

**BEFORE THE STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION**

DEP CASE NO. PA 79-12K
OGC CASE NO 01-0265

FINAL ORDER MODIFYING CONDITIONS OF CERTIFICATION

On August 17, 1981, the Governor and Cabinet, sitting as the Siting Board, issued a final order approving certification for the Tampa Electric Company Big Bend Station Unit 4 electrical power plant site. That certification order approved the construction and operation of a 425 MW, coal-fired power plant unit and associated facilities located at the existing Big Bend Station in Hillsborough County, Florida.

On July 16, 1999, Tampa Electric Company (TEC) filed a request to amend the conditions of certification pursuant to Section 403.516(1)(b), Florida Statutes. After a review of monitoring results as provided for in Condition I.B.5., TEC requested that the conditions be modified to delete a requirement for operating ambient monitors associated with the Big Bend Station. On December 23, 1999, the Department amended permit PSD-FL-040 for Big Bend Station to discontinue the requirement for SO₂ ambient monitoring.

On February 21, 2001, copies of the proposed modifications were made available for public review and all parties to the original proceeding were furnished with a copy of the Notice of Intent to Issue Proposed Modification of Power Plant Certification and with a copy of the proposed final order. On March 2, 2001, a Notice of Intent to Issue Proposed Modification of Power Plant Certification was published in the Florida Administrative Weekly. The notices specified that all parties to the original certification proceeding have 45 days from the issuance of the notice by mail to such party's last address of record in which to object to the requested modification. Failure of any of the parties to file a response constitutes a waiver of objection to the requested modification. The notices further specified that any person who is not already a party to the certification proceeding and whose substantial interests will be affected by the requested modification has 30 days from the date of publication of the public notice to object in

writing. If no objections are received, then a Final Order approving the modification shall be issued by the Department. If objections are raised and an agreement cannot be subsequently reached, then pursuant to §403.516(1)(c), F.S., the applicant or the Department may file a petition for modification seeking approval for those portions of the request for modification to which written objections were timely filed. No written objections to the proposed modifications have been received by the Department. Accordingly, in the absence of any timely objections,

IT IS ORDERED:

The proposed changes to TEC's Big Bend Station Unit 4 are **APPROVED**. Pursuant to Section 403.516(1)(b), F.S., the conditions of certification for the TEC Big Bend Station Unit 4, are **MODIFIED** as follows:

I. Air

A. No change.

B. Air Monitoring Program

1. No change.

2. ~~The permittee or Hillsborough county shall operate the two ambient monitoring devices for sulfur dioxide in accordance with EPA reference methods in 40 CFR, Part 53, and two ambient monitoring devices for suspended particulates. The monitoring devices shall be specifically located at a location approved by the Department. The frequency of operation shall be every six days commencing as specified by the Department.~~

2. 3. The permittee shall maintain a daily log of the amounts and types of fuels used and copies of fuel analyses containing information on sulfur content, ash content and heating values.

3. 4. The permittee shall provide sampling ports into the stack and shall provide access to the sampling ports, in accordance with DEP publication, Standard Sampling Techniques and Methods of Analysis for the Determination of Air Pollutants from Point Sources, July, 1975.

4. 5. The ambient monitoring program may be reviewed by the Department and the permittee annually beginning two years after start-up of Unit 4.

5. 6. Prior to operation of the source, the permittee shall submit to the Department a standardized plan or procedure that will allow the permittee to monitor emission control equipment efficiency and enable the permittee to return malfunctioning equipment to proper operation as expeditiously as possible.

C. No change.

D. Reporting

1. For Unit 4, stack monitoring, fuel usage and fuel analysis data shall be reported to the Department's Southwest District Office on a quarterly basis commencing with the start of commercial operation in accordance with 40 CFR, Part 60, Section 60.7., and in accordance with Section 62-296.405 ~~17-2.08~~, FAC.

2. No change.

3. Beginning one month after certification, the permittee shall submit to the Department a quarterly status report briefly outlining progress made on engineering design and purchase of major pieces of equipment (including control equipment). All reports and information required to be submitted under this condition shall be submitted to the Department's Southwest District Office ~~Administrator of Power Plant Siting, Department of Environmental Protection, 2600 Blair Stone Road, M.S. 48, Tallahassee, Florida, 32301.~~

II. through XVII. No change.

XVIII. Right of Entry

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

A. through C. No change.

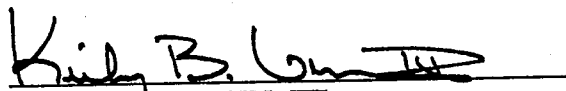
XIX. through XXX. No change.

Any party to this Final Order has the right to seek judicial review of the order pursuant to Section 120.68, Florida Statutes, by filing a Notice Appeal pursuant to Rule 9.110, Florida Rules of Appellate Procedure, with the clerk of the Department of Environmental Protection in the Office of General, 3900 Commonwealth Boulevard, Tallahassee, Florida 32399-3000; and by filing a copy of the Notice of Appeal, accompanied by the applicable filing fees, with the appropriate District Court of Appeal. The Notice of Appeal must be filed within 30 days from

the date that this Final Order is filed with the Clerk of the Department of Environmental Protection.

DONE AND ORDERED this 17th day of May, 2001, in Tallahassee, Florida.

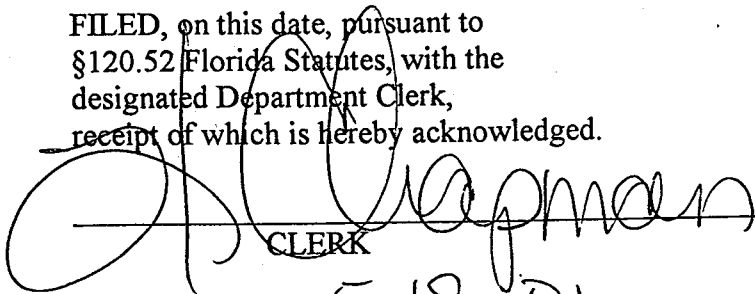
STATE OF FLORIDA, DEPARTMENT
OF ENVIRONMENTAL PROTECTION


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FILING AND ACKNOWLEDGMENT:

FILED, on this date, pursuant to
§120.52 Florida Statutes, with the
designated Department Clerk,
receipt of which is hereby acknowledged.


CLERK

5-18-01
DATE

CERTIFICATE OF SERVICE

I hereby certify this 21 day of May 2001, that a true and correct copy of the foregoing has been sent by mail to the following listed persons:

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**STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION**


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