

**STATE OF FLORIDA
DEPARTMENT
OF
ENVIRONMENTAL PROTECTION**



Conditions of Certification

**Jacksonville Electric Authority
St. Johns River Power Park – Units 1 & 2**

PA 81-130

December 23, 2009

Table of Contents

I.	AIR	1
II.	WATER DISCHARGES	1
	A. <i>Water Monitoring Programs</i>	1
	1. Groundwater Monitoring.....	1
III.	GROUNDWATER	2
	A. <i>General</i>	2
	B. <i>Well Criteria</i>	2
	C. <i>Well Withdrawal Limits</i>	2
	D. <i>Water Use Restriction</i>	2
	E. <i>Emergency Shortages</i>	3
	F. <i>Monitoring and Reporting</i>	3
	H. <i>Leachate</i>	4
	1. Zone of Discharge.....	4
	2. Corrective Action.....	5
IV.	CONTROL MEASURES DURING CONSTRUCTION	5
	A. <i>Stormwater Runoff</i>	5
	B. <i>Sanitary Wastes</i>	6
	C. <i>Environmental Control Program</i>	6
	D. <i>Construction Dewatering Effluent</i>	6
V.	SOLID WASTES	7
VI.	OPERATION SAFEGUARDS	7
VII.	SCREENING	7
VIII.	POTABLE WATER SUPPLY SYSTEM	7
IX.	TRANSFORMER AND ELECTRIC SWITCHING GEAR	8
X.	TOXIC, DELETERIOUS, OR HAZARDOUS MATERIALS	8
XI.	CONSTRUCTION IN WATERS OF THE STATE.....	8
	A. <i>Title</i>	8
	B. <i>Turbidity</i>	8
	C. <i>Variances</i>	8
	D. <i>Mixing Zones</i>	9
	E. <i>Maintenance Dredging</i>	9
XII.	SOLID WASTE LANDFILL	9
XIII.	TRANSMISSION LINES	11
	A. <i>General</i>	11
	B. <i>Other Construction Activities</i>	11
	C. <i>Maintenance</i>	12
	D. <i>Archaeological Sites</i>	12
	E. <i>Road Crossing</i>	12
	F. <i>Emergency Reporting</i>	13
	G. <i>Final Right-of-Way Location</i>	13
	H. <i>Compliance</i>	13
XIV.	CHANGE IN DISCHARGE.....	13

XV.	NONCOMPLIANCE NOTIFICATION	13
XVI.	FACILITIES OPERATION.....	14
XVII.	ADVERSE IMPACT	14
XVIII.	RIGHT OF ENTRY	14
XIX.	REVOCAION OR SUSPENSION	14
XX.	CIVIL AND CRIMINAL LIABILITY	14
XXI.	PROPERTY RIGHTS.....	15
XXII.	SEVERABILITY	15
XXIII.	DEFINITIONS	15
XXIV.	REVIEW OF SITE CERTIFICATION	15
XXV.	MODIFICATION OF CONDITIONS.....	15
XXVI.	FLOOD CONTROL PROTECTION	16
XXVII.	EFFECT OF CERTIFICATION.....	16
XXVIII.	NOISE	16
XXIX.	ARCHAEOLOGICAL SITES.....	16
XXX.	BLOUNT ISLAND MATERIALS UNLOADING FACILITY	17
XXXI.	MATERIALS CONVEYOR CONSTRUCTION	17
XXXII.	MATERIALS CONVEYOR SYSTEM	18
	HISTORY NOTES.....	18

LIST OF APPENDICES

Appendix A

Appendix A1 – PSD-FL-010A

Appendix A2 – PSD-FL-010B

Appendix A3 – PSD-FL-010C

Appendix A4 – PSD FL-010 (0310045-014-AC)

Appendix A5 – PSD-FL-010G/PSD-FL-265C (0310045-015-AC)

Appendix A6 – Permit 0310045-017-AC

Appendix A7 – PSD-FL-010H (0310045-024-AC)

Appendix B – Title V Permit 0310045-020-AV

Appendix C – NPDES Permit FL0037869-004-1W1S

Appendix C1-Permit FL0037869-006-IW1S (Rev A)

I. AIR [Replaced By Section A. Condition II. Applicable Rules and Statutes and Condition VI. Federal Permits, paragraph A.]

~~The construction and operation of SJRPP Units 1 & 2 at the JEA steam electric power plant site shall be in accordance with all applicable provisions of Chapters 62-4, 62-204, 62-210, 62-212, 62-213, 62-214, 62-256, 62-296, 62-297, 62-701 and 62-702, Florida Administrative Code, PSD-FL-010 and Air Construction Permit 0310045-017-AC, all attached as Appendix, and Title V Air Operation Permit No 0310045-020 attached as Appendix B. Any final issuance, modification, or amendment to such PSD, Air Construction and Title V permits, are incorporated by reference herein, and are binding and enforceable Conditions of this Certification. The Licensee is subject to and shall comply with the terms, conditions, requirements, limitations, and restrictions set forth in Appendix A and Appendix B and any final issuance, modification, or amendment to such PSD, Air Construction and Title V permits. A violation of the terms conditions, requirements, limitations, and restrictions in Appendix A and Appendix B is a violation of these Conditions of Certification.~~

II. WATER DISCHARGES [Replaced By Section A. Condition V. Federal Permits, Paragraph B.]

~~Any discharges into any waters of the State during construction and operation of SJRPP Units 1 and 2 shall be in accordance with Permit No. FL 0037869, attached as Appendix C, and all applicable provisions of Chapter 62-302, Florida Administrative Code, and 40 CFR, PART 423, *Effluent Guidelines and Standards for Steam Electric Power Generating Point Source Category*, except as provided herein. Any final issuance, modification, or amendment to such permit are incorporated by reference herein, and are binding and enforceable Conditions of this Certification.~~

A. Water Monitoring Programs [Moved to Section B. Condition IV. St. Johns River WMD, paragraph B.]

1. Groundwater Monitoring

The groundwater levels shall be monitored continuously at selected wells as approved by the St. Johns River Water Management District. Chemical analyses shall be made on samples from all monitored wells identified in Condition III.F., below. The location, frequency and selected chemical analyses shall be as given in Condition III.F.

