant Classification and Staffing)
62-701 (Solid Waste Management Facilities)
62-702 (Solid Waste Combustor Ash Management)
62-710 (Used Oil Management)
62-730 (Hazardous Waste)
62-762 (Aboveground Storage Tank Systems)
62-769 (Florida Petroleum Liability and Restoration Insurance Program)
62-770 (Petroleum Contamination Site Clean-Up Criteria)

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62-780 (Contaminated Site Clean-Up Criteria)
62-807 (Natural Gas Transmission Pipeline)
62-814 (Electric and Magnetic Fields)
40D- 4 (Individual Environmental Resource Permits)
40D-8 (Water Levels and Rates of Flow)
40D-40 (Standard General Environmental Resource Permits)
Basis of Review for ERP Applications

III. REVISIONS TO DEPARTMENT STATUTES AND RULES

A. The Licensee shall comply with rules adopted by the Department subsequent to the issuance of the certification under the PPSA which prescribe new or stricter criteria, to the extent that the rules are applicable to electrical power plants. Except when express variances, exceptions, exemptions, or other relief have been granted, subsequently adopted Department rules which prescribe new or stricter criteria shall operate as automatic modifications to the certification.

B. Upon written notification to the Department, the Licensee may choose to operate the certified electrical power plant in compliance with any rule subsequently adopted by the Department which prescribes criteria more lenient than the criteria required by the terms and conditions in the certification which are not site-specific. .

[Section 403.511(5)(b), F.S.; Rule 62-4.160(10), F.A.C.]

IV. DEFINITIONS

The meaning of terms used herein shall be governed by the applicable definitions contained in Chapters 373 and 403, F.S., and any regulation adopted pursuant thereto. In the event of any dispute over the meaning of a term used in these 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 used herein, the following shall apply:

A. “Application” means the documents required by the Department to be filed to initiate a certification review and evaluation, including the initial document filing, amendments, and responses to requests from the Department for additional data and information. For purposes of this license application shall also include materials submitted for petitions for modification to the Conditions of Certification, as well as supplemental applications.

B. “Associated Facilities” is defined by Section 403.503(7), F.S.

C. “Certified Area” means the area within the site in which the certified facilities are located. For linear facilities this term shall mean the area encompassed by the boundaries of the certified easements and/or ROWs.

D. “Certified Facility” or “Certified Facilities” means the certified electrical power generation facilities and all on- or off-site associated structures including but not limited to: steam generating units, transformers, substations, fuel and water storage tanks, air and water pollution control equipment, storm water control ponds and facilities, cooling towers, and related structures. This term shall also mean linear and associated facilities, including but not limited to: transmission lines, natural gas pipelines, and compressor stations.

E. “DCA” means the Florida Department of Community Affairs.

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- F. “DEM” shall mean the Florida Division of Emergency Management.
- G. “DEP” or “Department” means the Florida Department of Environmental Protection.
- H. “DHR” means the Florida Department of State, Division of Historical Resources.
- I. “DOT” means the Florida Department of Transportation.
- J. “Emergency conditions” or “Emergency reporting” means urgent circumstances involving potential adverse consequences to human life or property as a result of weather conditions or other calamity.
- K. “Feasible” means reasonably achievable considering a balance of land use impacts, environmental impacts, engineering constraints, and costs.
- L. “FWC” means the Florida Fish and Wildlife Conservation Commission.
- M. “Licensee” means an applicant that has obtained a certification order for the subject project.
- N. “NPDES permit” means a federal National Pollutant Discharge Elimination System permit issued by DEP in accordance with the federal Clean Water Act.
- O. “PSD permit” means a federal Prevention of Significant Deterioration air emissions permit issued by DEP in accordance with the federal Clean Air Act.
- P. “ARPC”, “CFRPC”, “ECFRPC”, “NCFRPC”, “NEFRPC”, “SFRPC”, “SWFRPC”, “TBRPC”, “TCRPC”, “WFRPC”, or “WRPC” means the Apalachee, Central Florida, East Central Florida, North Central Florida, Northeast Florida, South Florida, Southwest Florida, Tampa Bay, Treasure Coast, West Florida or Withlacoochee Regional Planning Council, respectively.
- Q. “ROW” means the right-of-way to be selected by the Licensee within the certified corridor in accordance with the Conditions of Certification and as defined in Section 403.503(27), F.S.
- R. “Site” means any proposed location within which will be located an electrical power plant's generating facility and onsite support facilities, or an alteration or addition of electrical generating facilities and onsite support facilities resulting in an increase in generating capacity, including offshore sites within state jurisdiction.
- S. “Surface Water Management System (SWMS)” means a stormwater management system, dam, impoundment, reservoir, appurtenant work, or works, or any combination thereof. The terms “surface water management system” or “system” include areas of dredging or filling, as those terms are defined in Sections 373.403(13) and (14), F.S.
- T. “NWF, SR, SJR, SWF, or SF WMD” means the Northwest Florida, Suwannee River, St. Johns River, Southwest Florida, or South Florida Water Management District, respectively.
- U. “Title V permit” means a federal permit issued by DEP in accordance with Title V provisions of the federal Clean Air Act.

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V. DEPARTMENT PERMITS UNDER FEDERAL PROGRAMS These paragraphs were formerly Section A.VI.

This certification is not a waiver of any other Department approval that may be required under federally delegated or approved programs. The provisions of the following federal permits shall be conditions of this certification to the extent the provisions of those permits apply to the Certified Facility(ies). The Licensee shall comply with the applicable provisions and limitations set forth in the permits listed below, and as those provisions may be modified, amended, or renewed in the future by the Department. The Department may consider a violation of any of these permits as a violation of this license.

A. Air

All Air Construction Permits and Title V Air Operation Permits in force for the Certified parts of facility ID 0170004 are incorporated by reference herein as part of these Conditions. The Air Construction Permits and Title V Air Operation Permits can be found at this web link using the facility ID number listed above:
<http://appprod.dep.state.fl.us/air/emission/apds/default.asp>.

B. Water

1. NPDES Industrial Wastewater Discharge

Any discharges during operation shall be in accordance with all applicable provisions of the current NPDES permit FL0036366 and current NPDES permit FL0000159 (attached as Appendix III) as well as any subsequent modifications, amendments and/or renewals.

[Chapter 62-620, F.A.C.]

2. NPDES Generic Permit for Stormwater Discharge from Large and Small Construction Activities (CGP)

a. Any storm water discharges associated with construction activities on the site shall be in accordance with all applicable provisions of Chapter 62-621, F.A.C. Prior to commencing construction activities on the site that:

- contribute to stormwater discharges to surface waters of the State or into a municipal separate storm sewer system (MS4); and
- disturb one or more acres of land (less than one acre if the activity is part of a larger common plan of development);

b. A Generic Permit for Stormwater Discharge from Large and Small Construction Activities (CGP) must be obtained as applicable.

[Section 403.0885, F.S.; Rule 62-621.300, F.A.C.]

3. NPDES Multi-Sector Generic Permit for Stormwater Discharge Associated with Industrial Activity.

Any storm water discharges associated with industrial activity shall be in accordance with all applicable provisions of Chapter 62-621, F.A.C. For industrial activities at the site that result in a discharge of stormwater to surface waters of the State or into a municipal separate storm sewer system (MS4), and fall under any one of the 11 categories of industrial

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activities identified in 40 CFR 122.26(b)(14), a Multi-Sector Generic Permit for Stormwater Discharge Associated with Industrial Activity (MSGP) shall be obtained as applicable.

[Section 403.0885, F.S.; Rule 62-621.300, F.A.C.]

4. NPDES Generic Permit for Discharge of Produced Ground Water from any Non-Contaminated Site Activity

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.

5. NPDES Generic Permit for Discharges from Concrete Batch Plants **[This is a new Condition]**

Prior to discharges from concrete batch plants which meet the criteria specified in DEP Document 62-621.300(3)(a), (excluding Part III when using any new batch plants and excluding Part II when using any existing batch plants) the Licensee must first obtain coverage under the Generic Permit for Discharges from Concrete Batch Plants. This generic permit also constitutes authorization to construct and operate closed loop recycling vehicle/equipment washing facilities at concrete batch plants. New and existing concrete batch plants which do not qualify for coverage or do not choose to be covered under this generic permit shall apply for an individual wastewater permit on the appropriate form listed in Rule 62-620.910, F.A.C. and in the manner established in Chapter 62-620, F.A.C. DEP Document number 62-621.300(3)(a) contains specific design and operating requirements for discharges from wastewater and stormwater management systems at concrete batch plants.

[Section 403.0885, F.S.; Rule 62-621.300, F.A.C.]

VI. DESIGN AND PERFORMANCE CRITERIA **This paragraph was formerly Section A.VII.**

Certification, including these Conditions, is predicated upon preliminary designs, concepts, and performance criteria described in the site certification application (SCA) or in testimony and exhibits in support of certification. Final engineering design will be consistent and in substantial compliance with the preliminary information described in the SCA or as explained at the certification hearing (if any). Conformance to those criteria, unless specifically modified in accordance with Sections 403.516, 403.5315, 403.9418, F.S., and Rule 62-17.211, F.A.C., is binding upon the Licensee in the design, construction, operation and maintenance of the Certified Facility.

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[Section 403.516, F.S.; Rule 62-17.211, F.A.C.]

VII. NOTIFICATION These paragraphs were formerly Section A.VIII.

A. If, for any reason, the Licensee does not comply with or will be unable to comply with any condition or limitation specified in this license, the Licensee shall immediately provide the appropriate DEP District Office with the following information:

1. A description of and cause of noncompliance; and
2. The period of noncompliance, including 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 noncompliance. The Licensee shall be responsible for any and all damages which may result and may be subject to enforcement action by the Department for penalties or for revocation of this certification.

All notifications which are made in writing shall additionally be immediately provided to the Siting Coordination Office (SCO) via email to SCO@dep.state.fl.us.

[Rule 62-4.160(8), F.A.C.]

B. The Licensee shall promptly notify the SCO in writing of any previously submitted information concerning the Certified Facility that is later discovered to be inaccurate.

[Rule 62-4.160(15), F.A.C.]

C. Unless specified otherwise in this license, all reports and notifications required by the Groundwater Monitoring, Operation and Monitoring Requirements (GWMOMR) (Attachment H), including 24-hour notifications, shall be submitted to or reported to the Southwest District Office at the address specified below:

Southwest District Office
13051 North Telecom Parkway
Temple Terrace, FL 33637-0926
Phone Number- (813) 632-7600
FAX Number- (813) 632-7662

[Section 403.5112, F.S.]

VIII. REPLACEMENT FOR RESTORATION OF SYSTEM INTEGRITY These paragraphs were formerly Section A.IX.

A. Replacement of all or a portion of a transmission line(s) or natural gas pipeline certified under the TLISA or the NGPSA that is necessary to restore system integrity following an emergency as defined by Sections 252.34(6), (7) or (9), F.S., and requiring deviation from any condition of certification shall not be considered a modification pursuant to Section 403.5315, F.S. A verbal report of the emergency replacement for restoration of system integrity shall be made to the Department as soon as possible. Within 30 days after correction of the emergency condition requiring a replacement for system integrity, a report to the Department shall be made outlining the details of the emergency condition requiring the replacement and the steps taken for its relief. The report shall be a written description of all of the work performed and shall set forth any pollution control measures or mitigative measures which were utilized or are being utilized to prevent pollution of waters, harm to sensitive areas or alteration of archaeological or historical resources.

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B. The Department will use its enforcement discretion when evaluating violations that result from operating the Certified Facility under emergency conditions. During and after the emergency conditions, the Licensee must use due diligence to bring the facility back into compliance as soon as possible. In addition, the Licensee must use its best efforts and best management practices to minimize adverse environmental impacts. The Licensee shall notify the SCO and the appropriate DEP District Office when the emergency condition has ended. Furthermore, the Licensee must include all monitoring data, which would otherwise be required under normal operating circumstances, recorded during emergency conditions when submitting reports as required by these conditions. Any exceedances and/or violations recorded during emergency conditions shall be reported as such, but the Department acknowledges that it intends to use its enforcement discretion during this timeframe. This acknowledgement by the Department does not constitute a waiver or variance from any requirements of any federal permit. Relief from any federal agency must be separately sought.

[Sections 403.511, F.S.]

IX. CONSTRUCTION PRACTICES *These paragraphs were formerly Section A.X.*

A. *Local Building Codes*

This license shall not affect in any way the right of any local government to charge appropriate fees or require that construction be in compliance with applicable building construction codes.

[Section 403.511(4), F.S.]

B. *Open Burning.*

Prior to open burning in connection with land clearing, the Licensee shall seek authorization from the Florida Forest Service in accordance with the requirements of Chapters 62-256 and 5I-2, F.A.C. the Florida Forestry Service

[Chapters 5I-2 and 62-256, F.A.C.]

C. *Flood Control Protection*

The certified facilities shall be constructed in a manner that complies with any applicable non-procedural County flood protection requirements. However, existing facilities are not required to be modified to comply with such flood control protection standards.

D. *Underground Utilities*

The Licensee must follow all applicable portions of the Underground Facility Damage Prevention and Safety Act, Chapter 556, F.S. The Licensee shall provide the affected local government and the Siting Office with copies of valid tickets obtained from Sunshine State One Call of Florida upon request. Tickets shall be available for request until the underground work is complete for the affected area.

[Chapter 556, F.S.]

E. *Electric and Magnetic Fields (EMF).*

Any transmission lines that are associated facilities shall comply with the applicable requirements of Chapter 62-814, F.A.C.

[Chapter 62-814, F.A.C.]

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F. Existing Wells

Any existing wells to be impacted in the path of construction that will no longer be used shall be abandoned by a licensed well contractor. All abandoned wells shall be filled and sealed in accordance with subsection 62-532.500(5), F.A.C., or with the rules of the authorizing agency, or consistent with these Conditions.

[Rules 62-532.400 and 62-532.500(5), F.A.C.]

X. RIGHT OF ENTRY These paragraphs were formerly Section A.XI.

A. Upon presentation of credentials or other documents as may be required by law, the Licensee shall allow authorized representatives of the Department or other agencies with jurisdiction over a portion of the Certified Facility:

1. At reasonable times, to enter upon the Certified Facility in order to monitor activities within their respective jurisdictions for purposes of assessing compliance with this certification; or

2. During business hours, to enter the Licensee's premises in which records are required to be kept under this certification; and to have access to and copy any records required to be kept under this certification.

B. When requested by the Department, on its own behalf or on behalf of another agency with regulatory jurisdiction, the Licensee shall within 10 working days, or such longer period as may be mutually agreed upon by the Department and the Licensee, furnish any information required by law, which is needed to determine compliance with the certification. If the Licensee becomes aware that relevant facts were not submitted or were incorrect in the SCA or in any report to the Department or other agencies, such facts or information shall be promptly corrected and submitted.

[Rules 62-4.160(7)(a) and 62-4.160(15), F.A.C.]

XI. DISPUTE RESOLUTION This paragraph was formerly Section A.XII.

If a situation arises in which mutual agreement cannot be reached between the Licensee, the Department and another agency receiving a post-certification submittal or between the Department and the Licensee regarding compliance with the Conditions, then the matter shall be immediately referred to the Division of Administrative Hearings (DOAH) for disposition in accordance with the provisions of Chapter 120, F.S. The Licensee or the Department may request DOAH to establish an expedited schedule for the processing of such a dispute.

[Section 120.57, F.S.]

XII. SEVERABILITY This paragraph was formerly Section A.XIII.

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 circumstance is held invalid, the remainder of the certification or the application of such provision to other circumstances shall not be affected thereby.

XIII. ENFORCEMENT This paragraph was formerly Section A.XIV.

A. The terms, conditions, requirements, limitations and restrictions set forth in these Conditions are binding and enforceable pursuant to Sections 403.141, 403.161, 403.514,

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403.727, and 403.859 through 403.861, F.S., as applicable. Any noncompliance by the Licensee with these Conditions constitutes a violation of Chapter 403, F.S., and is grounds for enforcement action, license termination, license revocation, or license revision. The Licensee is placed on notice that the Department may review this certification periodically and may initiate enforcement action for any violation of these Conditions. Abandonment of the Certified Facility will be considered grounds for enforcement action.

B. All records, notes, monitoring data and other information relating to the construction or operation of the Certified Facility which are submitted to the Department may be used by the Department as evidence in any enforcement case involving the Certified Facility and arising under the Florida Statutes or Department rules, subject to the restrictions in Sections 403.111 and 403.73, F.S. During enforcement actions, the retention period for all records will be extended automatically unless otherwise stipulated by the Department. Such evidence shall only be used to the extent it is consistent with the Florida Rules of Civil Procedure and appropriate evidentiary rules.

[Sections 403.121, 403.131, 403.141, 403.151, 403.161, and 403.514, F.S.; Rules 62-4.160(1) and 62-4.160(9), F.A.C.]

XIV. REVOCATION OR SUSPENSION This paragraph was formerly Section A.XV.

The certification shall be final unless revised, revoked or suspended pursuant to law. This certification may be suspended or revoked pursuant to Sections 403.512, F.S. This license is valid only for the specific processes and operations identified in the Application and approved in the final order of certification and indicated in the testimony and exhibits in support of certification. Any unauthorized deviation from the approved drawings, exhibits, specifications, or conditions of this approval may constitute grounds for revocation and enforcement action by the Department. Any enforcement action, including suspension and revocation, shall only affect the portion(s) of the Certified Facility that are the cause of such action, and other portions of the Certified Facility shall remain unaffected by such action.

