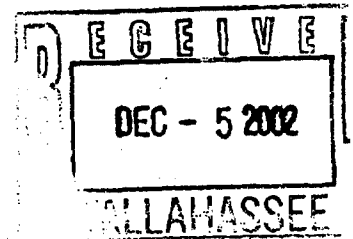




Jeb Bush
Governor

Department of Environmental Protection

Marjory Stoneman Douglas Building
3900 Commonwealth Boulevard
Tallahassee, Florida 32399-3000



David B. Struhs
Secretary

December 2, 2002

- CERTIFIED MAIL - RETURN RECEIPT REQUESTED -

A.K. (Ben) Sharma, P.E.
Vice President of Power Supply
Kissimmee Utility Authority
Post Office Box 423219
Kissimmee, FL 34742-3219

OFC 03-0636
DEP 02-1360
DEPARTMENT OF
ENVIRONMENTAL PROTECTION
MAR 18 2003

SITING COORDINATION

RE: **Kissimmee Utility Authority/Florida Municipal Power Agency
Cane Island Power Park
Modification to Conditions of Certification
DEP Case Number PA 98-38B**

ORDER MODIFYING CONDITIONS OF CERTIFICATION

Dear Mr. Sharma:

On April 16, and 17, 2002, the Department received requests to modify the Conditions of Certification for the Cane Island Power Park. Those requests included a transfer of appropriate permit provisos from the Cane Island Industrial Waste Discharge Permit, IW Permit 49-FLA01096-1 issued to Cane Island Units 1 and 2 prior to site certification, to the Cane Island Conditions of Certification with appropriate changes reflecting the increased flows due to operation of Unit 3. The Department proposed to modify the conditions to include the appropriate provisions of the old Industrial Waste permit in the Conditions of Certification pursuant to section 403.516, Florida Statutes, and Florida Administrative Code rule section 62-17.211.

The Department has reviewed the modification request. On October 7, 2002, 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 October 18, 2002, 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, Florida Administrative

Code ("F.A.C."), all parties to the certification proceeding have 45 days from the issuance of notice by mail to such party's last address of record in which to 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 Florida Administrative Weekly to object in writing; and that the Department will issue an 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 Cane Island Power Park are hereby modified as follows:

I. General

A. Definitions

The meaning of the terms used herein shall be governed by the definitions contained in Chapters 403, 378, 373, 372, and 253, Florida Statutes (F.S.), and any regulation adopted pursuant thereto and the statutes and regulations of any agency. 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 determined by the Department. As used herein:

1. through 6. No change

7. "Permittee" "Licensee/permittee" shall mean an applicant which has obtained a certification order for the subject electrical power plant, in this instance, the Kissimmee Utility Authority (KUA) and Florida Municipal Power Agency (FMPA).

8. through 11. No change

II. through XVI. No change

XVII. NPDES AND INDUSTRIAL WASTES

A. Surface Water Discharge

This Condition of Certification is issued under the provisions of Chapter 403, Florida Statutes, and applicable rules of the Florida Administrative Code and constitutes authorization to discharge to waters of the state under the National Pollutant Discharge Elimination System. The KUA is hereby authorized to operate the facilities

shown in the Cane Island Unit 3 Site Certification Application and other documents on file with the Department and made a part hereof and as specifically described in Permit No. FLA010961. ~~Until Permit No. FLA010961 is updated to address Unit 3, the Cane Island Power Park will be allowed to~~ shall operate as follows:

1. Operation: Of an industrial wastewater treatment and disposal system to serve the referenced Cane Island Power Park which includes a steam electric power generation plant and combustion turbine units. The facility presently includes three fossil-fueled electric generating units: Unit 1, a simple-cycle gas turbine rated at 40 MW (nominal); Unit 2, a gas-fired combined cycle unit rated at 120 MW (nominal); and Unit 3, a gas-fired combined cycle unit rated at 250 MW (nominal). The existing facility discharge consists of cooling water blowdown, low volume wastes, and chemical and non-chemical metal cleaning wastes. The Cane Island Power Park receives reclaimed water from the City of Kissimmee/Bermuda Avenue wastewater treatment facility (POTW). This water supply is designated as INT-01. Well water is used to supplement the wastewater from the POTW. This supply is designated INT-02 and INT-03. The licensee may alter the flow volumes from INT-01, INT-02 and INT-03 as required for operational needs. The POTW effluent is used for cooling tower makeup water. The wells are used to supply the potable services and the demineralizer systems. An onsite percolation pond is used for discharging industrial wastes to groundwater. The various wastestreams from the operation of the facility are listed as follows:

