



Jeb Bush
Governor

Department of Environmental Protection

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

Colleen M. Castille
Secretary

DEP 05-1260

February 1, 2005

- CERTIFIED MAIL - RETURN RECEIPT REQUESTED -

Mr. Michael Olive, Manager
Crystal River Fossil Plant
15760 West Powerline Street
Crystal River, Florida 34428

RE: Progress Energy Florida, Inc.
Crystal River Units 4 and 5
Modification of Conditions of Certification
PA 77-09I, OGC Case No 04-1837

ORDER MODIFYING CONDITIONS OF CERTIFICATION

Dear Mr. Olive:

The Florida Pollution Control Board issued the Site Certification for the Crystal River Units 4 and 5 on November 21, 1978. This certification authorized the construction and operation of two 640 MW coal-fired power plant units and ancillary facilities. The Department of Environmental Protection has subsequently modified the Conditions of Certification on eight different occasions by final orders.

On December 10, 2003, Progress Energy Florida, Inc. requested a modification of the conditions to allow reallocation of well withdrawal limits. Pursuant to Subsection 403.516(1), Florida Statutes and Rule 62-17.211(1), the Department is authorized to modify the Conditions of Certification for this facility.

On or before November 5, 2004, 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 December 30, 2004 notice of the Department's intent to modify the Conditions of Certification for this facility was published on the Department's website and on the Department's internet home page at <http://www.dep.state.fl.us/> under the link or button titled "Official Notices" regarding this Intent to Modify the Conditions of Certification. Those notices specified that pursuant to Section 403.516, 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 failure of any of the parties to file a response will constitute a waiver of objection to the modification; and 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.

No objections to the modification have been received by the Department. The Conditions of Certification for the North Broward Resource Recovery Facility are hereby modified as follows:

All references to "Florida Power Corporation" shall be changed to "Progress Energy Florida, Inc." All references to "FPC" shall be changed to "PEF". Any references to "permittee" or "applicant" shall be changed to "Licensee".

III. Groundwater

A. and B. – No change

C. Well Withdrawal Limits

FPC PEF is authorized to make a combined average annual withdrawal of 1,000,000 gallons of water per day with a maximum combined withdrawal rate not exceed 3,000,000 gallons during a single day. Withdrawals may be made from a linear well field consisting of up to seven (7) wells whose locations are prescribed in the table below.

WITHDRAWAL POINT			GALLONS PER DAY	
FPC Well No.	LATITUDE	LONGITUDE	MAXIMUM	AVERAGE
PW-1	28 57 36	82 37 48	756,000	459,375 262,500
PW-2	28 37 36	82 37 42	756,000	459,375 262,500
PW-3	28 57 36	82 37 36	756,000	459,375 262,500
PW-4	28 57 36	82 37 30	756,000	459,375 262,500
PW-5	28 57 36	82 37 24	756,000	* 262,500
PW-6	28 57 36	82 37 18	756,000	* 262,500
PW-7	28 57 36	82 37 13	756,000	* 262,500
Combined Maximum:			3,000,000	1,000,000

* Wells PW-5, PW-6, and PW-7 are not in current use and shall only be used in emergency situations. If more than the existing four wells are placed into operation, then the average withdrawal rate limit for each well will default to 262,500 GPD.

D. – F. – 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

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.

Janda Kerskows
Clerk

2/1/05
Date

cc:

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