[Sections 403.512, F.S.; Rule 62-4.160(2), F.A.C.]

XV. REGULATORY COMPLIANCE This paragraph was formerly Section A.XVI.

As provided in Sections 403.087(7) and 403.722(5), F.S., the issuance of this license does not convey any vested rights or any exclusive privileges. Neither 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. This license is not a waiver of or approval of any other Department license/permit that may be required for other aspects of the Certified Facility which are not addressed in this license. This license does not relieve the Licensee from liability for harm or injury to human health or welfare, animal, or plant life, or public or private property caused by the construction or operation of this Certified Facility, or from penalties therefore.

[Rules 62-4.160(3) and 62-4.160(5), F.A.C.]

XVI. CIVIL AND CRIMINAL LIABILITY This paragraph was formerly Section A.XVII.

This certification does not relieve the Licensee from civil or criminal penalties for noncompliance with any conditions of this certification, applicable rules or regulations of the Department, or any other state statutes or regulations which may apply.

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[Sections 403.141, 403.161, 403.511, F.S.]

XVII. USE OF STATE LANDS These paragraph were formerly Section A.XVIII.

A. The issuance of this license conveys no title to land or water, does not constitute State recognition or acknowledgment of title, and does not constitute authority for the use of submerged lands unless the necessary title or leasehold interests have been obtained from the State. Only the Trustees of the Internal Improvement Trust Fund may express State opinion as to title.

B. If any portion of the Certified Facility is located on sovereign submerged lands, state-owned uplands, or within an aquatic preserve, then the Certified Facility must comply with the applicable portions of Chapters 18-2, 18-20, and 18-21, F.A.C., and Chapters 253 and 258, F.S. If any portion of the Certified Facility is located on sovereign submerged lands, the Licensee must submit section G of the Joint Application for Environmental Resource Permits to the Department prior to construction. If any portion of the Certified Facility is located on state-owned uplands, the Licensee must submit an Upland Easement Application to the Department prior to construction.

C. If a portion of the Certified Facility is located on sovereign submerged lands or state-owned uplands owned by the Board of Trustees of the Internal Improvement Trust Fund, pursuant to Article X, Section 11 of the Florida Constitution, then the proposed activity on such lands requires a proprietary authorization. Under such circumstances, the proposed activity is not exempt from the need to obtain a proprietary authorization. The Department has the responsibility to review and take action on requests for proprietary authorization in accordance with Rules 18-2.018 or 18-21.0051, F.A.C.

D. The Licensee is hereby advised that Florida law states: “No person shall commence any excavation, construction, or other activity involving the use of sovereign or other state lands of the state, title to which is vested in the Board of Trustees of the Internal Improvement Trust Fund or the Department of Environmental Protection under Chapter 253, F.S., until such person has received from the Board of Trustees of the Internal Improvement Trust Fund the required lease, license, easement, or other form of consent authorizing the proposed use.” Pursuant to Chapter 18-14, F.A.C., if such work is done without consent, or if a person otherwise damages state land or products of state land, the Board of Trustees may levy administrative fines of up to \$10,000 per offense.

E. The terms, conditions, and provisions of any required lease or easement issued by the State shall be met. Any construction activity associated with the Certified Facility shall not commence on sovereign submerged lands or state owned uplands, title to which is held by the Board of Trustees of the Internal Improvement Trust Fund, until all required lease or easement documents have been executed.

[Chapters 253 and 258, and Sections 403.511, F.S.; Chapter 3.1.1. of the B.O.R.; Chapters 18-2, 18-14, 18-21, 62-340, and subsections 62-343.900(1) and 62-4.160(4), F.A.C.; Upland Easement Application and Section G of the Environmental Resource Permit Application Form.]

XVIII. PROCEDURAL RIGHTS This paragraph was formerly Section A.XIX.

Except as specified in Chapter 403, F.S., or Chapter 62-17, F.A.C., no term or condition of certification shall be interpreted to preclude the post-certification exercise by any

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party of whatever procedural rights it may have under Chapter 120, F.S., including those related to rule-making proceedings.

[Sections 403.511(5)(c), F.S.]

XIX. AGENCY ADDRESSES FOR POST-CERTIFICATION SUBMITTALS AND NOTICES *This paragraph was formerly Section A.XX.*

Where a condition requires post-certification submittals and/or notices to be sent to a specific agency, the following agency addresses shall be used unless the Conditions specify otherwise or unless the Licensee and the Department are notified in writing of an agency's change in address for such submittals and notices:

Florida Department of Environmental Protection
Siting Coordination Office, MS 48
3900 Commonwealth Blvd.
Tallahassee, FL 32399-3900

Florida Department of Environmental Protection
Southwest District Office
13051 N. Telecom Parkway
Temple Terrace, FL 33637

Florida Department of Community Affairs
Office of the Secretary
2555 Shumard Oak Blvd.
Tallahassee, FL 32399-2100

Florida Fish & Wildlife Conservation Commission
Office of Policy and Stakeholder Coordination
620 South Meridian Street
Tallahassee, FL 32399-1600

Florida Department of Transportation
District Administration
605 Suwannee Street
Tallahassee, Florida 32399-0450

Florida Department of Agriculture and Consumer Services
Division of Forestry
3125 Conner Boulevard
Tallahassee, Florida 32399-1650

Withlacoochee Regional Planning Council
Office of the Executive Director
1241 S.W. 10th Street
Ocala, FL 34474-2798

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Southwest Florida Water Management District
Office of General Counsel
2379 Broad Street
Brooksville, FL 34064-6899

Florida Department of State
Division of Historical Resources
500 S. Bronough Street
Tallahassee, FL 32399-0250

Citrus County
3600 W. Sovereign Path, Suite 140
Lecanto, Florida 34461

[Sections 403.511, 403.531, and 403.9416, F.S.]

XX. PROCEDURES FOR POST-CERTIFICATION SUBMITTALS These paragraphs were formerly Section A.XXI.

A. Purpose of Submittals

Conditions which provide for the post-certification submittal of information to DEP or other agencies by the Licensee are for the purpose of facilitating the agencies' monitoring of the effects arising from the location of the Certified Facility and the construction and maintenance of the Certified Facility. This monitoring is for DEP to assure, in consultation with other agencies with applicable regulatory jurisdiction, continued compliance with these Conditions, without further agency action.

B. Filings

All post-certification submittals of information by Licensee are to be filed with the SCO, the DEP District Office(s), and any other agency that is entitled to receive a submittal pursuant to these Conditions. All filings with the SCO shall be submitted in electronic .pdf format only, unless otherwise requested. Each submittal shall clearly identify the Certified Facility name, PA#, and the condition number/s (i.e. Section X, Condition XX.y.(z)) requiring the submittal. As required by Section 403.5113(2), F.S., each post-certification submittal will be reviewed by each agency with regulatory authority over the matters addressed in the submittal on an expedited and priority basis.

[Section 403.5113, F.S., Rule 62-17.191(3), F.A.C.]

C. Completeness

DEP shall review each post-certification submittal for completeness. This review may include consultation with the other agency/ies receiving the post-certification submittal with regulatory jurisdiction over the matter addressed in the submittal. DEP's finding of completeness shall specify the area of the Certified Facility affected, and shall not delay further processing of the post-certification submittal for non-affected areas. If any portion of a post-certification submittal is found to be incomplete, the Licensee shall be so notified. Failure to issue such a notice within 30 days after filing of the submittal shall constitute a finding of

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completeness. Subsequent findings of incompleteness, if any, shall address only the newly filed information.

[Rule 62-17.191(1)(c) 2, F.A.C.]

D. Interagency Meetings

DEP may conduct an interagency meeting with other agencies that received a post-certification submittal. The purpose of such an interagency meeting shall be for the agencies with regulatory jurisdiction over the matters addressed in the post-certification submittal to discuss whether compliance with these Conditions has been provided. Failure of DEP to conduct an interagency meeting or failure of any agency to attend an interagency meeting shall not be grounds for DEP to withhold a determination of compliance with these Conditions nor to delay the timeframes for review established by these Conditions. At DEP's request, the Licensee shall conduct a field inspection with the agency representative in conjunction with the interagency meeting.

E. Determination of Compliance

DEP shall give written notification within 90 days, to the Licensee and the other agency/ies to which the post-certification information was submitted of DEP's determination of whether there is demonstration of compliance with these Conditions. If it is determined that compliance with the Conditions has not been provided, the Licensee shall be notified with particularity of the deficiencies and possible corrective measures suggested. Failure to notify Licensee in writing within 90 days of receipt of a complete post-certification submittal shall constitute a determination of compliance. A post-certification compliance review may be the basis for initiating modifications to the relevant condition or to other related conditions.

F. Commencement of Construction

If DEP does not object within the time period specified in paragraph E. above, Licensee may begin construction pursuant to the terms of these Conditions and the subsequently submitted construction details.

G. Revisions to Design Previously Reviewed for Compliance

If revisions to site-specific designs occur after submittal, the Licensee shall submit revised plans prior to construction for review.

H. Variation to Submittal Requirements

DEP, in consultation with the appropriate agencies that have regulatory authority over a matter to be addressed in a post-certification submittal, and Licensee may jointly agree to vary any of the post-certification submittal requirements, provided the information submitted is sufficient to provide reasonable assurances of compliance with these Conditions.

[Sections 120.569, 373.413, 373.416, 403.511, F.S.; Rules 62-17.191 and 62-17.205, F.A.C.]

XXI. POST-CERTIFICATION SUBMITTAL REQUIREMENTS SUMMARY

Formerly in Section AXXI.B- Filings

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

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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, via email, in the format identified 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 post-certification requirements.

Condition Number	Requirement and Timeframe	Due Date	Name of Agency or Agency Subunit to whom the submittal is required to be provided

[Section 403.5113, F.S.; Rule 62-17.191(3), F.A.C.]

XXII. POST CERTIFICATION AMENDMENTS Formerly Section A.XXII

If, subsequent to certification, the Licensee proposes any material change to the SCA and revisions or amendments thereto, as certified, the Licensee shall submit a written request for amendment and a description of the proposed change to the SCA to the Department. Within 30 days after the receipt of a complete request for an amendment, the Department shall determine whether the proposed change to the application requires a modification to the Conditions.

A. If the Department concludes that the change would not require a modification to the Conditions, the Department shall provide written notification of the approval of the proposed amendment to the Licensee, all agencies, and all other parties to the Certification.

B. If the Department concludes that the change would require a modification to the Conditions, the Department shall provide written notification to the Licensee that the proposed change to the SCA requires a request for modification pursuant to Sections 403.516, F.S.

[Section 403.5113, F.S.]

XXIII. MODIFICATION OF CERTIFICATION Formerly Section A.XXIII

A. Pursuant to Sections 403.516(1)(a), 120.569(2)(n), F.S., and Rule 62-17.211, F.A.C., the Siting Board hereby delegates the authority to the Department to modify, after notice and receipt of no objection by a party or other substantially affected person, any condition of certification which would not otherwise require approval by the Siting Board. In addition, the Department is delegated the authority to modify conditions as follows:

The certification shall be modified to conform to subsequent DEP-issued amendments, modifications, or renewals of any separately issued Prevention of Significant

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Deterioration (PSD) permit, Title V Air Operation permit, Underground Injection Control (UIC) permit, or National Pollutant Discharge Elimination System (NPDES) permit for the Certified Facility. In the event of a conflict, the more stringent of the conditions of such permits or of these Conditions shall be controlling.

B. Any anticipated facility expansions, production increases, or process modifications which may result in new, different or increased discharge or emission of pollutants, change in fuel, or expansion in generating capacity must be reported by submission of an appropriate request for an amendment, modification, or certification.

C. Any anticipated facility change that results in a change to the site delineation or the delineation of the Certified Area, attached hereto as part of Attachment A, must be accompanied by a map or aerial photo showing the proposed new boundaries of the Site and/or Certified Area. The Department may consider any such change to be a modification to the Conditions. Within 60 days after completion of construction of the approved facility change, the Licensee shall provide the information required by Section A. General Conditions, Condition I. Scope, paragraphs D, E, or F as appropriate.

D. The Licensee may file a petition for modification with the Department, or the Department may initiate the modification upon its own initiative.

[Sections 120.569(2)(n), 403.511(5)(a), 403.516, F.S.; Rule 62-17.211 and Chapter 62-343, F.A.C.]

XXIV. INCORPORATION OF EXISTING STATE AND LOCAL PERMITS/LICENSES *Formerly Section A.XXIV*

The operation of the Certified Facility shall be in accordance with all applicable provisions of any state or local government regulation. All state and locally issued permits are intended to be incorporated herein, such that the Licensee shall comply with the substantive provisions and limitations set forth in those permits. The inadvertent omission of any state or locally issued permit/approval from these Conditions can be remedied by a modification of the Conditions to include provisions from the state or locally issued permit/approval.

At any time following certification, should the Licensee become aware of any state or locally issued permit/approval not included herein, the Licensee shall promptly notify the SCO for incorporation into these Conditions. Likewise, when the Department is made aware of any separately issued permits/approvals that were inadvertently not included in the Conditions, the Conditions will be modified to incorporate the substantive provisions and limitations of any such permit/approval.

XXV. COASTAL ZONE CONSISTENCY *Formerly Section A.XXV*

Pursuant to Sections 373.428 and 403.511, F.S., certification of the facility constitutes the State's concurrence that the licensed activity or use is consistent with the federally approved program under the Florida Coastal Management Act.

[Sections 373.428, 380.23 and 403.511(7), F.S.]

XXVI. FINANCIAL RESPONSIBILITY *This paragraph was formerly Section A.XXVII.*

The Department may require the Licensee to submit proof of financial responsibility and may require the Licensee to post an appropriate bond in those instances where the

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Department is authorized to require proof of financial responsibility or a bond pursuant to a law or Department rule that is applicable to the Certified Facility.

[Rule 62-4.110, F.A.C.]

XXVII. TRANSFER OF CERTIFICATION These paragraphs were formerly Section A.XXVIII.

A. This certification is transferable in whole or in part, upon Department approval, to an entity determined to be able to comply with these Conditions. A transfer of certification of all or part of the Certified Facility may be initiated by the Licensee's filing of a Notice of Intent to Transfer Certification with the Department. The notice of intent shall identify the intended new certification holder or Licensee and the identity of the entity responsible for compliance with the certification. Upon the filing with the Department of a written agreement from the intended Licensee/Transferee to abide by all Conditions of Certification and applicable laws and regulations, the transfer shall be approved unless the Department objects to the transfer on the grounds of the inability of the new Licensee to comply with the Conditions of Certification, specifies in writing its reasons therefore, and gives notice and opportunity to petition for a Section 120.57, F.S., administrative hearing. Upon approval, the Department will initiate a modification to the Conditions to reflect the change in ownership in accordance with Rule 62-17.211, F.A.C.

B. In the event of the dissolution of a certified Licensee, the Department may transfer certification to successor entities which are determined to be competent to construct, operate and maintain the Certified Facility in accordance with the conditions of certification and which are proper applicants as defined by the PPSA, TLSA and/or NGPSA. Upon determination that such a successor entity complies with the above, the Department will initiate a modification to the Conditions to reflect the change in ownership in accordance with Rule 62-17.211, F.A.C.

[Rule 62-17.211, F.A.C.]

XXVIII. LABORATORIES AND QUALITY ASSURANCE This paragraph was formerly Section A.XXIX.

Chemical, physical, biological, microbiological and toxicological data collected as a requirement of these Conditions must be reliable, and collected and analyzed by scientifically sound procedures. Unless otherwise specified in these Conditions, the Licensee shall adhere to the minimum field and laboratory quality assurance, methodological and reporting requirements of the Department as set forth in Chapter 62-160, F.A.C. Standard Operating Procedures can be downloaded from the following website: <http://www.dep.state.fl.us/labs/qa/sops.htm>.

[Rule 62-160, F.A.C.]

XXIX. ENVIRONMENTAL RESOURCES These paragraphs were formerly Section A.XXX.

A. General

Except as provided in Section B. Facility-Wide Specific Conditions, Part C, the following requirements apply to Environmental Resources:

1. Submittals for Construction Activities

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a. Unless such information has already been provided to DEP as part of the Application or during the certification proceedings, post certification submittals, or as otherwise authorized in these conditions, prior to the commencement of construction of new facilities and/or associated facilities the Licensee shall provide to the appropriate DEP District's Environmental Resource Permitting Section(s) for review, all information necessary for a complete *Joint Application for Environmental Resource Permit* (ERP), DEP Forms 62-343.900(1), or 62-346.900(1) and 62-312.900(1), as applicable.

This form may: a) have been submitted concurrently with a SCA; b) be submitted as an amendment request or a petition for modification; or c) be submitted as a post-certification submittal following approval of a project through certification, modification or amendment. Such ERP applications, once received, shall be reviewed in accordance with the non-procedural standards and criteria for issuance of an ERP, including all the provisions related to reduction and elimination of impacts, conditions for issuance, additional conditions for issuance, and mitigation contained in Chapters 62-330, 62-341 and 62-343, , F.A.C., as applicable unless otherwise stated in these Conditions.

Those forms submitted as part of a site certification, an amendment, or modification, shall be processed concurrently with, and under the respective certification, amendment, or modification procedures. Those forms submitted as a post-certification submittal (after project approval and prior to construction) shall be processed in accordance with Section A. Condition XX. Procedures for Post-Certification Submittals.

No construction shall commence on a project feature until the appropriate notification from the Department has been received, or in the case of post-certification submittals the time period for notification by the Department has expired.

b. The Licensee shall submit a survey of wetland and surface water areas as delineated in accordance with Chapter 62-340, F.A.C., and verified by appropriate agency staff for Department approval.

