



Florida Department of Environmental Protection

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Tallahassee, Florida 32399-2400

Charlie Crist
Governor

Jeff Kottkamp
Lt. Governor

Michael W. Sole
Secretary

July 31, 2007

- CERTIFIED MAIL - RETURN RECEIPT REQUESTED -

Mr. Jamie Hunter
Lead Environmental Specialist
Progress Energy Florida, Inc.
P.O. Box 14042
St. Petersburg, Florida 33733

Re: Amendment to PPSC PA 77-09
Access Road Alignment Revision
Request for Additional Information

Dear Mr. Hunter:

On December 1, 2006 the Siting Coordination Office received a request from Progress Energy Florida, Inc. (PEF) for an amendment to the Crystal River Facility's Unit 4 & 5 Site Certification. The amendment request was to install new facilities, and /or make modifications to existing facilities to support the Crystal River Units 4 and 5 clean air pollution control project. It was demonstrated that the existing stormwater management system for the certified site area will provide adequate treatment and volume for the new impervious surface areas. On March 8, 2007 the Department of Environmental Protection (DEP) approved the request to the Site Certification Application (SCA).

PEF has since revised the site layout that was originally submitted with the December 1, 2006 amendment request. The revision changed the alignment of the access road such that there are additional impacts to the existing ash storage area.

On July 2, 2007 PEF submitted a request for a second amendment to the Crystal River Unit 4 & 5 Site Certification (which included a description of the revised December 1, 2006 site layout and supporting documents) to the Siting and Southwest District (SWD) Offices.

The SWD has indicated that additional information is needed in order to make a determination as to whether this request is approvable via an amendment, or whether a modification to the Site Certification will be necessary. (Their questions and comments are attached.) I encourage you to contact the district office and work with them directly on getting them the information they need. Danny Stubbs (813-632-7600) will be able to coordinate your efforts with the various district programs.

Please copy this office on all additional submittals made to the district office. If you have any questions regarding this request, you can contact Cindy Mulkey at (850) 245-8006.

Sincerely,

Michael P. Halpin, P.E.
Administrator,
Siting Coordination Office

MPH/cem
Attach:

August 1, 2007

Page 2 of 2

CC:

James Antista, Esquire
Fish and Wildlife Conservation Commission
6230 South Meridian Street
Tallahassee, FL 32399-1600

Craig Varn, Esquire
Department of Community Affairs
2555 Shumard Oak Boulevard
Tallahassee, FL 32399-2100

Sheauching Yu, Esquire
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Haydon Burns Building
605 Suwannee Street
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Department of Environmental Protection
3900 Commonwealth Blvd.
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Mary Ann Helton, Esquire
Florida Public Service Commission
Gerald Gunter Building
2450 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

Martha A. Moore, Esquire
Southwest Florida Water
Management District
2379 Broad Street
Brooksville, FL 34604-6899

Doug Roberts, Esquire
Hopping Green & Sams, P.A.
P.O Box 6526
Tallahassee, Florida 32317

MEMORANDUM

To: Mike Halpin
Administrator, Siting Coordination Office

Through: Mara Grace Nasca
District Air Program Administrator, Southwest District

From: Danny Stubbs
Air Permitting Engineer, Southwest District

Date: 7/30/2007

Subject: Southwest District Comments on
Progress Energy Florida Inc. (July 02, 2007 Submittal)
Crystal River Energy Complex (Units 4 and 5)
Amendment to Site Certification Application File No. PA 77-09

ERP COMMENTS:

Comments:

Environmental Resource Permitting (ERP) has reviewed the proposed amendment to the Crystal River Unit 4 and 5 site certification. It does not appear that any wetlands or surface waters will be affected during construction. However, if any wetlands or surface waters will be impacted during construction then (ERP) would recommend having the applicant clearly identifies the limits of all wetlands on the aerial photographs. A UMAM assessment will also need to be included in the application to assess any wetland impacts, if proposed. Refer to Chapter 62-345.300, F.A.C.