2. The groundwater monitoring program shall be implemented at least one year prior to operation of SJRPP Unit 1. The chemical analyses shall be in accord with the latest edition of *Standard Methods for the Analysis of Water and Wastewater*. The data shall be submitted within 30 days of collection/analysis to the St. Johns River Water Management District and to the DEP's Northeast District Office.

III. GROUNDWATER

A. General [Moved to Section B. Condition IV. St. Johns River WMD, paragraph A.]

The use of groundwater from the well field for plant service water for SJRPP shall be minimized to the greatest extent practicable, but in no case shall exceed 7.6 mgd on a maximum daily basis from any new wells or 5.1 mgd on an average annual basis.

The use of ground water for the coal unloading facility shall in no case exceed 725,700 gallons per day on a maximum daily basis and 107,500 gallons per day on an average annual basis.

B. Well Criteria [Moved to Section B. Condition IV. St. Johns River WMD, paragraph C.]

The submission of well logs, test results, and location, design and construction of wells to provide plant and coal unloading facility service water shall be in accordance with applicable rules of the Department of Environmental Protection and the St. Johns River Water Management District (SJRWMD). Total water use per month shall be reported quarterly to SJRWMD commencing with the start of construction.

C. Well Withdrawal Limits [Moved to Section B. Condition IV. St. Johns River WMD, paragraph D.]

Reclaimed water may be used for the purpose of irrigation. Following the issuance of a watershed permit (which includes SJRPP), reclaimed water shall be used in the Flue Gas Desulfurization Systems (FGDS) unless reclaimed water is unavailable, identified for a more beneficial use, and/or the quality results in the inability to utilize for irrigation and/or in the FGD. JEA is authorized to make a combined average annual withdrawal for plant service water for SJRPP of 5.1 million gallons of water per day with a maximum combined withdrawal rate not to exceed 7.6 million gallons during a single day. Withdrawals may be made from a well field consisting of up to four (4) wells whose approximate locations are described in Figure 1.

JEA is authorized to make an average annual withdrawal for the coal unloading facility of 60,000 gallons of water per day with a maximum withdrawal rate not to exceed 200,000 gallons during a single day. Withdrawals may be made from either of two wells whose approximate locations are described in Figure 3.

After wells have been constructed, St. Johns River Water Management District may evaluate the individual wells and may recommend to the Department authorization of different withdrawals based upon hydrologic characteristics for the individual wells. The Department, pursuant to Section 403.516, F.S., may modify the above withdrawal limitations with the concurrence of SJRWMD and the licensee.

D. Water Use Restriction [Moved to Section B. Condition IV. St. Johns River WMD, paragraph E.]

Said water is restricted to uses other than main steam condensing. Any

change in the use of said water will require a modification of this condition.

E. Emergency Shortages [Moved to Section B. Condition IV. St. Johns River WMD, paragraph F.]

In the event an emergency water shortage should be declared pursuant to Section 373.175 or 373.246, F.S., by St. Johns River Water Management District for an area including the location of these withdrawal points, the Department pursuant to Section 403.516, F.S., may alter, modify, or declare to be inactive, all or parts of Condition III. A.-F. An authorized Water Management District or DEP representative, at any reasonable time, may enter the property to inspect the facilities.

F. Monitoring and Reporting [Moved to Section B. Condition IV. St. Johns River WMD, paragraph G.]

JEA shall, within the time limits hereinafter set forth, complete the following items:

1. JEA shall install a flow meter for the plant production well field and coal unloading facility well and will maintain pump logs for operation of each production well in compliance with SJRWMD specifications on all production wells.
2. JEA shall submit to SJRWMD, on forms available from the District, a record of pumpage for each meter installed in F.1. above. Said pumpage shall be provided on a monthly basis, and shall be submitted by April 15, July 15, October 15, and January 15 for each preceding calendar quarter.
3. JEA shall maintain and operate a continuous water level recorder on the standby production well located at the test site in Duval County, Florida. Detailed hydrographs of water level fluctuations shall be constructed with the data collected from the water level recorder and shall be submitted to SJRWMD by April 15, July 15, October 15, and January 15 for each preceding calendar quarter.
4. Water quality analysis shall performed on water withdrawn from each production well. The water samples collected from each of the wells shall be collected immediately after removal by pumping of a quality of water equal to at least two casing volumes. The JEA and staff of SJRWMD may determine and adjust the intervals to be monitored in accordance with hydrologic conditions determined from drilling logs. The water quality analyses shall be performed monthly during the first year of operation, quarterly during the second year and twice each year (May and September) thereafter. Results shall be submitted to SJRWMD and the Bio- City of Jacksonville Environmental Services Quality Division (BESCJEQD)) within 45 days after following such analyses were performed. Testing for the following parameters is required:

a. When Drilled:

Bicarbonate, Calcium, Chloride, Gross Alpha, Magnesium, Nitrate, Potassium, Radiation, Radium 226 (only if gross alpha is greater than 15 pci/l), Sodium, Specific Conductance, Sulfate, Total Dissolved Solids, Total phosphate.

b. During Operation:

Chloride, Nitrate, Specific Conductance, Sulfate, and Total Dissolved Solids.