- a. Cooling Tower Blowdown.
- b. Neutralization Basin Effluent. This consists of :
 - (1) Ion Exchange Regeneration Wastes.
 - (2) Chemical/Metal Cleaning Rinses.
 - (3) Chemical Area Drains.
- c. Steam Cycle Blowdown.
- d. Drains from the Turbine Area, Plant and Equipment Areas.
- e. Area Drains as follows:
 - (1) Fuel Oil Storage Tank Bermed Containment Area.
 - (2) Transformer Area Containment Bermed Area.
 - (3) Fuel Oil Unloading Station.

f. Roof and Site Drains.

2. Disposal: Effluent is presently discharged to the City of Kissimmee treated sewage effluent pipeline or to the approved land application system. Wastestream B is treated by pH neutralization and settling before mixing with Wastestreams A and C. These three wastestreams are discharged to the POTW effluent forcemain to the Imperial percolation ponds. The Imperial site disposal system operates under DEP Domestic Wastewater Permit Number FLA010959. Wastestreams D and E are treated in oil/water separators prior to discharge to Class G-II ground water via percolation in a 127 foot by 62 foot (top of berm) above ground impoundment. There shall be no discharge of these wastestreams to surface waters of the State. Wastestream F shall be routed to an onsite stormwater management system.

B. Effluent Limitations and Monitoring Requirements:

1. Land Application Systems:

a. The licensee is authorized to discharge, from Discharge Location G-001, process wastewater from the industrial wastewater treatment system (Wastestreams D & E) to an impoundment onsite. Samples shall be taken at the sampling port designated G-001. Such discharge shall be limited and monitored by the licensee as specified below:

<u>Parameters (Units)</u>	<u>Discharge Limitations *</u>			<u>Monitoring Requirements</u>		
	<u>Monthly Avg.</u>	<u>Daily Max.</u>	<u>Other</u>	<u>Frequency</u>	<u>Sample Type</u>	<u>Sample Point</u>
<u>Flow (MGD)**</u>	<u>0.02</u>	<u>Report</u>	<u>NA</u>	<u>Daily</u>	<u>Metered</u>	<u>G001</u>
<u>TDS (mg/l)</u>	<u>Report</u>	<u>Report</u>	<u>NA</u>	<u>Monthly</u>	<u>Grab</u>	<u>G001</u>
<u>Chlorides (mg/l)</u>	<u>Report</u>	<u>Report</u>	<u>NA</u>	<u>Monthly</u>	<u>Grab</u>	<u>G001</u>
<u>Total Nitrogen (mg/l)</u>	<u>Report</u>	<u>Report</u>	<u>NA</u>	<u>Monthly</u>	<u>Grab</u>	<u>G001</u>
<u>Sodium (mg/l)</u>	<u>Report</u>	<u>Report</u>	<u>NA</u>	<u>Monthly</u>	<u>Grab</u>	<u>G001</u>
<u>Sulfates (mg/l)</u>	<u>Report</u>	<u>Report</u>	<u>NA</u>	<u>Monthly</u>	<u>Grab</u>	<u>G001</u>
<u>TRPH (mg/l)***</u>	<u>Report</u>	<u>Report</u>	<u>NA</u>	<u>2/ Month</u>	<u>Grab</u>	<u>G001</u>
<u>pH (SU)</u>	<u>See Condition XVII.B.1.e</u>					

These notes refer to the above table and the following 3 tables in section b:

* Daily Discharge: The "discharge of a pollutant" measured during a calendar day or any 24 hour period that reasonably represents the calendar day for purposes of sampling. For pollutants with limitations expressed in units of mass, the "daily discharge" is calculated as the total mass of the pollutants discharged over the day. For pollutants expressed in other units of measurements; e.g., concentration, "daily discharge" is calculated as the average measurement of the pollutant over the day.

Average Monthly Discharge Limitation : The highest allowable average of "daily discharges" over a calendar month calculated as the sum of all "daily discharges" measured during a calendar month divided by the number of "daily discharges" measured during that month.

Maximum Daily Discharge Limitation: The highest allowable daily discharge.