RAI Questions:

1. Does the applicant propose to impact any wetlands or surface waters during construction? If so, then provide a survey that shows the locations of the impacts.
2. In areas where impacts will occur to wetlands, mitigation will be required for the loss of wetland function. A mitigation plan will need to be provided for the impacted areas. Refer to Chapter 62-345.300, F.A.C.

STORMWATER

3. If the sitings criteria requires the SWMS to be designed in accordance with Part IV of CH 373 F.S., please comply. Do the outfalls have oil and grease skimmers that are in good repair? Are there skimmers that prevent oils and grease and sediment from being conveyed to the two wetlands from the two basins? The narrative preceding the ICPR analysis seems to indicate that the design is in accordance with the FDEP Southwest District Rules (ERP?).
4.
 - a. Please provide water quality monitoring data if extant from the outfall(s).
 - b. Please provide copies of the latest SWMS inspection and maintenance Reports for the SWMS. How is the system currently functioning? Are sediments periodically removed as required and properly disposed of?
 - c. In the past and currently, how is the runoff to the ERP SWMS characterized, e.g.; is it non-contact stormwater, or is it stormwater in which fly ash or other waste products are co-mingled?
 - d. Is the SWMS permitted under MSGP FL 0036366? The December 2006 report indicates that the outfalls were permitted under that permit.
5. Since the facility plans to dewater, please provide a dewatering plan for any non-contaminated sectors of the site for ERP-review and approval. If groundwater is discharged to a stormwater system, an IW permitting determination shall be required.

If contaminated (non-petroleum) storm or groundwater is discharged to a surface water body including stormwater systems irrespective of whether discharge is to be on or off-site, then the Department's ERP and Waste management section shall be notified in advance and a dewatering plan shall be provided for ERP-review and approval.

6. Fly ash, derivatives, etc. cannot be used for any component of the ERP SWMS. In addition, any such compound used for road base would require written pre-approval from the Department.
7. Fly ash, derivatives, etc. cannot be used for any component of the ERP SWMS. In addition, any such compound used for road base would require written pre-approval from the Department.
8. Please clarify whether the construction will be regulated by an NPDES construction permit.
9. Please describe the connection of the SWMS to the receiving water bodies including wetlands, and locate on the drainage plans.
10. Coal tar based seal coat is a significant source of polycyclic aromatic hydrocarbon (PAH) contamination and shall not be authorized for seal coat on any road or parking lot surface. Coal tar seal coat contains polycyclic aromatic hydrocarbon

concentrations many times higher than asphalt based seal coat products. This can prove hazardous to the environment and in particular aquatic communities. [Parking Lot Sealcoat: A Major Source of Polycyclic Aromatic Hydrocarbons in Urban and Suburban Environments, P.C. Van Metre, et alia, 2006?, 2nd Biennial Stormwater Management Research Symposium, May 4-5].

11. Please provide the SWMS O & M plan and integrate good house keeping practices from the MSGP permit and MSGP help or information sheet. In addition, include a maintenance schedule for sediment and vegetation removal. Disposal of all sediments, vegetation, etc. from the sumps, catch basins, inlets, etc. shall be in accordance with the document found at <http://www.dep.state.fl.us/water/nonpoint/docs/nonpoint/May04StSweepGuidance.pdf>
12. Please provide water table map with locations and profile and results of soil borings in order to determine the SHWT elevations and determine whether either the existing SWMS or the modifications are / will be constructed in karst areas. The geotechnical report indicates that the project area is in a karst area.
13. For planning purposes, the detention or retention area shall not be excavated to a depth that breaches an aquitard (confining layer) such that it would allow for lesser quality water to pass, either way, between the two systems. In those geographical areas of the District where there is not an aquitard present, the depth of the pond shall not be excavated to within two (2) feet of the underlying limestone which is part of a drinking water aquifer. Therefore please provide geotechnical results.
14. Please provide on the drainage plans the permanent culvert stabilization measures utilized at the inlets and outlets of the culverts. In other words, will riprap placed on filter fabric, geotextile or concrete headwalls or endwalls be incorporated, etc.
15. Please call out the erosion control BMPs on the drainage plans. Erosion control shall be required between earth disturbing and construction activities and the SWMS including the wet detention ponds where the ponds are down gradient from the disturbance. The system is not authorized to receive contact construction water since it is deemed to be in the operations phase unless sufficient BMPs are in place to prevent turbid or contact runoff from entering the ponds.
16. It was noted in the Report that certain portions of the SWMS were to be rehabilitated and that the recommendations were reference in a report in Table @ in Appendix I. Appendix I could not be located.
17. Is the ash stack swale connected to the existing 1.88 acre pond? Where does this pond and the 4.61 acre pond discharge?
18. Please comment on the present state of the wetlands to which the two basins currently discharge. How will the wetlands' hydro-period be affected by the construction and operations phases of the new project?