5. In the event that SJRWMD or BES CJEQD determines there is a

significant change in the water quality (substantially caused by SJRPP and causing a potentially significant effect on water use), the Department may propose pursuant to Section 403.516, F.S., that the licensee be required to reduce or cease withdrawal from these groundwater sources and that additional parameters be monitored.

6. Minimum Water Level Restrictions for Floridan production wells

If the Department and SJRWMD at a future date establish a minimum water level of general applicability to all users in the aquifer or aquifers hydrologically associated with these withdrawals, they may propose pursuant to Section 403.516, F.S. that JEA reduce or cease withdrawal from these groundwater sources at times when water levels fall below these minimums.

After consultation with the ~~DEP and~~ SJRWMD, JEA shall install a monitoring well network to monitor groundwater quality horizontally and vertically through to the top of the Hawthorne Formation's first clayey lithologic unit.

[Replaced by Section B. Condition I. Department of Environmental Protection, paragraph B. and paragraph G.] ~~Groundwater quantity and flow directions will be determined seasonally at the site through the preparation of seasonal water table contour maps, based upon water level data obtained during the applicant's preoperational monitoring program. From these maps the water quality monitoring well network will be located. Monitoring well locations and designs shall be submitted to the Department and SJRWMD for review. Approval or disapproval of the locations and design shall be granted within 60 days. Monitoring wells shall be installed up gradient and down gradient from each solid waste disposal area, each liquid waste pond and each coal pile storage area. An additional monitoring well will be placed immediately down gradient of the first section of each solid waste landfill to be utilized. Insofar as possible, these monitoring wells may be selected from the existing wells and piezometers used in the licensee's preoperational monitoring program. Existing wells will be properly sealed in accordance with Rule 62-532.500(4), F.A.C., whenever they are abandoned due to construction of facilities or landfill cells. The water samples collected from each of the monitor wells shall be collected immediately after removal by pumping of a quantity of water equal at least two casing volumes. The water quality analyses shall be performed monthly during the year prior to commercial operation and quarterly thereafter. Results shall be submitted to the Department and the SJRWMD by the fifteenth (15th) day of the month following the month during which such analyses were performed. Testing for the following constituents is required around unlined ponds or storage areas:~~

~~Aluminum, Arsenic, Beryllium, Cadmium, Chloride, Chromium, Color, Conductance, Copper, Gross Alpha, Iron, Lead, Mercury, Nickel, pH, Selenium, Redox, Sulfate, Sulfite, Total Dissolved Solids, Zinc.~~

~~Conductivity shall be monitored in wells around all lined solid waste disposal sites, coal piles, and wastewater treatment and sedimentation ponds.~~

H. Leachate Criteria

1. Zone of Discharge **[Replaced by Section B. Condition I. Department of Environmental Protection, paragraph O.]**

~~Leachate from the solid waste landfills, sludge disposal test cells,~~

coal storage piles, wastewater treatment ponds, or sedimentation ponds shall not contaminate waters of the State (including both surface and groundwaters) in excess of the limitations of Chapters 62-302 and 62-520, F.A.C., beyond the boundary of a zone of discharge extending to the top of the Hawthorne Formation below the waste landfill cell or pond rising to a depth of 50 feet at a horizontal distance of 200 feet from the edge of the landfill or ponds; provided that DEP may provide a larger zone of discharge if warranted by the solid waste test program.

2. Corrective Action *[Replaced by Section A. Condition XXXI. Water Discharges, paragraph 2.]*

~~When the groundwater monitoring system or solid waste test program shows a potential for violation of the groundwater water quality standards of Chapter 62-520, F.A.C., at the boundary of the zone of discharge, the appropriate ponds, FGD landfill, or coal pile shall be bottom sealed, relocated, or the operation of the affected facility shall be altered in such a manner as to assure the Department that no violation of the groundwater standards will occur beyond the boundary of the zone of discharge.~~

IV. CONTROL MEASURES DURING CONSTRUCTION

A. Stormwater Runoff *[Deleted as work has been completed]*

~~During construction, appropriate measures shall be used to settle, filter, treat or absorb silt-containing or pollutant-laden stormwater runoff to limit the suspended solids to 50 mg/l or less at the POD during rainfall periods less than the 10-year, 24 hour rainfall, and to prevent an increase in turbidity of more than 29 Nephelometric Turbidity Units above background in waters of the State beyond 50 meters from the POD to Brown's Creek. Oil and grease shall not exceed 5 mg/l at the discharge from the borrow pit into Brown's Creek.~~

~~Control measures shall consist at the minimum of sediment traps, barriers, berms or vegetative planting. Exposed or disturbed soil shall be protected as soon as possible to minimize silt and sediment-laden runoff. The pH shall be kept within the range of 6.0 to 8.5 at the POD.~~

~~Final drainage plans illustrating any stormwater treatment facilities and conveyances for construction phases and ultimate operations for both the entire St. Johns River Power Park site and the Blount Island coal site shall be submitted to the Director of DEP's Northeast District Office and the St. Johns River Water Management District for review and approval prior to construction of any such conveyance of facility. The Department shall indicate its approval or disapproval within 60 days of the submittal.~~

~~Stormwater drainage to Brown's Creek and Brown's Creek proper shall be monitored as indicated below beginning as soon as possible but not less than 30 days prior to the commencement of construction and continuing throughout construction:~~

Monitoring Point	Parameters	Frequency	Sample Type
*Stormwater drainage to Brown's Creek from existing borrow pit in southeast portion of site	BOD5, TOC, suspended solids, turbidity, dissolved oxygen, pH, TKN, total phosphorus, fecal coliform, total coliform, oil and grease	**	**
*West Fork of Brown's Creek at point downstream from entry of stormwater from Power park site by way of a borrow pit	BOD5, TOC, suspended solids, turbidity, dissolved oxygen, pH, TKN, total phosphorus, fecal coliform, total coliform	**	**