** Flow limitation does not include the storm water component as may be introduced through the area plant drains.

*** TRPH: Total Recoverable Petroleum Hydrocarbons.

b. The licensee is authorized to discharge, from Discharge Location G-002, nonprocess wastewater from wastestreams A, B and C to the City of Kissimmee forcemain to the Imperial land application site. Samples shall be taken at the sampling port designated G-002. Such discharge shall be limited and monitored by the licensee as specified below:

<u>Parameters (Units)</u>	<u>Discharge Limitations *</u>			<u>Monitoring Requirements</u>		
	<u>Monthly Avg.</u>	<u>Daily Max.</u>	<u>Other</u>	<u>Frequency</u>	<u>Sample Type</u>	<u>Sample Point</u>
<u>Flow (MGD)**</u>	<u>0.738</u>	<u>0.791</u>	<u>NA</u>	<u>Daily</u>	<u>Metered</u>	<u>G002</u>
<u>TDS (mg/l)</u>	<u>Report</u>	<u>Report</u>	<u>NA</u>	<u>2/Month</u>	<u>Grab</u>	<u>G002</u>
<u>Chlorides (mg/l)</u>	<u>Report</u>	<u>Report</u>	<u>NA</u>	<u>2/Month</u>	<u>Grab</u>	<u>G002</u>
<u>Nitrates as N (mg/l)</u>	<u>Report</u>	<u>Report</u>	<u>NA</u>	<u>Weekly</u>	<u>Grab</u>	<u>G002</u>
<u>Nitrates as N (#/ day)</u>	<u>Report</u>	<u>Report</u>	<u>NA</u>	<u>Weekly</u>	<u>Grab</u>	<u>G002</u>
<u>Total Nitrogen (mg/l)</u>	<u>Report</u>	<u>Report</u>	<u>NA</u>	<u>Weekly</u>	<u>Grab</u>	<u>G002</u>
<u>Total Nitrogen (#/ day)</u>	<u>Report</u>	<u>Report</u>	<u>NA</u>	<u>Weekly</u>	<u>Grab</u>	<u>G002</u>
<u>Sodium (mg/l)</u>	<u>Report</u>	<u>Report</u>	<u>NA</u>	<u>2/Month</u>	<u>Grab</u>	<u>G002</u>
<u>Sulfates (mg/l)</u>	<u>Report</u>	<u>Report</u>	<u>NA</u>	<u>2/Month</u>	<u>Grab</u>	<u>G002</u>
<u>TRPH*** (mg/l)</u>	<u>Report</u>	<u>Report</u>	<u>NA</u>	<u>Monthly</u>	<u>Grab</u>	<u>G002</u>
<u>pH (SU)</u>	<u>See Condition XVII.B.1.e</u>					

c. The licensee shall sample the treated domestic effluent from the City of Kissimmee POTW that is used in the power plant. There will be a sampling port established that will be designated location INT-01 to obtain representative samples of this wastewater. Samples shall be taken at Location INT-01 and tested by the licensee as specified below:

<u>Parameters (Units)</u>	<u>Discharge Limitations *</u>	<u>Monitoring Requirements</u>
---------------------------	--------------------------------	--------------------------------

	<u>Monthly</u> <u>Avg.</u>	<u>Daily</u> <u>Max.</u>	<u>Other</u>	<u>Frequency</u>	<u>Sample</u> <u>Type</u>	<u>Sample</u> <u>Point</u>
<u>Flow (MGD)**</u>	<u>Report</u>	<u>Report</u>	<u>NA</u>	<u>Daily</u>	<u>Metered</u>	<u>INT-01</u>
<u>Nitrates as N (#/ day)</u>	<u>Report</u>	<u>Report</u>	<u>NA</u>	<u>Weekly</u>	<u>Grab</u>	<u>INT-01</u>
<u>Nitrates as N (mg/l)</u>	<u>Report</u>	<u>Report</u>	<u>NA</u>	<u>Weekly</u>	<u>Grab</u>	<u>INT-01</u>
<u>Total Nitrogen (#/ day)</u>	<u>Report</u>	<u>Report</u>	<u>NA</u>	<u>Weekly</u>	<u>Grab</u>	<u>INT-01</u>
<u>Total Nitrogen (mg/l)</u>	<u>Report</u>	<u>Report</u>	<u>NA</u>	<u>Weekly</u>	<u>Grab</u>	<u>INT-01</u>
<u>pH (SU)</u>	<u>See Condition XVII.B.1.e</u>					

d. The licensee shall sample the raw water supply from the wells onsite that are used in the power plant. There will be sampling ports established that will be designated Locations INT-02 and INT-03 to obtain representative samples of this ground water. These ports shall be located on the lines from Well No. 2A and Well No. 2B respectively. Samples shall be taken at Locations INT-02 and INT-03 and tested by the licensee as specified below:

INT-02

<u>Parameters (Units)</u>	<u>Discharge Limitations *</u>			<u>Monitoring Requirements</u>		
	<u>Monthly</u> <u>Avg.</u>	<u>Daily</u> <u>Max.</u>	<u>Other</u>	<u>Frequency</u>	<u>Sample</u> <u>Type</u>	<u>Sample</u> <u>Point</u>
<u>Flow (gpd)**</u>	<u>Report</u>	<u>Report</u>	<u>NA</u>	<u>Daily</u>	<u>Metered</u>	<u>INT-02</u>
<u>TDS (mg/l)</u>	<u>Report</u>	<u>Report</u>	<u>NA</u>	<u>Monthly</u>	<u>Grab</u>	<u>INT-02</u>
<u>TSS (mg/l)</u>	<u>Report</u>	<u>Report</u>	<u>NA</u>	<u>Monthly</u>	<u>Grab</u>	<u>INT-02</u>
<u>Surfactants (mg/l)</u>	<u>Report</u>	<u>Report</u>	<u>NA</u>	<u>Monthly</u>	<u>Grab</u>	<u>INT-02</u>
<u>Total Nitrogen (#/day)</u>	<u>Report</u>	<u>Report</u>	<u>NA</u>	<u>Weekly</u>	<u>Grab</u>	<u>INT-02</u>
<u>Total Nitrogen as N (mg/l)</u>	<u>Report</u>	<u>Report</u>	<u>NA</u>	<u>Weekly</u>	<u>Grab</u>	<u>INT-02</u>
<u>Nitrate Nitrogen (#/day)</u>	<u>Report</u>	<u>Report</u>	<u>NA</u>	<u>Weekly</u>	<u>Grab</u>	<u>INT-02</u>
<u>Nitrate Nitrogen (mg/l)</u>	<u>Report</u>	<u>Report</u>	<u>NA</u>	<u>Weekly</u>	<u>Grab</u>	<u>INT-02</u>
<u>TRPH*** (mg/l)</u>	<u>Report</u>	<u>Report</u>	<u>NA</u>	<u>Monthly</u>	<u>Grab</u>	<u>INT-02</u>
<u>pH (SU)</u>	<u>See Condition XVII.B.1.e</u>					

INT-03

<u>Parameters (Units)</u>	<u>Discharge Limitations *</u>			<u>Monitoring Requirements</u>		
	<u>Monthly</u> <u>Avg.</u>	<u>Daily</u> <u>Max.</u>	<u>Other</u>	<u>Frequency</u>	<u>Sample</u> <u>Type</u>	<u>Sample</u> <u>Point</u>
<u>Flow (gpd)**</u>	<u>Report</u>	<u>Report</u>	<u>NA</u>	<u>Daily</u>	<u>Metered</u>	<u>INT-03</u>
<u>TDS (mg/l)</u>	<u>Report</u>	<u>Report</u>	<u>NA</u>	<u>Monthly</u>	<u>Grab</u>	<u>INT-03</u>
<u>TSS (mg/l)</u>	<u>Report</u>	<u>Report</u>	<u>NA</u>	<u>Monthly</u>	<u>Grab</u>	<u>INT-03</u>

Surfactants (mg/l)	Report	Report	NA	Monthly	Grab	INT-03
Total Nitrogen (#/day)	Report	Report	NA	Weekly	Grab	INT-03
Total Nitrogen as N mg/l	Report	Report	NA	Weekly	Grab	INT-03
Nitrate Nitrogen (#/day)	Report	Report	NA	Weekly	Grab	INT-03
Nitrate Nitrogen mg/l	Report	Report	NA	Weekly	Grab	INT-03
TRPH*** (mg/l)	Report	Report	NA	Monthly	Grab	INT-03
pH (SU)	See Condition XVII.B.1.e					

e. The pH shall not be less than 6.0 standard units, nor greater than 8.5 standard units at any time at Sampling Locations G001 and G002. The pH shall be monitored twice monthly by grab sample at Locations G001 and G002.

f. Unless specified elsewhere in these conditions, samples taken in compliance with the monitoring requirements specified in XVII.B.1. shall be taken at the nearest accessible point after final treatment but prior to the actual discharge to the land application system. The same sampling point shall be used in each sampling event.

g. There shall be no discharge of industrial wastewater from this facility to surface waters.