[Chapter 62-340, F.A.C.]

[Section 373.416, F.S.; subsections 62-312, 62-343.070(2) and 62-346.070(2), paragraph 62-343.090(2)(b), and Forms 62-343.900(1) and 62-346.900(1), F.A.C.]

2 Construction, operation and maintenance of the proposed project (including any access roads and structures constructed within wetlands and other surface waters, and/or associated facilities) shall satisfy any applicable non-procedural requirements in the Department rules.

[Section 373.414, F.S.; Rule 62-17.665(7)(d), F.A.C.]

3. Any delineation of the extent of a wetland or other surface water submitted as part of the DEP ERP Application Form required by Condition A.1.a. above, including plans or other supporting documentation, shall not be considered binding on the Department unless a specific condition of this license or a formal wetlands jurisdictional determination under Section 373.421(2), F.S., provides otherwise.

[Sections 373.421, 403.504, F.S.]

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B. Surface Water Management

1. New or modified Surface water management systems will be evaluated under Part IV of Chapter 373, F.A.C. following submittal of Form 62-343.900(1), as applicable, to the appropriate office of the Department.

2. All construction, operation, and maintenance of a new or modified surface water management system(s) for the Certified Facilities shall be as set forth in the plans, specifications and performance criteria contained in the ERP Application form and the surface water management system operation/management plans approved by the Department. The Department approved surface water management system operation/management plans shall be incorporated herein as Attachment E, as well as any subsequent alterations, amendments, and/or modifications thereto. Any subsequent alterations, amendments, or modification to the approved surface water management system and/or operation/management plans shall require prior approval from the Department.

3. To allow for stabilization of all disturbed areas, immediately prior to construction, during construction, and for the period of time after construction, the Licensee shall implement and maintain erosion and sediment control best management practices, such as silt fences, erosion control blankets, mulch, sediment traps, polyacrylamide (PAM), temporary grass seed, permanent sod, and floating turbidity screens to retain sediment on-site and to prevent violations of state water quality standards. These devices shall be installed, used, and maintained at all locations where the possibility of transferring suspended solids into the receiving waterbody exists due to the licensed work, and shall remain in place at all locations until construction is completed and soils are permanently stabilized. All best management practices shall be in accordance with the guidelines and specifications described in *the State of Florida Erosion and Sediment Control Designer and Reviewer Manual* (Florida Department of Transportation and Florida Department of Environmental Protection, 2007) unless a project-specific erosion and sediment control plan is approved as part of this License. If project-specific conditions require additional measures during any phase of construction or operation to prevent erosion or control sediments beyond those specified in the approved erosion and sediment control plan, the Licensee shall implement additional best management practices as necessary, in accordance with the guidelines and specifications in *the State of Florida Erosion and Sediment Control Designer and Reviewer Manual* (Florida Department of Transportation and Florida Department of Environmental Protection by HydroDynamics Incorporated in cooperation with Stormwater Management Academy, June 2007). The Licensee shall correct any erosion or shoaling that causes adverse impacts to the water resources as soon as feasible. Once project construction has been deemed complete, including the re-stabilization of all side slopes, embankments and other disturbed areas, and before conversion from the operation and maintenance phase, all silt screens and fences, temporary baffles, and other materials that are no longer required for erosion and sediment control shall be removed.

4. The Licensee shall complete construction of all aspects of the surface water management system described in the DEP ERP Application Form, as part of a post certification submittal, amendment, or modification, including water quality treatment features, and discharge control facilities prior to use of the portion of the Certified Facility being served by the surface water management system.

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5. At least 48 hours prior to the commencement of construction of any new surface water management system authorized by this license, 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., as applicable), 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.

6 Each phase or independent portion of the approved system must be completed in accordance with the submitted DEP Form prior to the operation of site infrastructure located within the area served by that portion or phase of the system.

7. 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 "As-Built Certification by a Registered Professional" (DEP Form 62-343.900(5), F.A.C., as applicable). 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.

8. Any substantial deviation from the approved drawings, exhibits, specifications or Conditions, may constitute grounds for revocation or enforcement action by the Department. Examples of substantial deviations may include excavation of ponds, ditches or sump areas deeper than shown on the approved plans.

9. Prior to the operation of any new 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.

10. 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. Refer to Section A, Condition V. Department Permits Under Federal Programs, B. Water.

[Chapters 62-25, 62-302, 62-330, 62-343 62-346, and Rule 62-4.242, F.A.C.]

C. Wetland and Other Surface Water Impacts

1. All certified facilities shall be constructed in a manner which will avoid or minimize adverse impacts to on-site and/or adjacent wetlands or other surface waters to the extent feasible. When unavoidable impacts to wetlands will occur, an applicant may propose and the Department shall consider mitigation to offset otherwise unpermittable activities under the Environmental Resource Permit review process pursuant to Condition A.1.a above.

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2. Proposed mitigation plans submitted with the DEP ERP Application forms required in Condition A.1.a. above, or submitted and approved as part of an amendment, modification, or certification, and that are deemed acceptable by DEP, shall include applicable construction conditions, success criteria and monitoring plans, and shall be incorporated into these Conditions as applicable.

[Sections 373.413, 373.414, 373.4145, 403.511, and 403.814(6), F.S.; Chapters 62-330, 62-341 62-342, 62-343, 62-345, and 62-346, F.A.C.]

XXX. THIRD PARTY IMPACTS This paragraph was formerly Section A.XXXI.

The Licensee is responsible for maintaining compliance with these Conditions even when third party activities authorized by the Licensee occur in or on the Certified Area. Such third party activities authorized by the Licensee may include but are not limited to mining, hunting, and timbering.

[Sections 403.506(1), F.S.]

XXXI. FACILITY OPERATION This paragraph was formerly Section A.XXXII.

The Licensee shall properly operate and maintain the Certified Facility and systems of treatment and control (and related appurtenances) that are installed and used by the Licensee to achieve compliance with these Conditions, as required by the final order of certification, these Conditions, or a post-certification amendment or modification. This provision includes the operation of backup or auxiliary facilities or similar systems when necessary to achieve compliance with the final order of certification, these Conditions, or a post-certification amendment or modification. Further, the Licensee shall take all reasonable steps to minimize any adverse impact resulting from noncompliance with any limitation specified in this certification, including such accelerated or additional monitoring as necessary to determine the nature and impact of the noncomplying event.

[Rule 62-4.160(6), F.A.C.]

XXXII. RECORDS MAINTAINED AT THE FACILITY These paragraphs were formerly Section A.XXXIII.

- A. These Conditions or a copy thereof shall be kept at the Site.
- B. Upon request, the Licensee shall furnish all records and plans required under Department rules.
- C. The Licensee shall hold at the Site, or other location designated by these Conditions, records of all monitoring information, including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation required by these Conditions, copies of all reports required by these Conditions, and records of all data used to complete the SCA for this approval. These materials shall be retained at least three (3) years from the date of the sample, measurement, report, or application unless otherwise specified by Department rule.
- D. Records of monitoring information shall include:
 - 1. the date, exact place, and time of sampling or measurements;
 - 2. the person responsible for performing the sampling or measurements;

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3. the dates analyses were performed;
4. the person responsible for performing the analyses;
5. the analytical techniques or methods used; and,
6. the results of such analyses.

[Rules 62-4.160(12) and 62-4.160(14)(b), F.A.C.]

XXXIII. WATER DISCHARGES These paragraphs were formerly Section A.XXXIV.

A. Discharges

1. The Licensee shall not discharge to surface waters wastes which are acutely toxic, or present in concentrations which are carcinogenic, mutagenic, or teratogenic to human beings or to significant locally occurring wildlife or aquatic species. The Licensee shall not discharge to ground waters wastes in concentrations which, alone or in combination with other substances, or components of discharges (whether thermal or non-thermal) are carcinogenic, mutagenic, teratogenic, or toxic to human beings (unless specific criteria are established for such components in Rule 62-520.400, F.A.C.) or are acutely toxic to indigenous species of significance to the aquatic community within surface waters affected by the ground water at the point of contact with surface waters.

2. All discharges and activities must be conducted so as to not cause a violation of the water quality standards set forth in Chapters 62-4, 62-302, 62-520, and 62-550, 62-620, F.A.C., including the provisions of Rules 62-4.243, 62-4.244, and 62-4.246, F.A.C., the antidegradation provisions of paragraphs 62-4.242(1)(a) and (b), F.A.C., subsections 62-4.242(2) and (3), F.A.C., and Rule 62-302.300, F.A.C., and any special standards for Outstanding Florida Waters and Outstanding National Resource Waters set forth in subsections 62-4.242(2) and (3), F.A.C.;

3. All dewatering discharges must be in compliance with Rule 62-621.300, F.A.C.

[Chapters 62-4, 62-302, 62-520, 62-550, and 62-620, F.A.C., and Rule 62-621.300, F.A.C.]

4. All wastewater discharges shall comply with the applicable non-procedural general conditions as set forth in Chapter 62-620.610 (1-23) F.A.C.

XXXIV. SOLID AND HAZARDOUS WASTE These paragraphs were formerly Section A.XXXV.

A. Solid Waste

The Licensee shall comply with all applicable provisions of Chapters 62-701 and 62-702, F.A.C., for any solid waste generated within the Certified Facility during construction and/or operation.

[Chapters 62-701 and 62-702, F.A.C.]

B. Hazardous Waste and Used Oil

The Licensee shall comply with all applicable non-procedural provisions of DEP Chapter 62-730, F.A.C., for any hazardous waste generated within the Certified Facility.

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An EPA identification number must be obtained before beginning hazardous waste activities, unless the facility is a Conditionally Exempt Small Quantity Generators (CESQGs). CESQGs generate no more than 100 kg (220 lbs) of hazardous waste in any month.

The Licensee shall comply with all applicable provisions of DEP Chapter 62-710, F.A.C., for any used oil and used oil filters generated within the Certified Facility.

The Licensee shall comply with all applicable provisions of DEP Chapter 62-737, F.A.C., for any spent mercury-containing lamps and devices generated within the Certified Facility.

[Chapters 62-710, 62-730 and 62-737, F.A.C.]

C. Hazardous Substance Release Notification

1. Any owner or operator of a facility who has knowledge of any release of a hazardous substance from a facility in a quantity equal to or exceeding the reportable quantity in any 24-hour period shall notify the Department by calling the STATE WARNING POINT NUMBER, (800) 320-0519, as soon as possible, but not later than one working day of discovery of the release.

2. Releases of mixtures and solutions are subject to these notification requirements only where a component hazardous substance of the mixture or solution is released in a quantity equal to or greater than its reportable quantity.

3. Notification of the release of a reportable quantity of solid particles of antimony, arsenic, beryllium, cadmium, chromium, copper, lead, nickel, selenium, silver, thallium, or zinc is not required if the mean diameter of the particles released is larger than 100 micrometers (0.004 inches).

[Chapter 62-150, F.A.C.]

D. Contaminated Site Cleanup

The Licensee shall comply with all applicable provisions of DEP Chapter 62-780, F.A.C., that result in legal responsibility for site rehabilitation pursuant to the requirements of Chapter 62-780 F.A.C.. This Chapter may not be used to establish whether the facility is legally responsible for conducting site rehabilitation. Legal responsibility shall be determined by application of relevant provisions of Chapter 376 and 403, F.S. The responsibility for site rehabilitation does not affect any activity or discharge permitted or exempted pursuant to Chapter 376 or 403, F.S., or rules promulgated pursuant to Chapter 376 or 403, F.S.

De minimis discharges shall be addressed in an interim source removal and shall be subject to the requirements of Rule 62-780.500, F.A.C., except for the notification and reporting requirements of that section. De minimis discharges also shall be exempt from the notification requirements of subsection 62-780.220(1), F.A.C. The facility shall maintain records of the actions that were taken in response to the discharge including the information required pursuant to paragraph 62-780.500(7)(a), F.A.C., for five years from the date of the discharge. The records shall be made available to the Department upon request.

De minimis discharge means a discharge that is removed from the soil, sediment, surface water, and groundwater to CTLs or background concentrations pursuant to subsection

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62-780.680(1), F.A.C. within a period of 30 days from the discovery of the discharge.

Discharge includes, but is not limited to, any spilling, leaking, seeping, misapplying, pouring, emitting, emptying, releasing, or dumping of any pollutant or hazardous substance which occurs and which affects lands and the surface waters and groundwaters of the state not regulated by Sections 376.011-.21, F.S.

[Chapter 62-780, F.A.C.]

XXXV. STORAGE TANK SYSTEMS These paragraphs were formerly Section A.XXXVI.

The Licensee shall comply with all applicable provisions of DEP Chapter 62-761 F.A.C. for regulated underground storage tanks and Chapter 62-762, F.A.C. for regulated aboveground storage tanks. Registration, construction, installation, operation, maintenance, repair, closure, and disposal of storage tank systems that store regulated substances shall be in accordance with Chapters 62-761 and 62-762, F.A.C., in order to minimize the occurrence and environmental risks of releases and discharges. Mineral acid storage tank systems are subject only to Rule 62-762.891, F.A.C.

A. Aboveground Storage Tank Systems

Except for aboveground mineral acid storage tank systems, the purpose of the aboveground storage tank regulations is to provide standards for the registration, construction, installation, operation, maintenance, repair, closure, and disposal of storage tank systems that store regulated substances, and to minimize the occurrence and environmental risks of releases and discharges. The standards applicable to aboveground storage tank systems are those tanks having individual storage tank capacities greater than 550 gallons. Regulated mineral acid storage tank systems are for aboveground storage tanks having capacities greater than 110 gallons that contain hydrobromic, hydrochloric, hydrofluoric, phosphoric or sulfuric acid.

The requirements for regulated aboveground storage tanks, unless specified otherwise, apply to owners and operators of facilities, or owners and operators of aboveground stationary storage tank systems with individual storage tank capacities greater than 550 gallons, that contain or contained vehicular fuel, pollutants, or pollutants in unmaintained storage tank systems.

Owners and operators of compression vessels and hazardous substance storage tanks with capacities of greater than 110 gallons containing hazardous substances are only required to comply with subsections 62-762.401(1)-(2), F.A.C.

Owners and operators of aboveground mineral acid storage tank systems with capacities of greater than 110 gallons containing mineral acids are only required to comply with Rule 62-762.891, F.A.C.

B. Underground Storage Tanks Systems

The purpose of the underground storage tanks regulations is to provide standards for the registration, construction, installation, operation, maintenance, repair, closure, and disposal of storage tank systems that store regulated substances, and to minimize the occurrence and environmental risks of releases and discharges. This regulation provides standards for underground storage tank systems having individual storage tank capacities greater

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than 110 gallons that contain or contained vehicular fuel, pollutants or hazardous substances, or regulated substances in unmaintained storage tank systems.

[Chapters 62-761 and 62-762, F.A.C]

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SECTION B: SPECIFIC CONDITIONS

I. DEPARTMENT OF ENVIRONMENTAL PROTECTION - UNIT 4 & UNIT 5 SPECIFIC CONDITIONS

The following Specific Conditions shall apply only to Unit 4 and Unit 5. Compliance with these Specific Conditions shall be the responsibility of Progress Energy (Fossil).

A. Air *[These paragraphs were formerly Section C.I.A.]*

In addition to the federal requirements listed in Section A, Condition V., the Licensee shall comply with the following specific Condition of Certification:

Ambient air monitoring data shall be reported to the Department quarterly commencing on the date of certification by the last day of the month following the quarterly reporting period utilizing the SAROAD or other format approved by the Department in writing. Ambient air monitoring locations are can be found in Attachment B.

B. Water Discharges *[These paragraphs were formerly Section C.I.B.]*

1. Wastewater discharges into any waters of the State during construction and operation of the Units 4 & 5 shall be in accordance with all applicable provisions of Chapters 62-620, 62-302, 62-4, 62-601 and 62-160, F.A.C.; 40 CFR 423, Effluent Guidelines and Standards for Steam Electric Power Generating Point Source Category; and NPDES Permit FL0036366. Coal storage area runoff collection and treatment system; ash landfill runoff treatment system; runoff collection system discharge; and cooling tower blowdown are regulated under NPDES Permit FL0036366.

2. All discharges of low volume wastes including, but not limited to, wastewater from ion exchange water treatment systems, cooling tower basin cleaning wastes, floor drains (including laboratory/sample drains and similar wastes), metal cleaning wastes (including air preheater, fireside wash, and boiler tube cleaning), and boiler blowdown shall be discharged to an adequately sized and constructed IWW percolation pond (Pond #5) pursuant to requirements of Chapter 62-620, 62-660, 62-520, 62-160, and 62-4, F.A.C..

3. FGD Scrubber Blowdown and By-Products Handling *[These paragraphs were formerly Section C.I.E.]*

a. FGD scrubber blowdown wastewater shall be discharged to the approved treatment systems. Any such receiving treatment system shall be permitted/licensed in accordance with all applicable requirements.

i. The Licensee may, on a temporary basis, employ the use of a filter press or other Department-approved solids dewatering process to treat FGD blowdown wastewater from the Units 4 & 5 FGD ponds.

4. Within 180 days of the effective date of Modification P, the licensee shall submit to the Department for review and approval an evaluation of potential alternative(s) to manage Flue Gas Desulfurization (FGD) blow down. The evaluation shall include estimated durations for implementation and completion of the potential FGD blow down management alternatives. In the event the Department deems the evaluation to be incomplete or inadequate, the licensee shall within 90 days of written request from the Department, respond to the Department regarding the information requested and address all concerns raised in the

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Department's written request. The Department may grant additional time beyond 90 days, if reasonable justification for the additional time is presented by the licensee for review and consideration. This submittal is subject to the Post Certification Requirements in Section A.XX.