~~*Monitoring shall be conducted at suitable points for allowing a comparison of the characteristics of preconstruction and construction phase drainage and receiving waters.~~

~~**The frequency and sample type shall be as outlined in a sampling program prepared by the applicant and submitted by February 15, 1982, for review and approval by the St. Johns River Subdistrict Manager and the St. Johns River Water Management District. The Districts will indicate their approval or disapproval within 30 days of submittal.~~

B. Sanitary Wastes [Moved to Section B. Condition I. Department Environmental Protection, paragraph H.]

Disposal of sanitary wastes from construction toilet facilities shall be in accordance with applicable regulations of the Department and appropriate local health agency. The sewage treatment plant shall be operated in accordance with Rule 62-600, F.A.C. The discharge of total residual chlorine to Brown's Creek from the borrow pit shall not exceed 0.01 mg/l.

C. Environmental Control Program [Moved to Section B. Condition I. Department Environmental Protection, paragraph I.]

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

~~The licensee shall notify the Department by telephone if unexpected harmful effects or evidence of irreversible environmental damage are detected during construction, shall immediately report in writing to the Department and shall within two weeks provide an analysis of the problem and a plan to eliminate or significantly reduce the harmful effects or damage and a plan to prevent recurrence.~~

D. Construction Dewatering Effluent [Moved to Section B. Condition I. Department Environmental Protection, paragraph J.]

Construction dewatering effluent shall be treated when appropriate to limit

surface water discharges of suspended solids to no more than 50 mg/l. The discharge of construction dewatering liquids shall not cause turbidity in excess of 29 Nephelometric Turbidity Units above ambient beyond a 20 meter radius from the point of discharge. Weekly grab samples will be collected and analyzed for suspended solids.

~~A program for controlling the groundwater impacts of construction dewatering shall be submitted to the Department and the St. Johns River Water Management District for review prior to implementation.~~ **[Replaced by Section A. Condition XXVII. Environmental Resources. B.10.]**

V. SOLID WASTES

~~Solid wastes resulting from construction or operation shall be disposed of in accordance with the applicable regulations of Chapter 62-701, F.A.C. The licensee shall submit a program for approval outlining the methods to be used in handling and disposal of solid wastes. Such program shall indicate at the least methods for erosion control, covering, vegetation and quality control.~~ **[Replaced by Section A. Condition XXXII. Solid and Hazardous Waste, paragraph A.]**

~~Open burning in connection with land clearing shall be in accordance with Chapter 62-256, F.A.C. No additional permits shall be required, but the Division of Forestry shall be notified prior to burning. Open burning shall not occur if the Division of Forestry has issued a ban on burning due to fire hazard conditions.~~ **[Replaced By Section A. Condition VIII. Construction Practices, paragraph B.]**

VI. OPERATION SAFEGUARDS [Replaced By Section A. Condition XIV. Regulatory Compliance]

~~The overall design, layout, and operation of the facilities shall be such as to minimize hazards to humans and the environment. Security control measures shall be utilized to prevent exposure of the public to hazardous conditions. The Federal Occupational Safety and Health Standards will be complied with during construction and operation. The Safety Standards specified under Section 440.56, F.S., by the Florida Department of Labor and Employment Security, Division of Safety, will also be complied with.~~

VII. SCREENING [Moved To Section B. Condition VII.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.

VIII. POTABLE WATER SUPPLY SYSTEM [Moved To Section B. Condition I.Department Environmental Protection, paragraph F.]

The potable water supply system shall be designed and operated in conformance with Chapter 62-555, F.A.C. Information as required in Chapters 62-550 and 62-555, F.A.C., shall be submitted to the Department prior to construction and operation. The operator of the potable water supply system shall be certified in accordance with Chapter 62-699, F.A.C.

IX. TRANSFORMER AND ELECTRIC SWITCHING GEAR [Moved To Section B. Condition I. Department Environmental Protection, paragraph N]

The foundations for transformers, capacitors, and switching gear necessary to connect SJRPP Units 1 & 2 to the existing distribution system shall be constructed in such a manner as to allow complete collection and recovery of any spills or leakage of oily, toxic, or hazardous substances.

X. TOXIC, DELETERIOUS, OR HAZARDOUS MATERIALS [Replaced by Section A. Condition XXXII. Solid and Hazardous Waste, paragraph C.]

~~The spill of any toxic, deleterious, or hazardous materials shall be reported in the manner specified by Condition XV.~~

XI. CONSTRUCTION IN WATERS OF THE STATE

A. Title [Replaced By Section A. Condition XVI. Use of State Lands]

~~No construction or maintenance dredging on sovereign submerged lands shall commence without obtaining lease, easement or title from the Department of Environmental Protection and/or Trustees of the Internal Improvement Trust Fund.~~

B. Turbidity [Replaced By Section A. Condition XXXI. Water Discharges.A.]

~~Construction of intake and discharge structures, materials unloading wharf, and transmission towers shall be done in a manner to minimize turbidity. Turbidity screens should be used to prevent turbidity in excess of 29 NTUs above background beyond 150 meters from the dredging, pile driving, or construction site. All spoil from connecting the SJRPP intake/discharge system to the NGS, and the coal unloading wharf shall be piped hydraulically or trucked to an upland disposal site of sufficient capacity to retain all material. Spoil from construction access canals shall be side cast and used for restoring natural bottom contours upon completion of construction.~~

C. Variances [Moved To Section B. Condition I. Department Environmental Protection, paragraph K.]

1. Variances to the provisions of Rule 62-302.530(40), F.A.C., for lead and Rule 62-302.530(60), F.A.C., for silver for a period to exceed a cumulative total of twelve months commencing on the start of dredging activities are granted in accordance with Sections 403.201(1)(c) and 403.511(2), F.S., at the materials unloading facility wharf site on Blount Island. Concentrations at the boundary of a 150 meter radius mixing zone shall not exceed the following:

Lead	62.0 µg/l
Silver	6.1 µg/l

2. Variances to the provisions of Rule 62-302.530(16), F.A.C., for cadmium, Rule 62-302.530(40), F.A.C., for lead, Rule 62-302.530(42), F.A.C., for mercury, and Rule 62-302.530(60), F.A.C., for silver, are granted pursuant to the provisions of Sections 403.201(1)(c) and 403.511(2), F.S., at the spoil area site overflow

overflow for a period not to exceed a cumulative total of twelve months starting with commencement of dredging activities. Concentrations at the boundary of a 150 meter radius mixing zone shall not exceed the following:

Cadmium	8.2 µg/l
Lead	62.0 µg/l
Mercury	0.2 µg/l
Silver	6.1 µg/l

D. Mixing Zones [Moved To Section B. Condition I. Department Environmental Protection, paragraph, L.]

During dredging activities mixing zone radii are designated for the following parameters:

Parameter	Distance to Edge of Mixing Zone (m)
Aluminum	150
Antimony	18
Cadmium	150
Copper	150
Cyanide	19
Iron	150
Lead	150
Mercury	150
Oil and Grease	25
Silver	150

E. Maintenance Dredging [Moved to Section A. Conditions I. Department Environmental Protection, paragraph M]

Maintenance dredging shall be performed in accordance with the preceding requirements and limitations of Section XI. of these conditions.

XII. SOLID WASTE LANDFILL [Moved To Section B. Condition I. Department Environmental Protection, Paragraph A.]

A. The proposed solid waste landfill area shall be monitored and studied pursuant to a detailed groundwater testing and monitoring program as defined in Condition III.G. The results of the program will be used by the Department in determining whether JEA has affirmatively demonstrated that Florida water quality criteria (Chapter 62-302, F.A.C.) will not be violated.

B. JEA may implement a test program to demonstrate the quality and quantity of leachate from an unlined or uncontrolled waste facility. During the testing program, JEA shall either provide an impermeable liner under the solid waste disposal areas or shall utilize a chemical fixation process, stabilization or other approved methods to control leachate from the solid waste. Upon an affirmative showing that an uncontrolled solid waste facility will not cause violation of groundwater quality criteria, the Department may approve use of non-lined or uncontrolled landfill cells.

C. JEA shall utilize solid waste disposal area "B", north of Island Drive, or the area previously designated for the bottom ash pond, prior to using disposal area "A".

The delineated Recovered Screen Material (RSM) shall not be removed or distributed. In the event there is a need to disturb the RSM or utilize the landfill material in the location associated with the RSM, the RSM shall be re-addressed with the DEP prior to any action.

D. Construction of perimeter berms shall be in conformance with the provisions of Chapter 62-672, F.A.C., regarding earthen dams.

E. Prior to the commencement of operation of solid waste disposal area the following shall be submitted to the Director of DEP's Northeast District Office for review and approval:

1. Plot plan - should be drawn on a scale not greater than 200 ft. to the inch showing the following:

- a. Dimensions and legal description of the site.
- b. Location and depth corrected to MSL of soil borings.
- c. Proposed trenching plan.
- d. Cover stock piles.
- e. Fencing or other measures to restrict access.
- f. Cross sections showing both original and proposed fill

elevation.

g. Location, depth corrected to MSL, and construction details of monitoring wells.

2. Design Drawings and Maps - may be combined with plot plan and should be drawn on a scale not greater than 200 ft. to the inch showing the following:

- a. Topographic map with five foot contour intervals.
- b. Proposed fill area.
- c. Borrow area.
- d. Access roads.
- e. Grades required for proper drainage.
- f. Typical cross sections of disposal site including lifts, borrow

area and drainage controls.

g. Special drainage devices.

3. Soil map, interpretive guide sheets, and a report giving the suitability of the site for such an operation.

4. Contingency plan, including waste handling and disposal methods, in case of an emergency such as equipment failure, natural disaster or fire.

5. Operation plans to direct and control the use of the site including procedures to isolate and protect RSM.

6. An indication by discussion or drawings or both of how the site is designed to meet water quality standards of Chapter 62-302, F.A.C., at the boundary of the zone of discharge.

Based on the Department's reviews of the above, additions to or modifications of the overall monitoring program may be required for monitoring of runoff, groundwaters, and surface waters which may be affected by the various landfilling operation.

The Department shall indicate its approval or disapproval of the submitted plans, drawings, maps, analyses and contingency plans within 60 days.

XIII. TRANSMISSION LINES

A. General

1. ~~Filling and construction in waters of the State shall be minimized to the extent practicable. No such activities shall take place without obtaining lease, title or easement from the Department of Environmental Protection and/or THTF where required. Construction and access roads should avoid wetlands and be located in surrounding uplands.~~ **[Replaced By Section A. Condition XVIII. Property Rights and Condition XXX. Environmental Resources]**

2. Placement of fill in wetland areas shall be minimized by spanning such areas with the maximum span practicable. **[Moved To Section C. Condition II. ROW Activities]**

3. The Department may determine that any fill required in wetlands for construction but not required for maintenance purposes shall be removed and the ground restored to its original contours after transmission line placement. **[Moved To Section C. Condition II. ROW Activities]**

4. Where fill in wetlands is necessary for access, keyhole fills from upland areas should be oriented as nearly parallel to surface water flow lines as possible. **[Moved To Section C. Condition II. ROW Activities]**

5. Sufficient size and number of culverts or other structures shall be placed through fill causeways to maintain substantially unimpaired sheet flow. **[Moved To Section C. Condition II. ROW Activities]**