h. Monitoring results obtained for each calendar month shall be summarized for that period and reported on a Discharge Monitoring Report (DMR), Form 62-620.910(10), postmarked no later than the 28th day of the month following the completed calendar month. For example, data for January shall be submitted by February 28. Signed copies of the DMR shall be submitted to the address specified below:

Florida Department of Environmental Protection
Central District Office
Industrial Wastewater Program
3319 Maguire Boulevard, Suite 232
Orlando, FL 32803

If no discharge occurs during the reporting period, the above sampling requirements of this permit do not apply. The DMR shall be submitted with the statement "No discharge" written on the DMR form. If, during the term period of this permit, the facility ceases to discharge, the Department shall be notified immediately upon cessation of discharge. Such notification shall be in writing.

i. Grab samples shall be collected during periods of minimal treatment plant pollutant removal efficiencies or maximum hydraulic and/or pollutant loading.

j. If there is no discharge from the facility on a day scheduled for sampling, the sample shall be collected on the day of the next discharge.

k. Any bypass of the treatment facility which is not included in the monitoring specified in B.1. above is to be monitored for flow and all other required parameters. For parameters other than flow, at least one grab sample per day shall be monitored. Daily flow shall be monitored or estimated, as appropriate, to obtain reasonable data. All monitoring results shall be reported on the appropriate DMR.

l. There shall be no net increase of total Nitrogen and Total Nitrates in pounds per day, on an annual basis, introduced back into the City's forcemain to the Imperial disposal site than was received from the City in the domestic effluent water used for supply. Calculations shall be made on the following basis: Total weekly flow in Million Gallons x 8.34 x concentration in mg/l for each parameter.

2. Industrial Sludge Management Requirements

There will be no residual solids generated in the treatment/disposal process at this facility.

3. Waste oil removed from any treatment unit in this system shall be stored onsite in a separate waste oil tank. The stored waste oil shall be managed and ultimately disposed of by a licensed used oil recycler in accordance with the provisions of Chapter 62-710, F.A.C.

4. Mixing of any waste product generated from this system with septage or domestic residuals is prohibited.

5. Other Land Application Requirements

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

b. 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.

c. The frequency and rate of effluent disposal shall be managed by the licensee to avoid secondary environmental impacts such as severe odors and other nuisance conditions.

B. C. Other Limitations and Monitoring Requirements

1. The approved analytical methods and corresponding Department established MDL (method detection limits) and PQL (practical quantification limit) shall be used when conducting monitoring at sampling points G001 and G002, INT-01, and INT-02, and INT-03 as required by Permit No. FLA010961 specified in B above or the following.

a. through c. No change.

2. through 7. No change

~~C. D.~~ Reopener Clause

No change to text.

~~D. E.~~ Stormwater from Diked Petroleum Storage or Handling Area

The KUA is authorized to discharge stormwater from diked petroleum storage or handling areas, provided the following conditions are met:

1. and 2. No change.

~~3. Monitoring records shall be maintained in the form of a log and shall contain the following information, as a minimum:~~

~~a. Date and time of discharge,~~

~~b. Estimated volume of discharge,~~

~~c. Initials of person making visual inspection and authorizing discharge, and~~

~~d. Observed conditions of storm water discharged.~~

~~4. 3.~~ There shall be no discharge of floating solids or visible foam in other than trace amounts and no discharge of a visible oil sheen at any time.

~~E. F.~~ Operation and Maintenance Requirements
No change to text.

~~F. G.~~ Compliance Schedule

No change to text.

G. H. Specific Conditions Applicable to All Permits

No change to text.

H. I. Duty to Reapply

No change to text.

I. J. Specific Conditions Related to Best Management Practices

No change to text.

J. ~~Specific Conditions Relating to Existing Manufacturing, Commercial, Mining, and Silviculture Wastewater Facilities or Activities~~

~~1. Existing manufacturing, commercial, mining, and silvicultural wastewater facilities or activities that discharge into surface waters shall notify the Department as soon as they know or have reason to believe: [62-620.624(1)]~~

~~a. That any activity has occurred or will occur which would result in the discharge, on a routine or frequent basis, of any toxic pollutant which is not limited in the certification, if that discharge will exceed the highest of the following levels:~~

~~(1) One hundred micrograms per liter~~

~~(2) Two hundred micrograms per liter for acrolein and acrylonitrile; five hundred micrograms per liter for 2,4 dinitrophenol and for 2-methyl-4,6 dinitrophenol; and one milligram per liter for antimony, or~~

