

Jeb Bush
Governor

Department of Environmental Protection

DEP05-1447

Twin Towers Office Building
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

Colleen M. Castille
Secretary

September 13, 2005

- CERTIFIED MAIL - RETURN RECEIPT REQUESTED -

Gwen L. Shofner, P.E.
Tampa Electric Company
Post Office Box 111
Tampa, Florida 33601-0111

**RE: Tampa Electric Company Big Bend Unit 4
Modification to Conditions of Certification
DEP Case Number PA 79-12M
OGC Case Number 05-1827**

ORDER MODIFYING CONDITIONS OF CERTIFICATION

Dear Ms Shofner:

The Florida Department of Environmental Protection ("Department") gives notice of its intent to modify the Conditions of Certification of the Tampa Electric Company Big Bend Unit 4 power plant. The Department has prepared a proposed Order modifying the conditions of Certification. That proposed Order is attached.

On March 17 2005, the Department issued NPDES Permit Revision No. FL0000817 for the Tampa Electric Company Big Bend Unit 4 Power Plant. Pursuant to Rule 62-17.211(4), Florida Administrative Code (F.A.C.) the Department proposes to modify the Conditions of Certification for this facility to conform them to the NPDES Permit.

On or before September 15, 2005, all parties to the certification proceeding were provided with notice by certified mail of the Department's intent to modify the Conditions of Certification for this facility, along with a copy of the proposed Order Modifying Conditions of Certification. Additionally, on or before September 15, 2005, notice of the Department's intent to modify the Conditions of Certification for this facility was published in the Florida Administrative Weekly ("FAW"), and on the Department's internet home page at <http://www.dep.state.fl.us/> under the link or button titled "Official Notices." Those notices specified that pursuant to Section 403.516, Florida Statutes ("F.S."), and Rule 62-17.211, F.A.C., all parties to the certification proceeding have 45 days from the issuance of the notice by mail to such party's last address of record in which file a written objection to the modification; 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 in the FAW to object in writing; that failure to act within the time frame constitutes a waiver of the right to become a party; and that the Department will issue a Final Order Modifying the Conditions of Certification for this facility if no written objections are received by the Department.

No objections to the modification have been received by the Department. The Conditions of Certification for the Tampa Electric Company Big Bend Unit 4 are hereby modified as follows:

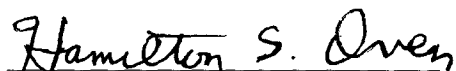
II. Water Discharges

Any discharges into any waters of the State during construction and operation of Big Bend Unit 4 shall be in accordance with all applicable provisions of the NPDES Permit FL0000817 (hereto attached as Appendix A), Chapter 62-301, Florida Administrative Code, and 40 CFR, 423, Effluent Guidelines and Standards for Steam Electric Power Generating Point Source Category except as provided herein. Also, the permittee shall comply with the following conditions of certification:

A.-B. No Change

Any party to the this Order has a right to seek judicial review of it pursuant to Section 120.68, Florida Statutes by filing a Notice of 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 Counsel, 3900 Commonwealth Boulevard, M.S. 35, 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 thirty days from the date this Order is filed with the Clerk of the Department of Environmental Protection.

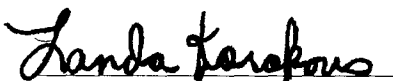
Executed in Tallahassee, Florida.



Hamilton S. Oven, P.E.

Administrator, Siting Coordination Office

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

 9/13/05
Clerk Date

TECO Big Bend Unit 4
Order Modifying Conditions of Certification
DEP Case Number PA 79-12M
9/13/05

CC:

Frank K. Anderson, Esquire
Cathy Bedell, Esquire
Lawrence N. Curtin, Esquire
Sara Fotopulos, Esquire
Stephanie G. Kruer, Esquire