6. ~~Turbidity control measures, including but not limited to hay bales, turbidity curtains, sodding, mulching and seeding, shall be employed to prevent violation of water quality standards.~~ **[Replaced By Section A. Condition XXX. Environmental Resources. B.]**

7. The right-of-way shall be located so as to minimize impacts in or on stream beds, such as the removal of vegetation, to the extent practicable. Within 25 feet of the banks of any streams, rivers, or lakes, vegetation shall be left undisturbed, except for selective topping of trees or removal of trees which topping would kill. If it is necessary to remove such trees within 25 feet of the banks of streams, rivers, or lakes, the root mat shall be left undisturbed. **[Moved To Section C. Condition III. Vegetation]**

8. Any necessary water quality certifications which must be made to the Corps of Engineers for water crossings not identified in the applications in this proceeding shall be made at the time of a finding of compliance for specific work at specific locations. **[Moved To Section C. Condition II. ROW Activities]**

9. Construction activities should proceed as much as practicable during the dry season. **[Moved To Section C. Condition II. ROW Activities]**

B. Other Construction Activities

1. Maintenance roads under control of the licensee shall be planted with native species to prevent erosion and subsequent water quality degradation where drainage from such roads would impact waters of the State significantly. **[Moved To Section C. Condition II. ROW Activities]**

2. Good environmental practices such as described in *Environmental*

Criteria for Electric Transmission Systems as published by the U.S. Department of Interior and the U.S. Department of Agriculture shall be followed to the extent practicable. **[Moved To Section C. Condition II. ROW Activities]**

3. Compliance with the most recent version of the National Electric Safety Code adopted by the Public Service Commission is required. **[Moved To Section C. Condition II. ROW Activities]**

4. Fences running parallel to the transmission line which may become conductive shall be grounded at appropriate intervals; fences running perpendicular to the line shall be grounded at the edge of the right-of-way. **[Moved To Section C. Condition II. ROW Activities]**

5. Where suitable habitat is present, field reconnaissance of rare and endangered species shall be performed in order to minimize impact on these species. **[Moved to Section C. Condition III. Florida Fish and Wildlife Conservation Commission]**

~~6. Open burning in connection with land clearing shall be in accordance with the applicable rules of the Department of Agriculture and Consumer Services. No additional permits shall be required, but the Division of Forestry shall be notified prior to burning. Open burning shall not occur if the Division of Forestry has issued a ban on burning due to fire hazard conditions.~~ **[Replaced By Section A. Condition VIII. Construction Practices B.]**

C. Maintenance

~~1. Vegetative clearing operations for maintenance purposes to be carried out within the corridor shall follow the general standards for clearing right-of-way for overhead transmission lines, as referenced in Sections XIII. A.7. and XIII. B.2. Selective clearing of vegetation is preferred over clearing and grubbing or clear cutting.~~ **[Replaced By Section C. Condition IV. Vegetation]**

~~2. If chemicals or herbicides are to be used for vegetation control, the name, type, proposed use, locations, and manner of application shall be provided to the Department prior to their application for assessment of compliance with applicable regulations.~~ **[Replaced By Section B. Condition III. Department of Agriculture and Consumer Services]**

D. Archaeological Sites [Replaced By Section B. Condition II. Department of State – Division of Historical Resources]

~~Any archaeological sites discovered during construction of the transmission lines shall be disturbed as little as possible and such discovery shall be communicated to the Department of State, Division of Archives, History and Record Management (DAHRM). Potentially affected areas will be surveyed, and if a significant site is located, the site shall be avoided, protected, or excavated as directed by DAHRM.~~

E. Road Crossing [Moved to Section C. Condition VII. Department of Transportation]

For all locations where the transmission line will cross State highways, the applicant will submit materials pursuant to the Department of Transportation's (DOT)

"Utility Accommodation Guide" to DOT's district office for review and approval. All applicable regulations pertaining to roadway crossings by transmission lines shall be complied with.

F. Emergency Reporting [Moved to Section C. Condition I. Replacement for Restoration of System Integrity]

Emergency replacement of previously existing right-of-way or transmission lines shall not be considered a modification pursuant to Section 403.516, F.S. A verbal report of the emergency shall be made to the Department as soon as possible. Within fourteen (14) calendar days after correction of the emergency, a report to the Department shall be made outlining the details of the emergency and the steps taken for its temporary relief. The report shall be a written description of all of the work performed and shall set forth any pollution-control measures or mitigation measures which were utilized or are being utilized to prevent pollution of waters, harm to sensitive areas or alteration of archaeological or historical resources.

G. Final Right-of-Way Location [Replaced by Section A. Condition I. Scope. F.]

~~A map of 1:24000 scale showing final location of the right-of-way shall be submitted to the Department upon completion of acquisition.~~

H. Compliance [Replaced By Section A. Condition XII. Enforcement]

~~Construction and maintenance shall comply with the applicable rules and regulations of the Department and those agencies specified in 403.508(4), F.S.~~

XIV. CHANGE IN DISCHARGE [Replaced by Section A. Condition XIII.Enforcement A. and XXII.Modification. A.]

~~All discharges or emissions authorized herein shall be consistent with the terms and conditions of this certification. The discharge of any pollutant not identified in the application, or any discharge more frequent than, or at a level in excess of, that authorized herein shall constitute a violation of the certification. Any anticipated facility expansions, production increases, or process modification which will result in new, different or increased discharges or expansion in steam generating capacity will require a submission of new or supplemental applications pursuant to Chapter 403, F.S.~~

XV. NONCOMPLIANCE NOTIFICATION [Replaced by Section A. Condition VII. Notification]

~~If, for any reason, the licensee does not comply with or will be unable to comply with any limitation specified in this certification, the licensee shall notify the manager of the DEP's Northeast District Office by telephone during the working day in which licensee becomes aware of said noncompliance and shall confirm this situation in writing within seventy two (72) hours supplying the following information:~~

- ~~_____ A. A description and cause of non-compliance; and~~
- ~~_____ B. The period of noncompliance, including exact dates and times; or, if not corrected, the anticipated time the non-compliance is expected to continue, and steps~~

being taken to reduce, eliminate and prevent recurrence of the non-complying event.