C. Sludge/Solids Management Requirements *[These paragraphs were formerly Section C.I.E.1.e.]*

1. Management Requirements

a. Management of sludge/solids generated by cleaning of the FGD blowdown treatment ponds at this facility shall be transported by truck to an off-site waste management facility that is authorized by the Department or in accordance with the Licensee's CCP Plan.

b. The Licensee shall be responsible for proper treatment, management, use, or land application of its sludge/solids.

[Rule 62-620.320(6), F.A.C.]

c. Disposal of sludge/solids in a solid waste management facility permitted by the Department shall be in accordance with the requirements of Chapter 62-701, F.A.C.

d. Storage, transportation, and disposal of sludge/solids characterized as hazardous waste shall be in accordance with requirements of Chapter 62-730, F.A.C.

e. Sludge/solids shall not be applied during rains that cause runoff from the site or when surface soils are saturated.

[Rule 62-620.320(6), F.A.C.]

f. The Licensee shall maintain records available for inspection by the Department at the facility, as follows:

- i. Quantity of sludge/solids generated;
- ii. Quantity of sludge/solids transported for treatment and/or disposal;
- iii. Name and location of the site(s) to which sludge/solids is transported; and
- iv. If a person other than the Licensee is responsible for sludge/solids transportation, treatment, and/or disposal, the Licensee shall also keep records of the name and address of each transporter, and copies of all shipping manifests.

[Rule 62-620.320(6)]

g. The description of the operation and maintenance procedures for the FGD blowdown ponds provided with the certification modification application received on June 24, 2009, including all subsequently related documents submitted, shall be incorporated into the PEF CCP Solid Waste Management Plan.

2. No gypsum shall be stored or handled on the gypsum handling and temporary storage pad prior to final Departmental approval of the lined Flue Gas Desulfurization

SECTION B: SPECIFIC CONDITIONS

(FGD) blowdown settling pond treatment system including contact stormwater from the gypsum handling and temporary storage pad.

3. No contact stormwater from the gypsum handling and temporary storage pad shall be discharged to the SWMS prior to appropriate Department approvals.

4 All gypsum or other industrial by-products generated from the FGD process shall be removed from the site for appropriate reuse or disposal. Gypsum or other industrial by-products resulting from the FGD process shall be stored and managed such that runoff from the materials does not adversely affect ground or surface waters.

D. Environmental Resource Permitting (Gypsum Handling/Storage Pad)

Formerly section C.I.E.7

1. The Licensee shall submit inspection reports for the gypsum handling and temporary storage pad in the form required by the Department, FDEP Form # 62-343.900(6), *Inspection Certification*, in accordance with the following schedule:.

(X) For systems utilizing retention and wet detention, the inspections shall be performed 24 months after operation is authorized and every 24 months thereafter.

(X) For systems utilizing effluent filtration or exfiltration the inspections shall be performed 18 months after operation is authorized and every 18 months thereafter.

(X) For systems utilizing swales or retention-and-percolation, the inspections shall be performed 24 months after operation is authorized and every 18 months thereafter.

[Chapter 2.6.3 SWFWMD BOR]

E. Solid Wastes Management Plan *[These paragraphs were formerly Section C.I.F.]*

No later than December 31, 2008 or 180 days prior to the initial operation of Unit 4 and 5 FGD scrubbers (whichever occurs first), the Licensee shall submit a site-wide Coal Combustion By-Product (CCP)/Solid Waste Materials Management Plan that addresses operations of the fossil generating units to the Department's SWD Office and Siting Office for review and approval. Handling and monitoring of Solid Waste material shall be in accordance with the site-wide Coal Combustion By-Product (CCP)/Solid Waste Materials Management Plan for the fossil units.

The plan shall, at a minimum, include the following information:

1. descriptions and procedures for all applicable processes for on-site storage practices and management of CCPs, solid wastes and industrial by-products at the site.

2. plans or methods to minimize waste streams, and maximize beneficial use opportunities of CCPs;

3. methods for preventing or minimizing the release of contaminants to the environment, including (as applicable) leachate collection and control methods that meet the requirements of Chapter 62-701, F.A.C.;

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4. certification for the above information, as appropriate, by a Professional Engineer registered in the state of Florida.

The Department shall indicate its approval or disapproval of the submitted plans, drawings, maps, analyses and contingency plans within 90 days of the originally submitted information. In the event that the Department requires additional information for the Licensee to complete, and the Department to approve the CCP/Solid Waste Materials Management Plan, the Department shall make a written request to the Licensee for additional information no later than 30 days after receipt of the originally submitted information.

All revisions or updates to the CCP/Solid Waste Materials Management Plan shall be submitted to the DEP Southwest District Solid Waste Program for review and approval with copies to the Siting Office. Review shall be in accordance with Section A, Condition XXI., Procedures for Post-Certification Submittals. Additionally, the Groundwater Monitoring, Operation and Maintenance Requirements (Attachment H to these Conditions) shall be updated, as appropriate, based on changes to the CCP/Solid Waste Materials Management Plan to reflect revised CCP management practices.

F. Ash Landfill and Coal Storage Area *[These paragraphs were formerly Section C.I.G.]*

1. Ash Landfill

a. PEF shall designate a portion of the site as a temporary ash landfill. Associated with the temporary landfill shall be certain sites for the testing and monitoring of leachates and ash storage area liners.

b. Adequate geophysical testing shall be conducted to determine if solution cavities are present under the landfill area. If such cavities are located, such cavities shall be sealed off and stabilized.

c. The proposed ash landfill area shall be monitored and studied pursuant to a detailed leachate testing and monitoring program to be submitted by PEF to the Department within 30 days of certification for review and approval, rejection, or modification within 60 days thereafter. The detailed leachate testing and monitoring program shall be consistent with the conceptual leachate monitoring program attached and incorporated herein as Attachment D.

d. After approval of the program by the Department, PEF shall conduct the approved testing and monitoring program under the supervision of the Department. Results of the program shall be submitted to the Department for its review and consideration on a monthly basis.

e. The results of the program will be used by the Department in determining whether PEF has affirmatively demonstrated that Florida Water Quality Standards (62-520 and 62-550, F.A.C.) will not be violated in determining the zone of discharge and in determining the need for a liner.

f. If the Department determines that PEF has failed to affirmatively demonstrate that Florida Water Quality Standards (62-520 and 62-550, F.A.C.) will not be violated, PEF shall present to the Department, within 90 days of such determination, a plan of correction (which may include, if appropriate, a semi-permeable liner) for review and approval

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by the Department and for timely implementation by PEF, or PEF shall place an impermeable liner under the final ash landfill site and shall remove all ash from the temporary landfill site and place it on the lined landfill location.

g. The final cover shall be in compliance with Chapter 62-701, F.A.C., and at least 12" of clay or sufficient suitable liner material shall be placed on the top and exposed sides of each finished landfill cell. Sufficient topsoil to support vegetation shall be placed over the top and side clay liner. The top and exposed sides of the ash landfill shall be vegetated to control erosion.

h. The Licensee is authorized to store or dispose ash and other approved coal combustion by-products in the on-site ash storage/disposal area in accordance with the plans titled, "Ash Storage/Disposal Area Vertical Expansion,..." dated December 2010 (Attachment 7, received August 17, 2011). The permitted maximum height of the ash storage/disposal area shall be no greater than +220 ft. NGVD, with slopes no steeper than 3H:1V. Stormwater benches shall be constructed as shown on the drawings.

i. Within 120 days of final issuance of Modification Q, the Licensee shall provide an ash storage/disposal area operations plan that describes the procedures for filling, compacting, and final closure of the ash storage/disposal area for Department approval. The plan shall include drawings that identify the method and sequence of filling, and a timetable for submittal of detailed closure plans and design.

j. In the event that surface depressions or other occurrences which may be indicative of sinkhole activity, or subsurface instability, are discovered onsite, or within 500 feet of the ash storage/disposal area during the operation, the Department shall be notified verbally within 24 hours of the discovery. Written notification shall be submitted within 7 days of discovery. The written notification shall include a description of the depression, the location and size of the depression shown on an appropriate plan sheet, and a corrective action plan which describes the actions necessary to prevent the unimpeded discharge of waste, leachate or CCPs into ground or surface water. If a depression or subsurface collapse occurs within the ash storage/disposal area, additional materials shall not be placed (stored or disposed) in the affected area until the feature (i.e., depression, sinkhole, collapse, etc.) has been fully investigated and remediated if necessary.

2. Ash Relocation Due to Installation of New Access Road to Support the Units 4 & 5 Clean Air Project

a. Prior to commencement of modifications/additions to the existing access road located along the south and west perimeters of the ash storage area the Licensee shall submit the following items to the DEP SWD Office and Siting Office :

i. a figure, aerial photograph or plan sheet identifying the area where the ash to be removed will be re-located;

ii. plan sheets of existing (pre-construction) conditions and final contours of the ash landfill affected by the access road installation; and

iii. a figure, aerial photograph or plan sheet showing the location and details of any collapsed surface cavities/sinkholes found on the site relative to the ash landfill and proposed access road project.

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b. The working face slopes of the relocated ash shall be no steeper than 4H:1V, unless prior approval from the Department's SWD Solid Waste Section and the Siting Office for an alternative slope is obtained.

c. The filtered stormwater drainage downslope of the working face shall not discharge outside the contact stormwater or Industrial Wastewater system.

d. Within 90 days following completion of the access road and restoration of the final cover on the ash landfill in the affected portions, the Licensee shall submit to the Department's SWD Office and Siting Office the following information:

i. a final survey of the affected portions of the closed ash landfill that demonstrates that the slopes are no steeper than 4H:1V;

ii. documentation that the clay cover, if used, is no less than 12 inches thick;

iii. hydraulic conductivity testing results on the constructed clay layer, if used, (5 tests for the first acre, then 1 test/acre/lift for every other acre). Testing should be carried out in accordance with ASTM Method D5084 or equivalent; and

iv. certification for the above information by a Professional Engineer registered in the state of Florida.

v. A geosynthetic clay liner (GCL) or other alternative liner system may be used; however, prior to the installation of any alternative liner system, the Licensee shall submit a complete proposed plan to the Department's SWD Solid Waste Section and Siting Office for review and approval.

The plan shall, at a minimum, include specifications for the Construction Quality Assurance Plan and drawings showing the location of the liner cover, soil cover for the liner, and any other relevant information that may be applicable for the type of alternative liner system being proposed.

The Department shall indicate its approval or disapproval of the submitted plan within 90 days of the originally submitted information. In the event that the Department requires additional information for the Licensee to complete, and the Department to approve the GCL or alternative liner system, the Department shall make a written request to the Licensee for additional information no later than 30 days after receipt of the originally submitted information.

3. Coal Storage Area

Handling and monitoring of the coal storage area and associated wastes shall be in accordance with the site-wide Coal Combustion By-Product (CCP)/Solid Waste Materials Management Plan for the fossil units required by Section B, Condition I.E. Solid Wastes Management Plan.

[Chapters 62-550, 555, 560, and 699, F.A.C.]

G. Units 4 & 5 Domestic Waste Water Treatment System This is a new section.

1. Operation of an existing 0.020 MGD 3-Month Average Daily Flow (3MADF), Type III, extended aeration domestic wastewater treatment plant consisting of: one

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20,000 gallon concrete equalization basin, eight aeration basins of 34,000 gallons total volume, two clarifiers of 5,700 gallons total volume and 103 square feet of surface area, one chlorine contact chamber of 1,600 gallons, and two digesters of 8,000 gallons. This plant is operated to provide secondary treatment with basic disinfection.

2. Land Application: An existing 0.020 MGD 12-Month Average Daily Flow (12MADF) permitted capacity Part IV rapid-rate land application system (R-001). R-001 consists of a single cell Rapid Infiltration Basin (RIB) of 13,184 square feet of bottom surface area. R-001 is located approximately at latitude 28° 57' 55" N, longitude 82° 41' 57" W.

The limitations, monitoring, and other requirements are set forth in the following conditions.

a. Reuse and Land Application Systems

i. During the period beginning on the issue date of Modification P, the Licensee is authorized to direct reclaimed water to Reuse System R-001. Such reclaimed water shall be limited and monitored by the licensee as specified below and reported in accordance with condition 2.b.viii:

Parameter	Units	Max/Min	Reclaimed Water Limitations				Monitoring Requirements			
			Annual Average	Monthly Average	Weekly Average	Single Sample	Monitoring Frequency	Sample Type	Monitoring Location Site Number	Notes
Flow, to R-001	MGD	Maximum	0.020	Report	-	-	5 Days/Week	Flow meter and totalizer	FLW-01	See Cond.I. A.3
BOD, Carbonaceous 5 day, 20C	MG/L	Maximum	20.0	30.0	-	60.0	Monthly	Grab	EFA-01	
Solids, Total Suspended	MG/L	Maximum	20.0	30.0	-	60.0	Monthly	Grab	EFA-01	
pH	SU	Range	-	-	-	6.0 to 8.5	5 Days/Week	Grab	EFA-01	
Coliform, Fecal	#/100ML	Maximum	200	-	-	800	Monthly	Grab	EFA-01	See Cond.I. A.4
Total Chlorine Residual (For Disinfection)	MG/L	Minimum	-	-	-	0.5	5 Days/Week	Grab	EFA-01	See Cond.I. A.5
Nitrogen, Nitrate, Total (as N)	MG/L	Maximum	-	-	-	12.0	Monthly	Grab	EFA-01	

ii. Reclaimed water samples shall be taken at the monitoring site locations listed and described below:

Monitoring Location	Description of Monitoring Location
EFA-01	Effluent sampling point after treatment and prior to Reuse system R-001.

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Monitoring Location	Description of Monitoring Location
FLW-01	Flow meter and totalizer located at V –notch weir in the chlorine contact chamber.

iii. A flow meter shall be utilized to measure flow and calibrated at least annually.

[Rules 62-601.200(17) and .500(6), F.A.C.]

iv. The arithmetic mean of the monthly fecal coliform values collected during an annual period shall not exceed 200 per 100 mL of reclaimed water sample. The geometric mean of the fecal coliform values for a minimum of 10 samples of reclaimed water, each collected on a separate day during a period of 30 consecutive days (monthly), shall not exceed 200 per 100 mL of sample. Any one sample shall not exceed 800 fecal coliform values per 100 mL of sample.

[Rules 62-610.510 and 62-600.440(4)(c), F.A.C.]

v. A minimum of 0.5 mg/L total chlorine residual must be maintained for a minimum contact time of 15 minutes based on peak hourly flow.

[Rules 62-610.510 and 62-600.440(4)(b), F.A.C.]

b. Other Limitations and Monitoring and Reporting Requirements

i. During the period beginning on the date of issuance of Modification P, the treatment facility shall be limited and monitored by the licensee as specified below and reported in accordance with condition 2.b.viii:

			Limitations				Monitoring Requirements			
Parameter	Units	Max/Min	Annual Average	Monthly Average	Weekly Average	Single Sample	Monitoring Frequency	Sample Type	Monitoring Location Site Number	Notes
Flow, Total Plant	MGD	Maximum	0.020 3MADF	Report	-	-	5 Days/Week	Flow meter and totalizer	FLW-01	See Cond.I.B. 3, 5
Percent Capacity, (3MADF/Permitted Capacity) x 100	%	Maximum	-	Report	-	-	Monthly	Calculation	FLW-01	
BOD, Carbonaceous 5 day, 20C	MG/L	Maximum	-	Report	-	-	Annually ¹	Grab	INF-01	See Cond.I.B. 4
Solids, Total Suspended	MG/L	Maximum	-	Report	-	-	Annually ¹	Grab	INF-01	See Cond.I.B. 4

1 – The annual sample shall be taken in the month of February.

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ii. Samples shall be taken at the monitoring site locations listed and described below:

Monitoring Location	Description of Monitoring Location
FLW-01	Flow meter and totalizer located at V –notch weir in the chlorine contact chamber.
INF-01	Influent sampling point prior to treatment and ahead of the return activated sludge line.

iii. The three-month average daily flow to the treatment plant shall not exceed 0.020 MGD.

iv. Influent samples shall be collected so that they do not contain digester supernatant or return activated sludge, or any other plant process recycled waters.

[Rule 62-601.500(4), F.A.C.]

v. A flow meter shall be utilized to measure flow and calibrated at least annually.

[Rule 62-601.200(17) and .500(6), F.A.C.]

vi. Parameters which must be monitored as a result of a surface water discharge shall be analyzed using a sufficiently sensitive method in accordance with 40 CFR Part 136. Parameters which must be monitored as a result of a ground water discharge (i.e., underground injection or land application system) shall be analyzed in accordance with Chapter 62-601, F.A.C. All monitoring shall be representative of the monitored activity.

[Rule 62-620.610(18), F.A.C.]

vii. The licensee shall provide safe access points for obtaining representative influent, reclaimed water, and effluent samples which are required by these Conditions.

[Rule 62-601.500(5), F.A.C.]

viii. Monitoring requirements under these Conditions are effective on the first day of the second month following the issuance of Modification P. Until such time, the licensee shall continue to monitor and report in accordance with previously effective domestic wastewater permit No. FLA011862 requirements. During the period of operation authorized by these Conditions, the licensee shall complete and submit to the Department Discharge Monitoring Reports (DMRs) in accordance with the frequencies specified by the REPORT type (i.e., monthly, toxicity, quarterly, semiannual, annual, etc.) indicated on the DMR forms attached to these conditions. Monitoring results for each monitoring period shall be submitted in accordance with the associated DMR due dates below.