INDUSTRIAL WASTEWATER COMMENTS:

Per your request, the Industrial Wastewater (IW) Program has reviewed the North Access Road Construction Plan for the Ash Stack Area, which was submitted on July 2, 2007 for Progress Energy-Crystal River Units 4 and 5.

After review of the information submitted, the IW Program has the following comments and questions to be addressed by Progress Energy:

Section 3.0, Ash Storage Area indicates that the management of wash water and solids from the existing truck wash activity are addressed in the plant's Best Management Practices (BMP) Plan which is a part of the existing NPDES Permit, Permit No. FL0036366. Please submit a copy of this existing BMP to the Department review and verification.

This section also indicates that a new truck wash facility is proposed, however, no proposed construction details could be located in the submittal. Please submit signed and sealed construction plans/details to the Department for review and approval before this truck wash is placed into operation. Is this proposed truck wash facility a total recycled washing facility?

This staff assessment is preliminary and is designed to assist in the review of the application prior to final agency action. The comments provided herein are not the final position of the Department and may be subject to revision pursuant to additional information and further review.

WASTE PROGRAM COMMENTS:

The Waste Program has reviewed this report with regard to the proposed activities from a solid waste perspective. We have only reviewed portions that appear relevant to waste management at the facility.

1. **§2.0.** Please provide the ash relocation plan described in this section for Department review and approval. The information indicates that embankments may be constructed of bottom ash to "filter stormwater drainage." Please clarify where this stormwater discharges (i.e., contact or non-contact stormwater).
2. **§3.0.** Please explain how it will be determined that the ash has been removed "down to original base elevation." Please specify the area where ash will be "restacked" and provide the "current guidelines" for this activity. Please provide a plan that shows the part of the ash storage area that "is currently used for dredge spoils." Please be advised that "reuse [of ash] as random fill" will require Department approval. Please identify the specific condition in the certification that authorizes

solids from the truck wash to be stored in the ash landfill. Please provide a plan for characterizing (sampling and analysis) the truck wash solids for reuse or disposal. Please specify the material that will be used for “ash cover material.”

3. **Sheet 2830-C-112.** Please provide details concerning the truck wash that is proposed to be located in the ash storage area. The plan sheets show that the portion of the ash landfill that will be impacted by this construction includes the closed portion of the ash landfill. Please provide plan sheets that show how the ash will be regraded and the final cover installed in the area that will be disturbed by this construction. Please provide a plan sheet that shows the location of the truck wash solids storage area. Please provide the drawings that include the cross-sections shown on this sheet.
4. It is the Department’s understanding that sinkholes have occurred recently onsite as a result of construction activity at the site. Please provide a figure, aerial photograph or plan sheet showing the location and details of these sinkhole features relative to the ash landfill and proposed access road project. Please provide documentation that explains what corrective actions were taken.
5. A recent inspection of the site by Department staff indicates that the access road project, and consequent impacts to the ash landfill, may already be occurring. Please verify if the project has already been initiated.

Conclusion: Based on the comments above, the Solid Waste Section objects to the North Access Road project at this time. Reasonable assurance has not been provided that impacts to the closed ash landfill will be conducted in accordance with Department rules.