XVI. FACILITIES OPERATION [Replaced by Section A. Condition XXIX. Facility Operation]

~~The licensee shall at all times maintain in good working order and operate as efficiently as possible all treatment or control facilities or systems installed or used by the licensee to achieve compliance with the terms and conditions of this certification. Such systems are not to be bypassed without prior Department approval. Exceptions such as that during periods when light oil is used for ignition, or as provided in 40 CRF 60 Subpart Da allow that the FGD system may be bypassed.~~

XVII. ADVERSE IMPACT [Replaced by Section A. Condition XII. Enforcement]

~~The licensee shall take all reasonable steps to minimize any adverse impact resulting from noncompliance with any limitation specified in this certification, including, but not limited to, such accelerated or additional monitoring as necessary to determine the nature and impact of the non-complying event.~~

XVIII. RIGHT OF ENTRY [Replaced by Section A. Condition IX. Right of Entry]

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

- ~~—— A. —— To enter upon the licensee's premises where an effluent source is located or in which records are required to be kept under the terms and conditions of this permit; and~~
- ~~—— B. —— To have access to and copy all records required to be kept under the conditions of this certification; and~~
- ~~—— C. —— To inspect and test any monitoring equipment or monitoring method required in this certification and to sample any discharge or pollutants; and~~
- ~~—— D. —— To assess any damage to the environment or violation of ambient standards.~~

XIX. REVOCATION OR SUSPENSION [Replaced by Section A. Condition XIII. Revocation or Suspension]

~~This certification may be suspended or revoked pursuant to Section 403.512, Florida Statutes, or for violation of any condition of certification.~~

XX. CIVIL AND CRIMINAL LIABILITY [Replaced by Section A. Condition XV. Civil and Criminal Liability]

~~This certification does not relieve the licensee from civil or criminal responsibility or liability for noncompliance with any conditions of this certification, applicable rules or regulations of the Department, or Chapter 403, Florida Statutes, or regulation thereunder.~~

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

XXI. PROPERTY RIGHTS [Replaced by Section A. Condition XVI. Use of State Lands]

~~The issuance of this certification does not convey any property rights in either real or personal property, tangible or intangible, nor any exclusive privileges, nor does it authorize any injury to public or private property or any invasion of personal rights, nor infringement of federal, state or local laws or regulations. The applicant will obtain title, lease or right of use to any sovereign submerged lands occupied by the plant, transmission line structures, or appurtenant facilities from the State of Florida.~~

XXII. SEVERABILITY [Replaced by Section A. Condition XI. Severability]

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

XXIII. DEFINITIONS [Replaced by Section A. Condition IV. Definitions]

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

XXIV. REVIEW OF SITE CERTIFICATION [Replaced With Section A, Condition XXII. Modification of Certification and Condition V. Federal Permits. B.]

~~The certification shall be final unless revised, revoked or suspended pursuant to law. At least every five years from the date of issuance of this certification or any National Pollutant Discharge Elimination System Permit issued pursuant to the Federal Water Pollution Control Act Amendments of 1972 for the plant units, the Department shall review all monitoring data that has been submitted to it during the proceeding five-year period for the purpose of determining the extent of the licensee's compliance with the conditions of this certification of the environmental impact of this facility. The Department shall submit the results of its review and its recommendations to the licensee. Such review will be repeated at least every five years thereafter.~~

XXV. MODIFICATION OF CONDITIONS [Replaced by Section A. Condition XXIV. Modification of Certification]

~~The conditions of this certification may be modified in the following manner:
A. The Board hereby delegates to the Secretary the authority to modify, after notice and opportunity for hearing, any conditions pertaining to consumptive use of water, monitoring, sampling, groundwater, mixing zones, zone of discharge, leachate control programs, effluent limitations, air emission limitations or variances to water quality standards.
B. This certification shall be automatically modified to conform to any~~

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

XXVI. FLOOD CONTROL PROTECTION [Moved To Section B. Condition V. Duval County]

The plant and associated facilities shall be constructed in such a manner as to comply with the Duval County flood protection requirements.

XXVII. EFFECT OF CERTIFICATION [Replaced by Section A. Condition VI. Design and Performance Criteria]

~~Certification and conditions of certification are predicated upon design and performance criteria indicated in the application. Thus, conformance to those criteria unless specifically amended, modified, or as the Department and parties are otherwise notified, is binding upon the applicant in the preparation, construction and maintenance of the certified project. In those instances where a conflict occurs between the application's design criteria and the conditions of certification, the conditions shall prevail.~~

XXVIII. NOISE [Moved to Section B. Condition VI. Noise]

To mitigate the effects of noise produced by the steam blowout of steam boiler tubes, JEA shall conduct public awareness campaigns prior to such activities to forewarn the public of the estimated time and duration of the noise.

XXIX. ARCHAEOLOGICAL SITES [Moved To Section B. Condition II. Department of State-Division of Historical Resources]

The following archaeological sites shown in Figure 2 shall be preserved whenever practical. If they must be altered by construction, then archaeological salvage excavation shall be performed prior to construction under the supervision of the Florida Department of State, Division of Archives, History and Records Management.

Site -	8Du669	8Du670
	8Du671	8DU673
	8Du674	8Du675
	8Du677	8Du678

XXX. BLOUNT ISLAND MATERIALS UNLOADING FACILITY [Moved To Section B. Condition I. Department of Environmental Protection, Paragraph C.]