REPORT Type	Monitoring Period	Due Date
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Monthly or Toxicity	first day of month – last day of month	28 th day of following month
Quarterly	January 1 - March 31 April 1 – June 30 July 1 – September 30 October 1 – December 31	April 28 July 28 October 28 January 28
Semiannual	January 1 – June 30 July 1 – December 31	July 28 January 28
Annual	January 1 – December 31	March 28

DMRs shall be submitted for each required monitoring period including months of no discharge. Unless otherwise specified by the Department, the licensee shall make copies of the DMR and shall submit the completed DMR to the Department postmarked by the 28th of the month following the month of operation at the addresses specified below:

Originals to:

Florida Department of Environmental Protection
Wastewater Compliance Evaluation Section, Mail Station 3551
Twin Towers Office Building
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

Copies to:

Florida Department of Environmental Protection
Domestic Wastewater Program
Southwest District Office
13051 N. Telecom Parkway
Temple Terrace, FL 33637-0926

Siting Coordination Office

[Rules 62-620.610(18) and 62-601.300(1),(2), and (3), F.A.C.]

ix. Unless specified otherwise in these Conditions, all reports and other information required by the Conditions under this Section H. Units 4 & 5 Domestic Waste Water Treatment System, including 24-hour notifications, shall be submitted to or reported to, as appropriate, the Department's Southwest District Office at the address specified below with electronic copies to the Siting Office:

Southwest District Office
13051 N. Telecom Parkway
Temple Terrace, FL 33637-0926
Phone Number - 813-632-7600
FAX Number - 813-632-7662
Email – DWSWD@DEP.STATE.FL.US

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3. Residual Management Requirements

a. The method of residuals use or disposal by this facility is transport to a Residual Management Facility or disposal in a Class I or II solid waste landfill. Transportation of the residuals to an alternative RMF requires a copy of the agreement pursuant to Rule 62-640.880(1)(c), F.A.C., along with a written notification to the Department at least 30 days before transport of the residuals.

b. The licensee shall be responsible for proper treatment, management, use, and land application or disposal of its residuals.

[Rule 62-640.300(5), F.A.C.]

c. The licensee shall not be held responsible for treatment, management, use, or land application violations that occur after its residuals have been accepted by a permitted residuals management facility with which the source facility has an agreement in accordance with Rule 62-640.880(1)(c), F.A.C., for further treatment, management, use or land application.

[Rule 62-640.300(5), F.A.C.]

d. Disposal of residuals, septage, and other solids in a solid waste landfill, or disposal by placement on land for purposes other than soil conditioning or fertilization, such as at a monofill, surface impoundment, waste pile, or dedicated site, shall be in accordance with Chapter 62-701, F.A.C.

[Rule 62-640.100(6)(k)3&4, F.A.C.]

e. If the licensee intends to accept residuals from other facilities, a COC amendment is required pursuant to Rule 62-640.880(2)(d), F.A.C.

[Rule 62-640.880(2)(d), F.A.C.]

f. The licensee shall keep hauling records to track the transport of residuals between facilities. The hauling records shall contain the following information:

Required of Source Facility	Required of RMF
1. Date and Time Shipped	1. Date and Time Received
2. Amount of Residuals Shipped	2. Amount of Residuals Received
3. Degree of Treatment (if applicable)	3. Name and ID Number of Source Facility
4. Name and ID Number of Residuals Management Facility or Treatment Facility	4. Signature of Hauler
5. Signature of Responsible Party at Source Facility	5. Signature of Responsible Party at Residuals Management Facility or Treatment Facility
6. Signature of Hauler and Name of Hauling Firm	

SECTION B: SPECIFIC CONDITIONS

These records shall be kept for five years and shall be made available for inspection upon request by the Department. A copy of the hauling records information maintained by the source facility shall be provided upon delivery of the residuals to the residuals management facility or treatment facility. The RMF licensee shall report to the Department within 24 hours of discovery any discrepancy in the quantity of residuals leaving the source facility and arriving at the residuals management facility or treatment facility.

[Rule 62-640.880(4), F.A.C.]

4. Additional Reuse and Land Application Requirements- Rapid Rate Land Application System (R-001)

a. All ground water quality criteria specified in Chapter 62-520, F.A.C., shall be met at the edge of the zone of discharge. The zone of discharge for this project shall extend horizontally 100 feet from the application site or to the facility's property line, whichever is less, and vertically to the base of the surficial aquifer.

[Rules 62-520.200(23), 62-522.400 and 62-522.410, F.A.C.]

b. Advisory signs shall be posted around the site boundaries to designate the nature of the project area.

[Rule 62-610.518, F.A.C.]

c. The annual average hydraulic loading rate to the rapid infiltration basin(s) shall be limited to a maximum of 2.4 inches per day (as applied to the entire bottom area).

[Rule 62-610.523(3), F.A.C.]

d. Rapid infiltration basins shall be routinely maintained to control vegetation growth and to maintain percolation capability by scarification or removal of deposited solids. Basin bottoms shall be maintained to be level.

[Rules 62-610.523(6) and (7), F.A.C.]

e. Routine aquatic weed control and regular maintenance of storage pond embankments and access areas are required.

[Rules 62-610.514 and 62-610.414, F.A.C.]

f. Overflows from emergency discharge facilities on storage ponds or on infiltration ponds, basins, or trenches shall be reported as an abnormal event to the Department's Southwest District Office within 24 hours of an occurrence. The provisions of Rule 62-610.800(9), F.A.C., shall be met.

[Rules 62-610.800(9), F.A.C.]

5. Operation and Maintenance Requirements

a. During the period of operation, the Units 4 and 5 domestic wastewater facilities shall be operated under the supervision of an operator certified in accordance with Chapter 62-602, F.A.C. In accordance with Chapter 62-699, F.A.C., this

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facility is a Category III, Class D facility and, at a minimum, operators with appropriate certification must be on the site as follows:

b. A Class D or higher operator for 3 nonconsecutive days/week for 1½ hour/week. The lead operator must be a Class D operator, or higher.

[Rules 62-620.630(3), 62-699.310 and 62-610.462, F.A.C.]

c. An operator meeting the lead operator classification level of the plant shall be available during all periods of plant operation. “Available” means able to be contacted as needed to initiate the appropriate action in a timely manner. Daily checks of the plant shall be performed by the licensee or his representative or agent 5 days per week. On those days when the facility is not staffed by a certified operator, the licensee shall ensure that Flow, pH, Total Chlorine Residual (For Disinfection) are monitored in accordance with Part 2 of this section.

[Rule 62-699.311(1), F.A.C.]

d. The licensee shall maintain the following records and make them available for inspection on the site of the permitted facility:

i. A copy of the current operation and maintenance manual as required by Chapter 62-600, F.A.C.;

ii. A copy of the facility record drawings;

iii. Copies of the licenses of the current certified operators; and

iv. Copies of the logs and schedules showing plant operations and equipment maintenance for three years from the date of the logs or schedules. The logs shall, at a minimum, include identification of the plant; the signature and certification number of the operator(s) and the signature of the person(s) making any entries; date and time in and out; specific operation and maintenance activities; tests performed and samples taken; and major repairs made. The logs shall be maintained on-site in a location accessible to 24-hour inspection, protected from weather damage, and current to the last operation and maintenance performed.

[Rule 62-620.350, F.A.C.]

6. Other Specific Conditions

a. Florida water quality criteria and standards shall not be violated as a result of any discharge or land application of reclaimed water or residuals from this facility.

[Rules 62-610.850(1)(a) and (2)(a), F.A.C.]

b. The treatment, management, use or land application of residuals shall not cause a violation of the odor prohibition in Rule 62-296.320(2), F.A.C.

[Rules 62-600.410(8) and 62-640.400(6), F.A.C.]

c. The deliberate introduction of stormwater in any amount into collection/transmission systems designed solely for the introduction and conveyance of domestic/industrial wastewater; or the deliberate introduction of stormwater into collection/transmission systems designed for the introduction or conveyance of combinations of storm and domestic/industrial wastewater in amounts which may reduce the efficiency of

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pollutant removal by the treatment plant is prohibited, except as provided by Rule 62-610.472, F.A.C.

[Rule 62-604.130(3), F.A.C.]

d. Collection/transmission system overflows shall be reported to the Department in accordance with Chapter 62-620.610(20) F.A.C.

e. The operating authority of a collection/transmission system and the licensee of a treatment plant are prohibited from accepting connections of wastewater discharges which have not received necessary pretreatment or which contain materials or pollutants other than normal domestic wastewater constituents:

- i. Which may cause fire or explosion hazards; or
- ii. Which may cause excessive corrosion or other deterioration of wastewater facilities due to chemical action or pH levels; or
- iii. Which are solid or viscous and obstruct flow or otherwise interfere with wastewater facility operations or treatment; or
- iv. Which result in the wastewater temperature at the introduction of the treatment plant exceeding 40oC or otherwise inhibiting treatment; or
- v. Which result in the presence of toxic gases, vapors, or fumes that may cause worker health and safety problems.

[Rule 62-604.130(54), F.A.C.]

f. The treatment facility, storage ponds, rapid infiltration basins, and/or infiltration trenches shall be enclosed with a fence or otherwise provided with features to discourage the entry of animals and unauthorized persons.

[Rules 62-610.518(1) and 62-600.400(2)(b), F.A.C.]

g. Screenings and grit removed from the wastewater facilities shall be collected in suitable containers and hauled to a Department approved Class I landfill or to a landfill approved by the Department for receipt/disposal of screenings and grit.

[Rule 62-701.300(1)(a), F.A.C.]

h. The licensee shall provide verbal notice to the Department as soon as practical after discovery of a sinkhole within an area for the management or application of wastewater, wastewater residuals (sludges), or reclaimed water. The licensee shall immediately implement measures appropriate to control the entry of contaminants, and shall detail these measures to the Department in a written report within 7 days of the sinkhole discovery.

[Rule 62-4.070(3), F.A.C.]

i. The licensee shall provide adequate notice to the Department of the following:

- i. Any new introduction of pollutants into the facility from an industrial discharger which would be subject to Chapter 403, F.S., and the requirements of Chapter 62-620, F.A.C. if it were directly discharging those pollutants; and

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ii. Any substantial change in the volume or character of pollutants being introduced into that facility by a source which was identified in the permit application and known to be discharging at the time the permit was issued.

Adequate notice shall include information on the quality and quantity of effluent introduced into the facility and any anticipated impact of the change on the quantity or quality of effluent or reclaimed water to be discharged from the facility.

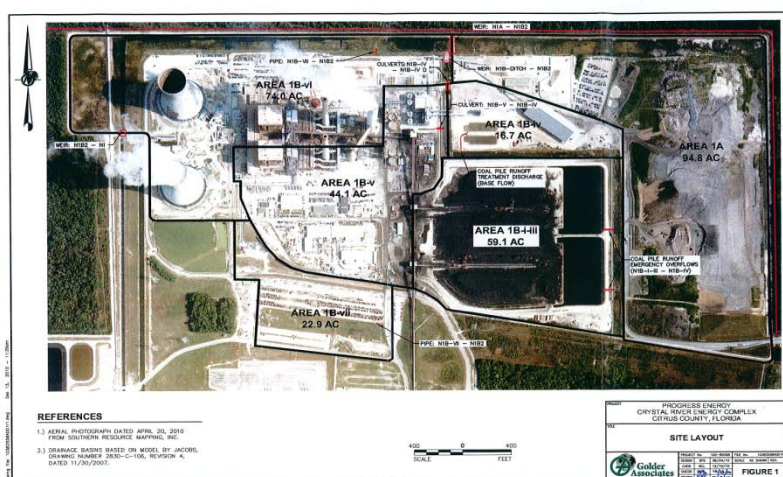
[Rule 62-620.625(2), F.A.C.]

7. General Conditions

The licensee shall comply with all the applicable, non-procedural general permit conditions found in Chapter 62-620.610 (1-23) F.A.C. as these relate to operation of the Units 4 and 5 domestic wastewater collection and treatment facilities.

H. Crystal River North Area Specific Environmental Resource Conditions **New Section**

1. The following Conditions apply exclusively to the Crystal River North Area (CRN) drainage basins as delineated within the CREC Attachment F.



a. Activities that fall within the areas identified as 1B-i-iii, 1B-iv, 1B-v, 1B-vi, and 1A above will not require an environmental Resource Permit review, including the requirements pursuant to Section A, Condition XXX. Environmental Resources. Activities falling within these defined basins will require review by the DEP Southwest District Industrial Wastewater Waste and/or Solid Waste Sections as appropriate.

b. It has been demonstrated through the Golder Associates North Plant Area Stormwater Jacobs Modeling Report (dated July 19, 2010) and submitted with the PEF Petition for Modification (Mod P) dated September 9, 2010, that the receiving system for Area 1B-Vii is adequate to handle the volume of discharge from that area. For activities within Area 1B-Vii not previously authorized by post certification submittal, the Licensee shall provide the information pursuant to Section A, Condition XXX. Environmental Resources accept that further modeling for additional impervious surfaces shall not be required.

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II. DEP UNIT 3 SPECIFIC CONDITIONS

The following Specific Conditions shall apply only to Unit 3. Compliance with these Specific Conditions shall be the responsibility of the Progress Energy (Nuclear).

A. **Water Discharges** Formerly Section C.III.A

Any discharges into any waters of the State during operation of Unit 3 shall be in accordance with all applicable provisions of Chapters 62-620, 62-302, 62-4, 62-601 and 62-160, F.A.C., and 40 CFR 423, *Effluent Guidelines and Standards for Steam Electric Power Generating Point Source Category* and with NPDES Permit No. FL0000159 (attached as Appendix III), as well as any subsequent modifications, amendments and/or renewals. .

B. **Environmental Resource Review for South Cooling Tower and Unit 3 Laydown/Parking Areas** Formerly Section C.III.C

1. At least 90 days prior to construction of the South Cooling Tower, the Licensee shall provide to the DEP SWD office all information necessary for a complete Environmental Resource Permit application including the engineering drawings and supporting documentation necessary to demonstrate that the stormwater runoff from the proposed project will be treated and attenuated in accordance with Chapters 40D-4, 40D-40 and 40D-400, F.A.C., and a Wetland Mitigation Plan if applicable. The drawings and documentation shall be signed, sealed and dated by a professional engineer registered in the State of Florida.

2. Within 60 days following certification, and prior to construction of any construction laydown and parking areas associated with Unit 3, the Licensee shall provide to the DEP SWD office all information necessary for a complete Environmental Resource Permit application including the engineering drawings and supporting documentation necessary to demonstrate that the stormwater runoff from the proposed project will be treated and attenuated in accordance with Chapters 40D-4, 40D-41 and 40D-42, F.A.C., and a Wetland Mitigation Plan if applicable. The drawings and documentation shall be signed, sealed and dated by a professional engineer registered in the State of Florida.

3. Prior to the commencement of construction, the Department shall conduct a timely review of the submitted information and request the correction of any errors and omissions to complete the application information. This shall be done in accordance with timeframes established in Section 120.60, F.S., and Rule 62-4.055, F.A.C.

4. The Department shall notify the Licensee in writing that the information is complete upon review of all requested information and the correction of any errors or omissions. Construction shall not begin until the Department has provided written notification of approval of the project including the Wetland Mitigation Plan as applicable. Such approval or denial shall be provided within 30 days following completeness of the application information.

5. Turbidity and sediments must be controlled to prevent violations of water quality pursuant to Rules 62-302.500, 62-302.530(70) and 62-4.242, F.A.C. Best Management Practices, as specified in the Florida Stormwater, Erosion and Sedimentation Control Inspectors Manual, shall be installed and maintained at all locations where the possibility of transferring suspended solids into wetlands and/or surface waters due to the permitted activity. If site-specific conditions require additional measures, then the applicant shall implement them as necessary to prevent adverse impacts to wetlands and/or surface waters.

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6. The existing ambient water quality within Outstanding Florida Waters shall not be lowered as a result of the proposed activity, except as authorized by the FDEP under subsection 62-4.242(2), F.A.C.

C. Domestic Wastewater Treatment Formerly Section C.III.D

Domestic wastewater from Unit 3 shall be treated by the Crystal River Units 1, 2, and 3 Sewage Treatment Plant as authorized by Domestic Wastewater Facility Permit FLA118753 issued by the DEP SW District (attached as V). PEF shall abide by the conditions of Permit No FLA118753 and any modification or renewal thereof for the continued authorized treatment of domestic wastewater from Unit 3. Such provisions shall be fully enforceable as conditions of this certification. Any violation of such provisions, where it is determined that Unit 3 is the cause, shall be a violation of these Conditions of Certification.

D. Radiological Formerly Section C.III.E

1. Decommissioning

Upon application to the NRC for authority to decommission the plant, the applicant shall provide the Department a copy of the plan submitted to NRC for radioactive materials removal and/or containment for the site. Should the Department's review of the written plan reveal deficiencies, the Department shall bring such deficiencies to the attention of the applicant and the NRC and maintains the right to initiate a request, consistent with NRC procedural requirements that remedial action be taken to correct the deficiencies.

2. Emergency Plan

The applicant shall work with the State Division of Emergency Management in the Department of Community Affairs and the State Department of Health, Bureau of Radiation Control, and Citrus and Levy Counties in bi-annually updating the emergency procedures and evacuation planning as necessary, including but not limited to improvements in communication and warning systems and in updating predicted plume overlays.

