



FLORIDA DEPARTMENT OF Environmental Protection

Bob Martinez Center
2600 Blair Stone Road
Tallahassee, FL 32399-2400

Ron DeSantis
Governor

Jeanette Nuñez
Lt. Governor

Noah Valenstein
Secretary

January 28, 2020

Sent by Electronic Mail – Document Access Verification Requested

Paul Carpinone, Director
Environmental, Health & Safety
Tampa Electric Company
POB 111
Tampa, Florida 33601-0111
plcarpinone@tecoenergy.com

RE: TEC Big Bend
Modification to Conditions of Certification
DEP Case Number PA 79-12T
OGC Case Number 19-1800

FINAL ORDER MODIFYING CONDITIONS OF CERTIFICATION

Dear Mr. Carpinone:

On August 17, 1981, the Florida Siting Board issued a Site Certification to Tampa Electric Company (TEC) for the construction and operation of Big Bend Unit 4 in Hillsborough County. On July 29, 2019, the Florida Siting Board issued a Site Certification to TEC for existing Units 1, 2, and 3, and authorization to construct and operate the Big Bend Unit 1 Modernization Project at its existing Big Bend Power Station (Big Bend). The Department of Environmental Protection (Department) has modified the Conditions of Certification (Conditions) for Big Bend by Final Order on nineteen other occasions.

On October 22, 2019, TEC submitted a request to the Department to extend the December 31, 2019, deadline to complete the lining of the East Coalfield Runoff Pond. The Department has reviewed the information provided by TEC on October 22, November 14, and November 15, 2019, and determined that TEC has implemented reasonable measures to stabilize pond water levels prior to beginning dewatering activities, and that additional time is needed to achieve further water level reductions. Therefore, the deadline for the lining of the East Coalfield Runoff Pond will be extended to December 31, 2020.

On December 12, 2019, all parties to the certification proceeding were provided notice of the Department's intent to modify the Conditions for Big Bend. On December 17, 2019, notice of the Department's intent to modify the Conditions for Big Bend was also published in the Florida Administrative Register (FAR).

Pursuant to Section 403.516, F.S., and Rule 62-17.211, Florida Administrative Code (F.A.C.), all parties to the certification proceeding have 45 days from the issuance of notice in which to file a written objection to the modification. Pursuant to Section 403.516, F.S., and Rule 62-17.211, F.A.C., 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 FAR to object in writing. Failure to act within the time frame constitutes a waiver of the right to become a party.

These timeframes have expired, and no objections to the modification have been received by the Department. Therefore, the Conditions of Certification for Big Bend are modified as follows:

SECTION A: I.-XXXVI. No Change

SECTION B: I. **A.** No Change

B. ***Industrial Wastewater Discharges***

1. Plant Effluents and Receiving Body of Water

a. Coal Pile

Coal pile runoff shall be routed to the lined

Recycle Pond System and shall not be directly discharged to surface waters. The stormwater pond associated with the coal pile shall be lined no later than December 31, ~~2019~~2020.

b.-c. No Change

C.-F. No Change

II.-IX. No Change

The final version of the modified Conditions (including attachments) can be viewed and obtained from the following website:

http://publicfiles.dep.state.fl.us/Siting/Outgoing/Web/Certification/pa79_12_2020_T.pdf

Copies of the Conditions and/or attachments may also be obtained by contacting the Department of Environmental Protection, Siting Coordination Office, 2600 Blair Stone Rd., M.S. 5500, Tallahassee, Florida, 850-717-9000.

Any party to this Order has a right to seek judicial review of it pursuant to Section 120.68, F.S. 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,

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

Sincerely,

Cindy Mulkey
Program Administrator
Siting Coordination Office
CC by Electronic Mail:
DEP District Director mary.yeargan@floridadep.gov
DEP District SCO Liaison: michael.b.miller@floridadep.gov

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

Date

Service List: *Sent by Electronic Mail – Document Access Verification Requested*

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