Area drainage and rainfall runoff from the lined coal pile on Blount Island shall be directed to a lined treatment system designed to process the runoff from the 24-hour, ten-year storm. Wastewater treatment shall consist of, as a minimum, removal of solids and metals by precipitation and sedimentation, followed by pH adjustment to no less than 8.0 and final disposal by percolation. Sufficient capacity shall be provided to allow for accumulation of settled solids of up to 20 percent of the total pond volume. Solids removed from the sedimentation pond shall be disposed in a properly designed landfill.

The sedimentation pond liner shall be impervious and designed for the life of the facility. The liner shall be installed in such a manner as to prevent rupture during cleaning or removal of solids.

XXXI. MATERIALS CONVEYOR CONSTRUCTION [Moved To Section B. Condition I. Department of Environmental Protection, Paragraph D.]

A. No construction on sovereign submerged lands shall commence without the licensee first obtaining a lease, easement or title from the Department of Environmental Protection and/or Trustees of the Internal Improvement Trust Fund.

B. Construction of the conveyor system, access road and railroad berm shall be done in a manner to minimize erosive loss of sediments to waters of the State. All applicable erosion control methods, including but not limited to, staked hay bales, silt fences, floating silt curtains, and sodding, seeding and mulching of slopes, shall be used at the work sites. Sampling for turbidity shall be carried out by JEA on a once daily basis for background, and twice daily (once in the morning and once in the afternoon) for compliance. Samples shall be taken at a point not less than 500 meters from the work site for background and 50 meters waterward of the last erosion control device for compliance.

All monitoring data shall be submitted within one week of analysis with documents containing the following information: (1) certification number; (2) dates of sampling and analysis; (3) a statement describing the methods used in collection, handling, storage and analysis of the samples; (4) a map indicating the sampling locations; and (5) a statement by the individual responsible for implementation of the sampling program describing the authenticity, precision, limits of detection and accuracy of the data.

Monitoring reports shall also include the following information for each sample that is taken:

1. Time of day samples taken;
2. Water temperature (degrees Celsius);
3. Salinity;
4. Depth of water body;
5. Depth of sample;
6. Antecedent weather conditions;
7. Tidal stage and direction of flow; and
8. Wind direction and velocity.

If the monitoring reveals apparent violations of State Water Quality

Standards for turbidity (29 Nephelometric Turbidity Units above background), construction activities shall cease immediately and not resume until corrective measures have been taken and turbidity has returned to acceptable levels. Any such occurrence shall also be immediately reported to the Department of Environmental Protection, Northeast District, Jacksonville, Florida.

Monitoring reports shall be submitted to the Department of Environmental Protection, Northeast District, Jacksonville, Florida. Failure to submit reports in a timely manner constitutes grounds for revocation of the permit.

C. Mitigation of lost wetland areas shall be accomplished by:

1. A 2:1 replacement of the 0.47 acres of wetlands to be filled, resulting in 0.94 acres of wetland replacement. An old spoil area at the Northside Generating Station (adjacent to a newly created 0.5 acre wetland area created as mitigation for fill associated with the SJRPP intake structure) shall be excavated down to appropriate wetland elevations to allow for natural revegetation by *Spartina alterniflora*. Appropriate drawings showing location and elevations shall be furnished to the Department. If revegetation does not occur naturally within 18 months, JEA shall seed or plant *Spartina alterniflora* at this site.

2. The existing culverts along the railroad berm north of Heckscher Drive shall be cleaned out to restore flow to their full capability. This shall include extending culverts, as necessary, so that the eastern culvert opening would be beyond the eastern side slope of the berm. If the condition of any existing culvert does not allow its full flow to be restored, it shall be replaced.

3. The side slope gradients along the railroad berm and conveyor system access road shall be 2:1

XXXII. MATERIALS CONVEYOR SYSTEM [Moved To Section B. Condition I. Department of Environmental Protection, Paragraph, E.]

JEA shall submit to DEP information concerning location, design, construction and operation of any materials conveyor system from Blount Island to the main plant site at least 120 days prior to construction of the materials conveyor system. The Secretary of DEP shall indicate DEP's approval or disapproval within 90 days of receipt.

DEP may also impose reasonable conditions on the construction and operation of this conveyor system. These conditions may impose appropriate restrictions on construction, operation and maintenance of the materials conveyor system in order to comply with applicable nonprocedural standards of any agency. DEP's decision shall be final unless further review is timely sought by any party pursuant to Section 120.57 or Section 403.516, Florida Statutes. The DEP may retain up to \$10,000.00 of the unexpended application fee to assist in the review of this materials conveyor.

HISTORY NOTES [Placed at End of Section C.]

Certification issued 06/29/82; signed by Governor Graham

Modified 09/18/86; signed by Secretary Tschinkel

Modified 11/21/86; signed by Secretary Tschinkel

Modified 07/21/87; signed by Secretary Twachtman

Modified 01/31/92; signed by Secretary Browner
Modified 06/24/92; signed by Secretary Browner
Modified 04/14/94; signed by Secretary Wetherell
Modified 05/19/95; signed by Secretary Wetherell
Modified 08/02/96; signed by Secretary Wetherell
Modified 10/04/96; signed by Secretary Wetherell
Modification Correction 10/29/96; signed by Secretary Wetherell
Modified 12/31/97; signed by Secretary Wetherell
Modified 04/12/00; signed by Deputy Secretary Green
Modified 05/17/01; signed by Deputy Secretary Green
Modified 08/29/05; signed by Siting Administrator Owen
Modified 03/08/07; signed by Siting Administrator Halpin
Modified 03/16/09; signed by Siting Administrator Halpin
Modified 12/23/09; signed by Siting Administrator Halpin