3. Radiological Release Limitations

The recommendation in the Power Plant Site Certification Analysis that certification be issued is based in part upon the fact that in order to obtain a construction permit and operating license from NRC, the applicant must comply with all applicable regulations, requirements, and standards of the U.S. Nuclear Regulatory Commission (NRC) which limit the release of radioactive materials in solid waste, liquid or gaseous effluents to the environment. The above NRC regulations, requirements and standards include the following:

a. Standards for Protection Against Radiation, U.S. Nuclear Regulatory Commission Rules and Regulations, Title 10, Chapter 1, Part 20, Code of Federal Regulations, as presently in effect or hereafter amended.

b. Limitations and conditions for the controlled release of radioactive materials in solid, liquid and gaseous effluents contained in the Radiological Environmental Monitoring Program required by Title 10, 10 CFR 50, Appendix I as presently in effect or hereafter amended..

The Department has the statutory duty to insure that the location and operation of Crystal River Unit 3 will produce minimal adverse effects on human health, the

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environment, the ecology and the land and its wildlife, and the ecology of State waters and their aquatic life. (Section 403.502, F.S.) The Department has determined that the construction and operation of Crystal River Unit 3 must comply with the above radiological release limitations in order to minimize adverse effects on human health and the environment. This certification is conditioned upon full compliance by the applicant with the applicable above regulations, requirements and standards.

The NRC has the duty and responsibility imposed by statute, to enforce compliance by the applicant with NRC standards and technical specifications, to assure that the construction and operation of Crystal River Unit 3 will be in accord with the common defense and security and will provide adequate protection to the health and safety of the public. See Section 103(d) of the Atomic Energy Act, 42 U.S.C. section 2133(d) (1970); accord. 42 U.S.C. section 2332(a) (1970) including any subsequent revisions.

However, should the Department determine that the NRC has failed to discharge its duty and responsibility, it may bring any such deficiencies to the attention of the applicant and the NRC, and maintains the right to initiate a request, consistent with NRC procedural requirements, that appropriate enforcement action be taken to correct the deficiencies.

4. Monitoring

The applicant shall comply with the most recent Department of Health Environmental Surveillance Agreement or its equivalent or future replacement. Should the Department of Health determine that additional monitoring is required, it may take appropriate action to require such monitoring by modification of this condition of certification.

5. Reservation of Legal Rights

The Department recognizes that the NRC has exclusive authority in certain areas related to the construction and operation of Crystal River Unit 3. These conditions of certification do not limit, expand or supersede any federal requirement or restriction under federal law, regulation, or regulatory approval or license. Compliance with the conditions herein does not constitute a waiver of the applicant's responsibility to comply with all applicable NRC requirements. Applicant's acceptance of these radiological conditions of certification does not, in and of itself, constitute a waiver by Applicant of any claim that any such radiological conditions are invalid under the doctrine of federal preemption or otherwise by law.

E. Independent Spent Fuel Storage Installation Surface Water Management System **Formerly Section C.III.F**

1. The "As Built" forms required by Section A, Condition XXX.A.10 shall be accompanied by a copy of the As-Built or Record Drawings (Drawing Numbers C-1009 through C-1019) with any deviations noted on the drawings.

2. Prior to the transfer of the spill retention pond (SRP) into operation, the licensee shall install erosion control at the point where the SRP discharge enters Stormwater Pond B. The As Built or Record Drawing No. C-1010 shall reference its installation and include a standard detail.

3. The Operation and Maintenance Entity shall perform inspections of the PEF CREC Independent Spent Fuel Storage Installation surface water management system beginning 18 months after operation is authorized and every 18 months thereafter. Every 18 months the

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Operation and Maintenance Entity shall submit a report of the inspection results to the DEP SWD ERP section, with an electronic copy to the Siting Office, using FDEP Form # 62-343.900(6), *Inspection Certification*.

4. The maintenance of the PEF CREC Independent Spent Fuel Storage Installation surface water management system shall be in accordance with the Stormwater System Operation and Maintenance Plan (Attachment E). It is the responsibility of the Licensee to ensure that the surface water management system is functioning as designed.

5. The SRP valve shall be operated in accordance with CR3 procedure WP-106. Only SRP discharge water that is oil and contact water free, is a source of water for the wetland.

6. Prior to the transfer of the SRP into operation, the Licensee shall install a staff gauge in Stormwater Pond B. The As-Built or Record Drawing No. C-1009 shall reference its location and provide specifications.

7. Prior to operation of the SRP, the Licensee shall submit a revised CR3 procedure WP-106 to the DEP SWD Industrial Waste Water Program (with an electronic copy to the Siting Office) for review and approval. The CR3 procedure WP-106 shall be revised to include:

- a. a description of how the integrity of the liner of the SRP will remain intact during the removal of oil spill wastewater;
- b. a protocol for training personnel; and
- c. a protocol for determining circumstances in which water should be released from the SRP to Pond B.

III. DEP FACILITY-WIDE SPECIFIC CONDITIONS *New Section with language from sections formerly Section C.I.C and C.I.D*

A. Groundwater Monitoring Requirements

1. The Licensee shall comply with the requirements of the approved CREC Groundwater Monitoring, Operation and Maintenance Requirements (GWMOMR) (Attachment H to these Conditions). A violation of the requirements of the GWMOMR shall be a violation of these Conditions.

2. PEF shall abide by the conditions of the approved site-wide GWMOMR and any subsequent modification thereof for the continued authorized discharge of industrial waste water to ground water. Such provisions shall be fully enforceable as conditions of this certification. Any violation of such provisions, where it is determined that CREC is the cause, shall be a violation of these Conditions of Certification.

- a. The requirements of the GWMOMR shall include, but not be limited to, at least the following:
 - i. discharge limitations,
 - ii. monitoring requirements,
 - iii. monitoring well construction requirements,

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iv. updated aerial showing all monitoring wells (existing and new).

v. a description of the complete IWW system including IWW treatment systems, monitoring wells and percolation ponds,

vi. sampling locations and parameters to be sampled at each monitoring well and percolation pond location,

vii. monitoring frequencies,

viii. reporting and recordkeeping requirements, and

ix. operational requirements such as testing requirements, land application area maintenance, impoundment operation and maintenance, and impoundment integrity.

b. The GWMOMR shall be revised to comply with the provisions contained in Rules 62-620.325 and 62-620.345, F.A.C., if applicable, or to comply with any applicable effluent standard or limitation issued or approved under Section 301(b)(2)(C) and (D), 304(b)(2) and 307(a)(2) of the Clean Water Act (the Act), as amended, by change in the effluent standards, limitations, or water quality standards previously issued or approved. Revisions to the GWMOMR which involve the following shall be considered a modification to these Conditions and shall be processed in accordance with Section 403.516(1)(c), F.S., and Rule 62-17.211, F.A.C. as applicable.

i. New major sources or deletion of existing major sources of wastewater;

ii. Improvements made to existing, or new wastewater treatment facilities including those which provide for a new or expanded land application system which will result in an increase in the permitted capacity;

iii. Incorporation of newly promulgated applicable rules which are not currently reflected in the License or promulgated rules which are more stringent than the existing conditions in the License;

iv. Pollutants not addressed in the GWMOMR or these Conditions;

c. All other revisions or updates to the GWMOMR shall be submitted to the DEP Southwest District Office Industrial Wastewater Program and the DEP Southwest District Solid Waste Program as appropriate for review and approval with copies to the Siting Office. Review shall be in accordance with Section A, Condition XXI. Procedures for Post-Certification Submittals. Additionally, the GWMOMR may be updated to adjust effluent limitations or monitoring requirements should future Water Quality Based Effluent Limitation determinations, water quality studies, DEP approved changes in water quality standards, or other information show a need for a different limitation or monitoring requirement. The Department may develop a Total Maximum Daily Load (TMDL). Once a TMDL has been established and adopted by rule, the Department shall revise the GWMOMR or these Conditions to incorporate the final findings of the TMDL

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d. Notwithstanding restrictions elsewhere in these conditions, the approved GWMOMR shall apply to both the certified and noncertified units at the facility, to the extent outlined therein. The requirements shall be fully enforceable on both the certified units and the uncertified units of the facility.

e. The licensee's discharge to ground water shall not cause a violation of water quality standards for ground waters at the boundary of the zone of discharge in accordance with Rules 62-520.400 and 62-520.420, F.A.C.

f. The licensee's discharge to ground water shall not cause a violation of the minimum criteria for ground water specified in Rule 62-520.400, F.A.C., within the zone of discharge. [62-520.400 and 62-520.420(4)]

g. If the concentration of any constituent listed in GWMOMR, Condition I.B.3 in the natural background quality of the ground water is greater than the stated maximum, or in the case of pH is also less than the minimum, the representative background quality shall be the prevailing standard. [Chapter 62-520.420(2), F.A.C.]

h. The licensee shall provide verbal notice to the Department as soon as practical after discovery of a sinkhole within an area for the management or application of wastewater or sludge. The licensee shall immediately implement measures appropriate to control the entry of contaminants, and shall detail these measures to the Department in a written report within 7 days of the sinkhole discovery.

B. Water Quality Criteria Exemptions New Section

1. The Licensee has been issued the attached water quality exemption for sodium (Attachment G), under Rule 62-520.500, F.A.C. The Licensee shall comply with the substantive provisions and limitations set forth in the sodium exemption as part of these Conditions. Such provisions shall be fully enforceable as conditions of this certification. Any violation of those provisions shall be a violation of these Conditions.

2. In order for the Licensee to seek Conditions of Certification applying any additional water quality criteria different from those promulgated in rule, the following procedure shall be followed:

a. The Licensee must file a petition for modification with the DEP SCO including the alternate compliance level and demonstrations listed in 62-520.500, F.A.C.

b. The SCO will coordinate review by the affected DEP Division/District office under the procedures for modification set forth in 403.516, F.A.C.

c. The SCO shall issue a Notice of Intent and draft Final Order granting the petition, denying the petition, or granting the petition in part and modifying the Conditions of Certification accordingly. The Department will provide public notice of its intended action/s in the Florida Administrative Weekly along with an opportunity for an administrative hearing under Sections 120.569 and 130.57, F.S. The petitioner shall, on or about the same time that notice is published in the Florida Administrative Weekly, publish this same notice in a newspaper of general circulation in the area affected.

d. The Licensee shall submit a new request for each alternate compliance level of a water quality standard every 5 years from the time of original approval.

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[Rules 62-520.500, and 62-500.510, F.A.C.]

C. Transformer and Electric Switching Gear Formerly Section B.IX

The foundations for any new or modified transformers, capacitors, and switching gear necessary for Crystal River Units 3, 4 and 5 to connect to the existing transmission system shall be constructed of an impervious material and shall be constructed of an impervious material and shall be constructed in such a manner to allow maximum collection and recovery of any spills or leakage of oily, toxic, or hazardous substances.

D. Public Water System These paragraphs were formerly Section B.II.

Any new or modified component of the potable water supply system shall be designed and operated in conformance with applicable Chapters of 62-550, 62-555, 62-560, and 62-699 F.A.C. Information as required in 62-555, F.A.C, shall be submitted to the Department prior to construction and operation of any new or modified components of the system. The operator of the potable water supply system shall be certified in accordance with Chapter 62-699, F.A.C. Potable water for Unit 3 shall continue to be provided by the separate potable water treatment system operated by Units 1 and 2 (PWS ID 6090601).

IV. DEPARTMENT OF TRANSPORTATION Formerly Section B.X.

A. Access Management to the State Highway System

Any access to the State Highway System will be subject to the requirements of Chapters 14-96, State Highway System Connection Permits, and 14-97 Access Management Classification System and Standards, F.A.C.

B. Overweight or Overdimensional Loads

Operation of overweight or overdimensional loads by the applicant on State transportation facilities during construction and operation of the utility facility will be subject to safety and permitting requirements of Chapter 316, F.S., and Chapter 14-26, Safety Regulations and Permit Fees for Overweight and Overdimensional Vehicles, F.A.C..

C. Use of State of Florida Right of Way or Transportation Facilities

All usage and crossing of State of Florida right of way or transportation facilities will be subject to Chapter 14-46, Utilities Installation or Adjustment, F.A.C.; Florida Department of Transportation's (FDOT) Utility Accommodation Manual (Document 710-020-001); Design Standards for Design, Construction, Maintenance and Utility Operation on the State Highway System; Standard Specifications for Road and Bridge Construction; and pertinent sections of the FDOT's Project Development and Environmental Manual. US 19 has been identified as a Florida Intrastate Highway System (FIHS) and Strategic Intermodal System's (SIS) facilities. The placement of any transmission line or pipeline should take into consideration the planned widening of these facilities. The cost of relocating or reconstructing a transmission line or pipeline will be borne by the applicant to the extent required by Section 337.403, F.S., and Chapter 14-46, F.A.C.

D. Standards

The manual on Uniform Traffic Control Devices; FDOT's Design Standards for Design, Construction, Maintenance and Utility Operation on the State Highway System; FDOT's Standard Specifications for Road and Bridge Construction; FDOT's Utility Accommodation

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Manual; and pertinent sections of the FDOT's Project Development and Environmental Manual will be adhered to in all circumstances involving the State highway System and other transportation facilities.

E. Drainage

Any drainage onto State of Florida right of way and transportation facilities will be subject to the requirements of Chapter 14-86, Drainage Connections, F.A.C., including the attainment of any permit required thereby.

F. Use of Air Space

Any newly proposed structure or alteration of an existing structure will be subject to the requirements of Chapter 333, F.S., and Rule 14-60.009, Airspace Protection, F.A.C. Additionally, notification to the Federal Aviation Administration (FAA) is required prior to beginning construction, if the structure exceeds notification requirements of 14 CFR Part 77, Objects Affecting Navigable Airspace, Subpart B, Notice of Construction or Alteration. Notification will be provided to FAA Southern Region Headquarters using FAA Form 7460-1, Notice of Proposed Construction or Alteration in accordance with instructions therein. A subsequent Determination by the FAA stating that the structure exceeds any federal obstruction standard of 14 CFR Part 77, Subpart C for any structure that is located within a 10-nautical-mile radius of the geographical center of a public-use airport or military airfield in Florida will be required to submit information for an Airspace Obstruction Permit from the FDOT or variance from local government depending on the entity with jurisdictional authority over the site of the proposed structure. The FAA Determination regarding the structure serves only as a review of its impact on federal airspace and is not an authorization to proceed with any construction. However, FAA recommendations for marking and/or lighting of the proposed structure are made mandatory by Florida law. For a site under FDOT jurisdiction, application will be made by submitting FDOT Form 725-040-11, Airspace Obstruction Permit Application, in accordance with the instructions therein.

G. Best Management Practices

Traffic control during facility construction and maintenance will be subject to the standards contained in the Manual on Uniform Traffic Control Devices; Chapter 14-94, Statewide Minimum Level of Service Standards, F.A.C.; FDOT's Design Standards for Design, Construction, Maintenance and Utility Operation on the State highway System; FDOT's Standard Specifications for Road and Bridge Construction; and FDOT's Utility Accommodation Manual, whichever is more stringent.

It is recommended that the applicant encourage transportation demand management techniques by doing the following:

1. Placing a bulletin board on site for car pooling advertisements.
2. Requiring that heavy construction vehicles remain onsite for the duration of construction to the extent practicable.

If the applicant uses contractors for the delivery of any overweight or overdimensional loads to the site during construction, the applicant should ensure that its contractors adhere to the necessary standards and receive the necessary permits required under

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Chapter 316, F.S., and Chapter 14-26, Safety Regulations and Permit Fees for Overweight and Overdimensional Vehicles, F.A.C.

V. FLORIDA FISH AND WILDLIFE CONSERVATION COMMISSION Formerly **Section B.XI**

Unless previously permitted and approved by Florida Fish and Wildlife Conservation Commission, the Licensee is subject to the following:

A. *Listed Species Survey.*

Before land clearing and construction activities within the Certified Facility occur, the Licensee shall conduct a preliminary general field assessment for listed species which will note all habitat, occurrence or evidence of listed species. Areas assessed for listed species as part of the Environmental Resource Permit process do not need to be reassessed to satisfy this condition.

Listed species to be included in this survey shall include those listed as endangered, threatened or of special concern by Florida Fish and Wildlife Conservation Commission (FWC) or those listed as endangered or threatened by U.S. Fish and Wildlife Service (USFWS).

For listed species that, in the course of either the general field survey or the Environmental Resource Permit process, are identified or are determined to have the potential to occur, a more detailed assessment will be conducted in accordance with the following guidance:

1. A survey schedule based upon species specific survey requirements identified in USFWS/FWC guidelines and methodologies will be developed. Resources that may be consulted in conducting this assessment are available through the “Florida Wildlife Conservation Guide” at: <http://myfwc.com/CONSERVATION/FWCG.htm>. If no specific guidance exist, standard accepted survey protocol shall be utilized.

2. This survey shall be conducted by a person or firm that is knowledgeable and experienced in conducting flora and fauna surveys for listed species.

B. *Listed Species Locations*

Where any suitable habitat and evidence is found of the presence of listed species within the Certified Facility, the Licensee will report those locations to, and confer with, the appropriate regulatory agencies for possible additional pre-clearing surveys and to identify potential mitigation, or avoidance recommendations. If pre-clearing surveys are required, they shall be timed to be reasonably compatible with the construction schedule, considering the in-service date specified in the Public Service Commission’s need determination. The Licensee will not construct in areas where evidence of listed species was identified during the initial survey until the particular listed species issues have been resolved.