~~(3) Five times the maximum concentration value reported for that pollutant in the permit application.~~

~~b. That any activity has occurred or will occur which would result in any discharge, on a non-routine or infrequent basis, of a toxic pollutant which is not limited in the permit, if that discharge will exceed the highest of the following levels:~~

~~(1) Five hundred micrograms per liter;~~

~~(2) One milligram per liter for antimony; or~~

~~(3) Ten times the maximum concentration value reported for that pollutant in the permit application.~~

XVIII. GROUNDWATER

A. Monitoring Plan

When required by Florida Administrative Code Chapter 62-701, the KUA shall file a revised Ground Water Monitoring Plan within 180 days of being advised by the Department for review and approval by the Central District of the DEP.

B. Groundwater Monitoring Requirements

1. The licensee shall sample ground water in accordance with this condition and the approved Ground Water Monitoring Plan prepared in accordance with Rule 62-522.600, F.A.C. [62-522.600, 12-9-96]

The following monitoring wells shall be sampled quarterly:

<u>Well Name</u>	<u>GMS Monitoring Location Site Number</u>	<u>WARR Monitoring Location Site Number</u>	<u>Depth (Feet)</u>	<u>Aquifer Monitored</u>	<u>Well Type</u>	<u>Existing</u>
MW-1	3049A17007	6240	42	Surficial	Background	Existing
MW-5	3049A17008	6239	42	Surficial	Compliance	Existing
MW-6	3049A17009	6238	35	Surficial	Compliance	Existing

3. The following parameters shall be analyzed quarterly for each of the monitoring wells identified above:

- a. Ground Water Elevation (Feet, NGVD)
- b. Benzene (ug/l)
- c. BTEX (ug/l)
- d. Chloride (mg/l)
- e. Nitrate (mg/l)
- f. pH (Standard Units)
- g. Sodium (mg/l)
- h. Sulfate (mg/l)
- i. TDS (mg/l)
- j. TRPH (mg/l)
- k. Turbidity (NTU)

[62-522.600, 12-9-96]

C. General Ground Water Conditions:

1. A zone of discharge extends horizontally along the ground surface 100 feet or to the property line, whichever is less, and vertically to the base of the shallow aquifer. [62-520.200(23), 62-522.400, and 62-522.410, 12-9-96]

2. In accordance with Form 62-620.910(10), water levels shall be recorded before purging wells for sample collection. Elevation references shall include the top of the well casing and land surface at each well site (NGVD) at a precision of plus or minus 0.1 foot. [62-4.070(3), 8-16-98]

3. Ground water monitoring wells shall be purged prior to sampling to obtain representative samples. [62-4.070(3), 8-16-98]

4. Ground water monitoring parameters shall be analyzed in accordance with Chapter 62-601, F.A.C. For compliance, the ground water standards must be met in accordance with Chapter 62-520.420 F.A.C. [62-620.610(18), 12-24-96]

5. Analyses shall be conducted on unfiltered samples, unless filtered samples have been approved by the Department as being more representative of ground water conditions. [62-4.070(3), 8-16-98]

6. Ground water monitoring test results for each monitoring well shall be submitted on Form 62-620.910(10). Results shall be submitted within 28 days following the completion of each quarter for each year during the period of operation allowed by this COC. A completed Certification Page shall accompany each quarter of monitoring data. [62-4.070(3), 8-16-98], [62-522.600(10) and (11)(b), 4/14/94] [62-620.610(18), 12-24-96]

7. If a monitoring well becomes damaged or cannot be sampled for some reason, the permittee shall notify the Ground Water Section, Central District, Orlando with a written report within seven days detailing the circumstances and remedial measures taken or proposed. Replacement of monitoring wells shall be approved in advance by the Department. [62-4.070(3), 8-16-98]

XIX. through XXV. 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.

KUA/FMPA Cane Island Power Park
Order Modifying Conditions of Certification
DEP Case Number PA 98-38B
December 2, 2002

Executed in Tallahassee, Florida.

Hamilton S. Oven

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.

Sandra F. Korakos 12/2/02
Clerk Date

CC by U.S. mail:

James V. Antista, Esquire
Ken van Assenderp, Esquire
Tasha O. Buford, Esquire
Robert V. Elias, Esquire
Greg Gologowski
Claude L'Engle
Rob Magnaghi
Cecile I. Ross, Esquire
Sherry Spiers, Esquire