1. **Listed Wildlife Species:** If listed wildlife species are found, their presence shall be reported to the DEP Siting Coordination Office, the appropriate DEP District Office(s), the FWC's Office of Policy and Stakeholder Coordination, the appropriate WMD, the appropriate local government(s) and the USFWS.

2. **Listed Vegetation Species:** If listed vegetation species are found on public land or water, their presence shall be reported to the DEP Siting Coordination Office and the

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Florida Department of Agriculture and Consumer Services (DACS). Listed wildlife species and listed vegetation species on public land or water shall not be disturbed, if feasible.

3. Species Management Plan: If avoidance is not feasible, the Licensee shall consult with DEP, FWC, and, if necessary, the USFWS for listed wildlife species, and with the DACS for listed vegetation species on public land or water, to determine the steps appropriate for the species involved which are to be taken to avoid, minimize, mitigate, or otherwise appropriately address impacts within each agency's respective jurisdiction. For wildlife species, these steps shall be memorialized in a Wildlife Management Plan and submitted to DEP, FWC, and the appropriate local government.

[Chapter 379, F.S.]

VI. DEPARTMENT OF STATE – DIVISION OF HISTORICAL RESOURCES **Formerly Section B.XII**

Unless previously permitted and approved by Division of Historical Resources, the Licensee is subject to the following:

A. The Licensee shall conduct a survey of sensitive cultural resource areas, as determined in consultation with the Department of State, Division of Historical Resources (DHR). A qualified cultural resources consultant will identify an appropriate work plan for this project based on a thorough review of the Certified Facility. Prior to beginning any field work, the work plan will be reviewed in consultation with DHR. Upon completion of the survey, the results will be compiled into a report which shall be submitted to DHR. If feasible, sites considered to be eligible for the National Register shall be avoided during construction of the project and access roads, and subsequently during maintenance. If avoidance of any discovered sites is not feasible, impact shall be mitigated through archaeological salvage operations or other methods acceptable to DHR, as appropriate.

B. If historical or archaeological artifacts or features are discovered at any time within the Certified Facility, the Licensee shall notify the appropriate DEP District office (s) and the DHR, R.A. Gray Building, 500 S. Bronough Street, Rm 423, Tallahassee, Florida 32399-0250, telephone number (850) 487-6333, and the Licensee shall consult with DHR to determine appropriate action.

[Sections 267.061, 403.531, and 872.02, F.S.]

VII. DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES **Formerly Section B.VI.**

Only herbicides registered by the U.S. Environmental Protection Agency and the Florida Department of Agriculture and Consumer Services shall be used at certified facilities. Herbicide applications will be in accordance with label directions and will be carried out by a licensed applicator, in compliance with all federal, state and local regulations. Herbicide applications shall be selectively applied to targeted vegetation. Broadcast application of herbicide shall not be used unless effects on non-targeted vegetation are minimized.

Directly associated transmission lines from the facility electric switchyard to existing transmission lines shall be maintained in accordance with the application and the appropriate state and federal regulations concerning use of herbicides. The Licensee shall notify the Department of the type of herbicides to be used at least 60 days prior to their first use.

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[Chapter 487, F.S.]

VIII. SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT -UNIT 4 AND UNIT 5 SPECIFIC CONDITIONS Formerly Section C.II.

The following Specific Conditions shall apply only to Unit 4 and Unit 5. Compliance with these Specific Conditions shall be the responsibility of Progress Energy (Fossil).

A. Withdrawal Quantities and Facilities

SWFWMD ID/Owner ID	Water Allocation	Well Casing/Depth Feet	STATUS
	Average Gallons per Day*		
1/PW-1	430,900	35/200	EXISTING
2/PW-2	430,900	47/200	EXISTING
3/PW-3	430,900	60/200	EXISTING
4/PW-4	430,900	41/200	EXISTING
5/PW-5	430,900	35/200	EXISTING
6/PW-6	430,900	50/200	EXISTING
7/PW-7	430,900	50/200	EXISTING
14/PW-8	430,900	50/200	EXISTING
15/PW-9a	430,900	50/200	EXISTING
16/PW-10a	430,900	50/200	EXISTING
Total All Wells	4,309,000*		

* Measured on a rolling annual average daily flow (RAADF) basis.

B. Submit Reports/Data

All reports and data required by these conditions of certification shall be submitted to the SWFWMD according to the due dates contained in the specific condition. If the report or data is received on or before the tenth day of the month following data collection, it shall be deemed as a timely submittal. The Licensee may use the SWFWMD's website to submit data, plans or reports online. To set up an account, the Licensee can address the request to permitdata@watermatters.org. All mailed reports and data are to be sent to:

Water Use Permit Bureau
Southwest Florida Water Management District
7601 Highway 301 North
Tampa, FL 33637-6759

Submission on plans and reports: Unless submitted online or otherwise indicated in the special condition, the original and two copies of each plan and report required herein.

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Submission of Data: Unless submitted online or otherwise indicated in the special condition, an original (no copies) is required for data submittals such as meter readings and/or pumpage, rainfall, water level, evapotranspiration, or water quality data.

C. Environmental Impacts, Monitoring, and Mitigation: Environmental Assessment

1. Environmental Monitoring Plan

Licensee shall submit an Environmental Monitoring Plan for SWFWMD review and approval within 90 days of conditions of certification issuance. The monitoring plan, at a minimum shall utilize the SWFWMD's Wetland Assessment Procedure to evaluate the relative condition of surface waters and wetlands in areas affected by water withdrawals of Licensee. Upon SWFWMD approval, the plan shall be implemented and monitoring reports shall be provided in the annual monitoring report required by Condition No. C.6. After two years of monitoring following groundwater use rising to more than 3 million gallons per day (average annual daily withdrawal quantity) from all the wells included in this site certification, the Licensee may request the SWFWMD release the Licensee from monitoring. If the SWFWMD concurs with the request, the SWFWMD will request DEP modify the conditions of certification to remove the monitoring condition.

2. Data Collection:

Licensee shall maintain and monitor the environmental monitoring sites included in the approved monitoring plan. Water levels for monitor wells and staff gauges for the sites included in the monitoring plan shall be referenced to National Geodetic Vertical Datum (NGVD) and reported in a form acceptable to the SWFWMD by the 10th day of each month for the preceding month. The time and date that the elevation is taken shall be included. Any changes to the methods or frequency of monitoring for any of these data collection programs must be approved by the SWFWMD.

3. Staff Gauges:

Licensee shall install and thereafter maintain SWFWMD-approved staff gauges and shall report measurements of water levels, as indicated in the monitoring plan. Water levels shall be recorded and reported to the SWFWMD on or before the tenth day of the following month. To the maximum extent possible, water levels shall be recorded as indicated in the monitoring plan. The frequency of recording may be modified by the SWFWMD as necessary to ensure protection of the resource.

4. Rain Gauges:

Licensee shall maintain a continuous recording rain gauge within the area. Total daily rainfall shall be recorded at this station and submitted to the SWFWMD (on SWFWMD forms or on line) on or before the tenth day of the following month. The reporting period for these data shall begin on the first day of each month and end on the last day of each month.

5. Data Handling:

Licensee shall monitor water levels in the monitor wells and piezometers as specified in the monitoring plan. Reports of the data shall be submitted to the SWFWMD in a form acceptable to the SWFWMD. All data shall be referenced to NGVD. The frequency of

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water-level recording may be modified by the SWFWMD as necessary to ensure the protection of the resource.

6. Annual Environmental Monitoring Reports

Licensee shall submit an annual environmental monitoring data summary by January 1st of each year for the preceding water year (October 1 - September 30). The Annual Monitoring Report shall include all raw data, essential graphs, tables, and text. Monitoring progress at each site shall be summarized in the Annual Monitoring Report, as specified below. Licensee shall submit three copies of the Annual Monitoring Report each year. Interpretive reports of wellfield environmental conditions shall incorporate all environmental monitoring sites used. The Annual Monitoring Report shall assess relationships between water level fluctuations, well pumpage, atmospheric conditions, and drainage factors related to the environmental condition of the wetlands and surface waters in the vicinity of the conditions of certification area. Pumpage data, wetland, water level data collected from the aquifer and for the region, and environmental parameters collected at the wellfield and in the region shall be used for the report results. Statistical trend analysis, such as double-mass curve analysis, multiple linear regression, time series analysis and/or factor analysis shall be performed to analyze the interactions of rainfall and pumpage on surficial water levels, potentiometric levels in the semi-confined aquifers, surface waters, and wetland water levels, rate of soil subsidence, and evidence of vegetational succession. Data shall be obtained through field measurements and aerial photo interpretation. A brief summary of any recommended changes to the monitoring requirements shall be provided.

D. Alternative Water Supply Implementation

The Licensee shall investigate the development of one or more alternative water supply projects to supply the water supply demands to offset all or a portion of the groundwater allocated by these conditions of certification. Alternative water supplies include seawater desalination, brackish surface or ground water, water that has been reclaimed after one or more uses, stormwater, and any other water supply source designated as non-traditional for a water supply planning region in the applicable regional water supply plan. Unless the Environmental Monitoring, specified in Condition C.2. above, and the aquifer performance testing indicate that adverse environmental impacts are not occurring and are not predicted to occur, the Licensee shall either mitigate impacts in accordance with a plan accepted by the SWFWMD, or, select and implement an alternative water supply project, in accordance with the following schedule unless an alternative schedule is approved by the SWFWMD:

1. Within 6 months of groundwater use rising to more than 3 million gallons per day (average annual daily withdrawal quantity) from all the wells included in this site certification, the Licensee shall submit for SWFWMD approval, an Alternative Water Supply Plan. The Alternative Water Supply Plan shall evaluate, identify, and propose alternative water supply development of at least three million two hundred thousand (3,200,000) gallons per day (gpd).
2. Within 2 years of groundwater use rising to more than 3 million gallons per day (average annual daily withdrawal quantity) from all the wells included in this site certification, Licensee shall submit to SWFWMD, a preliminary design of the approved alternative water supply project that the Licensee will implement.

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3. Within 2 years of groundwater use rising to more than 3 million gallons per day (average annual daily withdrawal quantity) from all the wells included in this site certification, the Licensee shall provide an analysis of environmental conditions as specified in Condition C. above. If SWFWMD determines that adverse environmental impacts are not occurring and not predicted to occur, the Licensee may seek an extension of time or waiver for implementing the alternative water supply project. If SWFWMD determines that adverse environmental impacts are occurring or are predicted to occur, the alternative water supply project schedule must be maintained. If adverse environmental impacts are occurring or predicted to occur, the alternative water supply quantity required to be developed will be determined based upon a revised hydrogeologic evaluation performed by the Licensee and accepted by SWFWMD.

4. Within 2 years of groundwater use rising to more than 3 million gallons per day (average annual daily withdrawal quantity) from all the wells included in this site certification, submit to the Florida Department of Environmental Protection and SWFWMD, applications for authorization to develop and use at least 3,200,000 gpd of water from the project as appropriate, unless an extension of time or waiver has been granted by SWFWMD.

5. Within 2 years of groundwater use rising to more than 3 million gallons per day (average annual daily withdrawal quantity) from all the wells included in this site certification, submit to SWFWMD an alternative water supply implementation schedule detailing the dates when construction will begin and end, and the date when water will be delivered from the project for use by the Licensee. In no event shall the time when water is supplied by the project be more than more than 4 years after groundwater use has risen to more than 3 million gallons per day (average annual daily withdrawal quantity) from all the wells included in this site certification, unless an extension of time for just cause or otherwise modified in writing by SWFWMD has been granted by SWFWMD.

6. Compliance with the Alternative Water Supply Implementation Schedule is required by the Licensee, unless extended or otherwise modified in writing by SWFWMD. Each year, by March 1, after the water use triggers described above, the Licensee shall submit to SWFWMD a status report describing the progress made on the Alternative Water Supply implementation Schedule, including the specific actions taken to meet the requirements set forth above. If the project has fallen behind schedule, Licensee shall provide just cause for the delay and/or explain how the Licensee will comply with the schedule described herein.

E. Compliance Reporting

The Licensee shall submit a compliance report beginning January 28, 2013 and at 5 year intervals thereafter. The report must contain sufficient information to demonstrate reasonable assurance that the withdrawals and use of water authorized by these conditions of certification continue to meet the substantive requirements set forth in Chapter 40D-2, F.A.C., and SWFWMD's Water Use Permit Information Manual Part B, Basis of Review. The compliance report must include:

1. Information documenting water demands and updated demand projections demonstrating that allocations from all sources in the conditions of certification will continue to be needed for the remainder of the conditions of certification duration;

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2. Documentation verifying that the sources are capable of supplying the needs authorized by these conditions of certification without causing harm to water and water-related resources;
3. Documentation verifying that the use of water is efficient and that the Licensee is implementing all feasible water conservation measures;
4. An updated ground water modeling analysis and data analysis demonstrating that the use of groundwater does not interfere with legal uses existing at the time of issuance of this modification of the conditions of certification;
5. An updated ground water modeling analysis, along with statistical analyses of water-level and wetland monitoring data, demonstrating that the use does not cause adverse impacts to wetlands, and surface waters, or violations of MFLs;
6. Documentation that ground water withdrawals by the Licensee are not causing or contributing to significant saltwater intrusion, including but not limited to review and statistical analyses of groundwater level and water quality data collected by the Licensee under these conditions of certification;
7. Information demonstrating that the lowest quality source of water is being used to meet the water demands.

Following review of this report, SWFWMD may seek modification of the conditions of certification to ensure that the use continues to meet the substantive conditions for the consumptive use of water as set forth in Section 373.223, F.S., and Chapter 40D-2, F.A.C.

F. Pumpage Reporting

Licensee shall meter withdrawals and record meter readings from each withdrawal point and water supply line on a monthly basis within the last week of the month. The meter readings shall be reported to the SWFWMD on or before the tenth day of the following month. If a metered withdrawal is not utilized during a given month, the meter report shall be submitted to the SWFWMD indicating the same meter reading as was submitted the previous month. The following withdrawals shall be metered:

For withdrawal facilities that are not yet constructed, the Licensee shall install meters on SWFWMD ID Nos. **5, 6, 7, 14, 15, 16**, Licensee ID Nos. **PW-5, PW-6, PW-7, PW-8, PW-9a, PW-10a**, within 90 days of completion of construction of the withdrawal facilities.

Licensee shall continue to maintain and operate existing, non-resettable, totalizing flow meters or other flow measuring devices as approved by the SWFWMD Water Use Bureau Chief on SWFWMD ID Nos. **1, 2, 3, 4**, Licensee ID Nos. **PW-1, PW-2, PW-3, PW-4**.

All meters shall adhere to the following descriptions and shall be installed and maintained as follows:

1. The meters shall be non-resettable, totalizing flow meters with totalizers of sufficient capacity to retain total gallon data for a minimum of the three highest consecutive months. If other measuring devices or other accounting methods are proposed, Licensee shall submit documentation that the other measuring devices or accounting method meet the

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stipulations listed in this condition, prior to installation. Approval for other measuring devices or accounting methods shall be obtained in writing from the SWFMWD Water Use Bureau Chief.

2. Flow meters or other approved devices shall have and maintain accuracy within five percent of the actual flow as installed.

3. The flow meter-water piping system shall be designed for inline field access for meter accuracy testing. The meter shall be tested for accuracy on-site, as installed, every five years beginning from the date of its installation for new meters or from the date of initial issuance of these conditions of certification containing the metering condition with an accuracy-test requirement for existing meters, unless Licensee submits documentation to the satisfaction of the SWFWMD that a longer period of time for testing is warranted. The test shall be performed by a person certified to use the test equipment. If the actual flow is found to be greater than five percent different from the measured flow, within 30 days, Licensee shall have the meter re- calibrated, repaired, or replaced. Documentation of the test and a certificate of re-calibration, if applicable, shall be submitted within 30 days of each test or recalibration. If the accounting method involves a meter belonging to another entity or to the water supplier, Licensee shall submit documentation from the owner/ supplier that the meter readings continue to be accurate to five percent of the actual flow as installed. Such documentation is subject to approval by the SFWMD.

4. The meter shall be installed according to the manufacturer's instructions for achieving accurate flow to the specifications above, or it shall be installed in a straight length of pipe with at least an upstream length equal to ten times the outside pipe diameter and a downstream length equal to two times the outside pipe diameter. If sufficient pipe length is not available, flow straightening vanes shall be used in the upstream line.

5. If the meter or other flow measuring device malfunctions or has to be removed from the water supply line for maintenance or repair, Licensee shall notify the SWFWMD within 30 days of discovery and replace it with a repaired or new meter, subject to the same specifications given above. The repaired or replacement meter shall be installed within 30 days of discovery. If the meter is removed for any other reason, it shall be replaced with another meter having the same specifications given above, or the meter shall be reinstalled within 30 days of its removal. In either event, a fully functioning meter shall not be off the water supplies line for more than 60 consecutive days.

6. While the meter is being repaired or replaced, Licensee shall provide an estimate of the water supply quantities used by multiplying the number of hours the water supply was used by the capacity of the pump or mainline diameter. The estimate of the number of gallons used each month during that period shall be noted as an estimate when it is submitted to the SWFWMD.

7. In the event a new meter is installed to replace a broken meter, the replacement meter and its installation shall meet the specifications of this condition. Licensee shall notify the SWFWMD of the replacement with the first submittal of meter readings from the new meter.

G. Distribution Flexibility

The average day, peak monthly, and maximum daily, if applicable, quantities for District ID No(s) **1, 2, 3, 4, 5, 6,7, 14, 15, 16** Licensee ID No(s). **PW-1, PW-2, PW-3, PW-4,**

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PW-5, PW-6, PW-7, PW-8, PW-9a, PW-10a shown above in the production withdrawal table are estimates based on historic and projected distribution of pumpage, and are for water use inventory and impact analysis purposes. The quantities listed in the table for these individual sources are not intended to dictate the distribution of pumpage from the withdrawal sources. The Licensee may make adjustments in pumpage distribution as necessary up to **125 percent** on a rolling annual average daily flow basis, so long as adverse environmental impacts do not result and other conditions of this certification are complied with. In all cases, the total average annual daily withdrawal and the total peak monthly daily withdrawal are limited to the quantities set forth above.

H. Water quality sampling

1. Water quality samples shall be collected and analyzed for parameters and at the frequencies specified below. Water quality samples from production wells shall be collected from all wells, unless infeasible. If sampling is infeasible, Licensee shall indicate the reason for not sampling on the water quality data form. Water quality samples shall be analyzed by a laboratory certified by the Florida Department of Health utilizing the standards and methods applicable to the parameters analyzed and to the water use pursuant to Chapter 64E-1, F.A.C., "Certification of Environmental Testing Laboratories". At a minimum, water quality samples shall be collected after pumping the well at its normal rate for a pumping time specified in the table below, or to a constant temperature, pH, and conductivity. In addition, Licensee's sampling procedure shall follow the handling and chain of custody procedures designated by the certified laboratory which will undertake the analysis. Any variance in sampling and/or analytical methods shall have prior approval of the SWFMWD Water Use Bureau Chief. Reports of the analyses shall be submitted to the Water Use Permit Bureau, SWFMWD, 7601 Highway 301 North, Tampa, FL 33637-6759, (using SWFMWD forms or submitted electronically) on or before the tenth day of the following month, and shall include the signature of an authorized representative and certification number of the certified laboratory which undertook the analysis. The parameters and frequencies of sampling and analyses may be modified by the SWFMWD Water Use Bureau Chief as necessary to ensure the protection of the resource.

District ID No.	Licensee ID No.	Minimum Pumping Time (minutes)	Parameter	Sampling Frequency
1	PW-1	20 minutes	Chlorides, Sulfates, and T.D.S.	February, May, August, and November
2	PW-2	20 minutes		
3	PW-3	20 minutes		
4	PW-4	20 minutes		
5	PW-5	20 minutes		
6	PW-6	20 minutes		
7	PW-7	20 minutes		
14	PW-8	20 minutes		

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15	PW-9a	20 minutes
16	PW-10a	20 minutes

Water quality samples shall be collected quarterly and on the same week of the months specified. Analyses shall be performed according to procedures outlined in the current edition of Standard Methods for the Examination of Water and Wastewater by the American Public Health Association- American Water Works Association-Water Pollution Control Federation (APHA-AWWA-WPCF) or Methods for Chemical Analyses of Water and Wastes by the U.S. Environmental Protection Agency (EPA).

2. Water quality samples from monitor wells shall be collected and analyzed for the SWFWMD ID No., parameter(s), and frequency(ies) specified in the table below. Water quality samples shall be collected after pumping the monitor wells(s) to a constant temperature, pH, and conductivity. Sampling method(s) shall be designed to collect water quality samples that are chemically representative of the zone to be sampled. Water quality samples shall be analyzed by a laboratory certified by the Florida Department of Health utilizing the standards and methods applicable to the parameters analyzed and to the water use pursuant to Chapter 64E-1, F. A. C., "Certification of Environmental Testing Laboratories". The Licensee's sampling procedure(s) shall follow the handling and chain of custody procedures designated by the certified laboratory which will undertake the analysis. A report describing the sampling and chain of custody procedures shall be included with the first data submitted after the date this permit is granted, and upon any change in sampling and/or analytical method(s). Any variance in sampling and/or analytical methods shall have prior approval of the SWFWMD. Reports of the analyses shall be submitted on SWFWMD forms on or before the tenth day of the following month, and shall include the signature of an authorized representative and certification number of the certified laboratory that undertook the analysis. The parameters and frequency of sampling and analysis may be modified by the SWFWMD as necessary to ensure the protection of the resource.

District I District ID No.	Licensee ID No.	Parameter	Sample Frequency
8	MZ-2I	Chlorides,	May, September
9	MZ-2D	Sulfates, and TDS	
10	MZ-2S		
11	MZ-1S		
12	MZ-1I		
13	MZ-1D		

Water quality samples shall be collected based on the following timetable:

Semi-annually Same week of months specified

Analyses shall be performed according to procedures outlined in the current edition of Standard Methods for the Examination of Water and Wastewater by the American Public Health Association-American Water Works Association-Water Pollution

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Control Federation (APHA-AWWA-WPCF) or Methods for Chemical Analyses of Water and Wastes by the U.S. Environmental Protection Agency (EPA).

3. The SWFWMD reserves the right to set chloride, sulfate or TDS concentration limits on any production well in the future, based on data collected and after a sufficient data base has been established to determine limits. These limits shall be required after discussions with the Licensee. At such time as the concentration in any water sample reaches or exceeds the designated concentration limits, the Licensee shall take appropriate action to reduce concentrations to below those set for the particular well. If the SWFWMD determines that long-term upward trends or other significant water quality changes are occurring, the SWFWMD may reconsider the quantities included in these conditions of certification.

4. During drilling of District ID Nos. **14, 15, 16**, Licensee ID Nos. **PW-8, PW-9a, PW-10a**, water quality samples shall be collected at intervals of the change of drill rod or 30 feet, whichever is less, from 150 feet to a maximum depth of five feet above the bottom of the well. Regardless of the specified sample collection interval, a sample shall be collected from the depth which corresponds to five feet above the bottom of the well. Samples shall be collected during reverse air drilling, or other appropriate method with prior approval by the SWFWMD.

Samples shall be analyzed by a certified laboratory for Chloride, Sulfate, and Specific Conductivity. Licensee's sampling procedure shall follow the handling and chain of custody procedures designated by the certified laboratory which will undertake the analysis. Reports of the analyses shall be submitted to the Water Use Permit Bureau (using SWFWMD forms or submitted electronically) within thirty days of sampling, and shall include the signature of an authorized representative and the certification number of the Florida Department of Health certified laboratory utilizing the standards and methods applicable to the parameters analyzed and to the water use pursuant to Chapter 64E-1, F.A.C., "Certification of Environmental Testing Laboratories".

Analyses shall be performed according to procedures outlined in the current edition of Standard Methods for the Examination of Water and Wastewater by the American Public Health Association-American Water Works Association-Water Pollution Control Federation (APHA-AWWA-WPCF) or by Methods for Chemical Analyses of Water and Wastes by the U.S. Environmental Protection Agency (EPA).

5. Monthly water levels for monitor wells for the sites included in the table below shall be referenced to NGVD, and reported in a form acceptable to the SWFWMD by the tenth day of each month for the preceding month. The time and date that the elevation is taken shall be included. Changes to the methodology, extent, or frequency of monitoring at any of these sites may be modified by the SWFWMD, as necessary to ensure the protection of the resources.

SWFWMD ID. No	Licensee Site No.
8	MZ-2I
9	MZ-2D
10	MZ-2S
11	MZ-1S

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12	MZ-1I
13	MZ-1D

I. Wells

1. Wells not in use with no installed pumping equipment shall be capped or valved in a water tight manner in accordance with subparagraph 62-532.500(3)(a)(4), F.A.C.

2. Within 90 days of the completion of each proposed well, Licensee shall submit to the SWFWMD specific capacity (well testing) information from any test performed by the Water Well Contractor or pump installer on the well. This information shall include:

- a. Static water level before pumping
- b. Duration of test pumping
- c. Gallons per minute pumped
- d. Final water level measured during pumping

If step-drawdown tests were performed, the information listed above shall be submitted for each step.

3. Within 90 days of construction, Licensee shall submit to the SWFWMD Water Use Permit Bureau, the specific locations of SWFWMD ID Nos. 14, 15, 16 Licensee ID Nos. PW-8, PW-9a, PW-10a, on an original blue line aerial with a minimum scale of one inch equals 800 feet, or by latitude/longitude. Intake and mainline diameters for each of the above pumps shall be reported at the time of location reporting.

4. For the purpose of determining site-specific transmissivity, a step drawdown and a multi well constant rate test shall be performed on one or more of the following: SWFWMD ID Nos. 14, 15, 16 Licensee ID Nos. PW-8, PW-9a, PW-10a, after the wells have been fully developed. The test shall be performed in accordance with the specifications set forth in Design Aid 3, Water Use Permit Information Manual and an Aquifer Performance Testing (APT) Plan submitted to and approved by the SWFWMD. The APT Plan shall be submitted to the SWFWMD, within 90 days of the approval of the modification of the conditions of certification. The APT shall be conducted by the Licensee within 6 months of construction of the wells included in the APT Plan and prior to the use of any of the wells constructed for the APT'S. All recorded raw data shall be submitted to the SWFWMD within thirty (30) days of completion of the APT.

5. Within sixty (60) days, the Licensee shall designate one individual responsible for receiving and responding to the SWFWMD notices and correspondence related to these conditions of certification. Notification to the SWFWMD of the designee, including address and telephone number shall be in written form.

6. Within 90 days of conditions of certification issuance, Licensee shall develop and implement a Water Conservation Plan (Plan) that includes practices currently employed or planned. For planned components, include an estimated time-frame for implementation for each. The Plan must indicate that technically and economically feasible water conservation opportunities have been or will be employed.

SECTION B: SPECIFIC CONDITIONS

7. The lowest quality water source, including reclaimed water, surface water and stormwater, must be used for each consumptive use authorized by these conditions of certification when available, except when Licensee demonstrates that the use of the lower quality water source is determined to be not economically, environmentally, or technologically feasible, in accordance with the SWFWMD's Water Use Permit Information Manual Part B, Basis of Review, Sections 4.4 and 4.1 1.

8. Wetlands and other surface waters may not be adversely impacted as a result of the water use authorized by these conditions of certification. If unacceptable adverse impacts occur, the SWFWMD will request that DEP revoke these conditions of certification in whole or in part to curtail or abate the unacceptable adverse impacts, unless the impacts can be mitigated by Licensee.

J. Standard Conditions

Licensee shall comply with the following Standard Conditions:

1. If any of the statements in the application and in the supporting data are found to be untrue and inaccurate, or if Licensee fails to comply with all of the provisions of Chapter 373, F.S., and Title 40D, F.A.C., or the conditions set forth herein, the SWFWMD shall seek revocation of any conditions of certification.

2. These conditions of certification are imposed based on information provided by Licensee demonstrating that the use of water is reasonable and beneficial, consistent with the public interest, and will not interfere with any existing legal use of water. If, during the term of this certification, it is determined by the SWFWMD that the use is not reasonable and beneficial, in the public interest, or does impact an existing legal use of water, the SWFWMD shall seek modification these conditions of certification or revocation of the certification authorized by DEP.

3. Licensee shall not deviate from any of the SWFWMD- imposed conditions of this certification without written approval by the Department and the SWFWMD.

4. In the event the SWFWMD declares that a Water Shortage exists pursuant to Chapter 40D-21, F.A.C., Licensee agrees that portions of these conditions of certification shall be modified, or declared inactive as necessary to address the water shortage.

5. The SWFWMD shall collect water samples from any withdrawal point listed in these conditions of certification or shall require Licensee to submit water samples when the SWFWMD determines there is a potential for adverse impacts to water quality.

6. Licensee shall provide access to authorized SWFWMD representatives to enter the property at any reasonable time to inspect the facility and make environmental or hydrologic assessments. Licensee shall either accompany the SWFWMD staff onto the property or make provision for access onto the property.

7. Licensee shall cease or reduce any surface water withdrawals as directed by the SWFWMD if water levels in surface water fall below applicable minimum water level established in Chapter 40D-8, F.A.C., or rates of flow in streams fall below the minimum levels established in Chapter 40D-8, F.A.C.

8. Licensee shall cease or reduce withdrawals if water levels in aquifers fall below the minimum levels established by the SWFWMD.

SECTION B: SPECIFIC CONDITIONS

9. Licensee shall practice water conservation to increase the efficiency of transport, application, and use, as well as to decrease waste and to minimize runoff from the property. At such time as the SWFWMD adopts specific conservation requirements for Licensee's water use classification, these conditions of certification shall be modified accordingly.

10. The SWFWMD may establish special regulations for Water Use Caution Areas. At such time as the SWFWMD adopts such provisions, these conditions of certification shall be subject to them upon notice and after a reasonable period for compliance.

11. Licensee shall mitigate any adverse impact to existing legal uses caused by withdrawals. When adverse impacts occur or are imminent, Licensee shall be required to mitigate the impacts. Adverse impacts include:

- a. A reduction in water levels which impairs the ability of the well to produce water;
- b. Significant reduction in levels or flows in water bodies such as lakes, impoundments, wetlands, springs, streams or other watercourses; or
- c. Significant inducement of natural or manmade contaminants into a water supply or into a usable portion of any aquifer water body.

12. Licensee shall mitigate any adverse impact to environmental features or offsite land uses as a result of withdrawals. When adverse impacts occur or are imminent, the Licensee shall be required to mitigate the impacts. Adverse impacts include:

- a. Significant reduction in levels or flows in water bodies such as lakes, impoundments, wetlands, springs, streams or other watercourses;
- b. Sinkholes or subsidence caused by reduction in water levels;
- c. Damage to crops and other vegetation causing financial harm to the owner; and
- d. Damage to the habitat of endangered or threatened species.

13. When necessary to analyze impacts to the water resource or existing users, Licensee shall be required to install flow metering or other measuring devices to record withdrawal quantities and submit the data to the SWFWMD.

14. A SWFWMD identification tag shall be prominently displayed at each withdrawal point by permanently affixing the tag to the withdrawal facility.

15. Licensee shall notify the SWFWMD within 30 days of the sale or conveyance of permitted water withdrawal facilities or the land on which the facilities are located.

16. The annual average daily withdrawal quantity is determined by calculating the total quantity of water to be withdrawn over a one year period, divided by 365 days, which results in a gallons per day (gpd) quantity pursuant to Basis of Review, Section 3.2, Permitted Withdrawal Quantities. This is a running 12-month average, whereby each month the annual average daily quantity is recalculated based on the previous 12-month pumpage.

SECTION B: SPECIFIC CONDITIONS

VIII. SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT -UNIT 3 SPECIFIC CONDITIONS Formerly Section C.IV.

The following Specific Conditions shall apply only to Unit 3. Compliance with these Specific Conditions shall be the responsibility of the Progress Energy (Nuclear).

Groundwater

No groundwater use by Unit 3 is authorized by these Conditions of Certification. Potable water demand for Unit 3 shall continue to be met by water use authorized under Water Use Permit (WUP) No. 2004695.004 issued by the SWFWMD. (Attached as Appendix VI) WUP No. 2004695.004 authorizes 1,000,000 gallons per day (annual average) and 1,500,000 gpd (peak month) for boiler makeup, pollution control, and potable water needs at Units 1, 2 and 3. The Licensee shall abide by the conditions of WUP No. 2004695.004 and any modification or renewal thereof for the continued authorized use of groundwater in the operation of Unit 3. Such provisions shall be fully enforceable as conditions of this certification. Any violation of such provisions, where it is determined that Unit 3 is the cause, shall be a violation of these Conditions of Certification.

IX. LOCAL GOVERNMENT- Citrus County Formerly Sections A.XXXVII and B.I.

A. Noise

Construction noise shall not exceed noise criteria or any applicable requirements of Citrus County. To mitigate the effects of noise produced by any steam blowout of steam boiler tubes, the Licensee shall conduct reasonable public awareness campaigns prior to such activities to forewarn the public that may be affected by the noise of the estimated time and duration of the noise.

B. Screening

The Licensee shall provide screening of the site to the extent feasible through the use of aesthetically acceptable structures, vegetated earthen walls and/or existing or planted vegetation. The Licensee shall develop the site so as to retain the buffer of natural vegetation as described in the Units 4 and 5 application.

C. Odor Control

The Licensee shall employ proper odor control techniques to minimize odor and shall employ control techniques sufficient to prevent nuisance conditions which interfere with enjoyment of residents of adjoining property.

X. HISTORY Formerly Section C, V History

Certification Issued 11/21/78; signed by Governor Askew
Modified 02/22/80; signed by Governor Graham
Modified 05/22/80; signed by Secretary Varn
Modified 05/04/82; signed by Secretary Tschinkel
Modified 06/29/82; signed by Governor Graham
Modified 02/02/84; signed by Secretary Tschinkel
Modified 07/03/84; signed by Governor Graham
Letter Modification 03/28/88; signed by Hamilton Oven Jr.

SECTION B: SPECIFIC CONDITIONS

Modified 06/10/96; signed by Secretary Wetherell
Modification Denial 03/02/98; signed by Secretary Wetherell
Modification 02/01/05; signed by Program Administrator Oven
Modified 06/22/06; signed by Program Administrator Oven
Modified 11/29/07; signed by Program Administrator Halpin
Modified 08/07/08; signed by Program Administrator Halpin
Modified 08/28/08; signed by Governor Crist
Modified 07/09/09 signed by Program Administrator Halpin
Modified 11/30/09 signed by Program Administrator Halpin
Modified 1/15/10; signed by Program Administrator Halpin
Modified 05/14/10; signed by Program Administrator Halpin
Modified 02/08/12; signed by Program Administrator Mulkey
Modified xx/xx/xx; signed by Program Administrator Mulkey