



Jeb Bush
Governor

Department of Environmental Protection

DEP06-0908

Twin Towers Building
2600 Blairstone Road
Tallahassee, Florida 32399-2400

Colleen M. Castille
Secretary

June 22, 2006

- CERTIFIED MAIL - RETURN RECEIPT REQUESTED -

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

**RE: Progress Energy Crystal River Plant
Modification to Conditions of Certification
DEP Case Number PA77-09J
OGC Case Number 06-0498**

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 nine different occasions by final orders.

On or before March 17, 2006, 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 March 17, 2006, notice of the Department's intent to modify the Conditions of Certification for this facility was published on the Department's website. 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 in the Florida Administrative Weekly to object in writing.

No objections to the modification have been received by the Department. The Conditions of Certification for the Crystal River Power Plant Units 4 and 5 are hereby modified as follows:

SPECIAL

I. Air

The construction and operation of the Units No. 4 and 5 at the Crystal River steam electric plant site shall be in accordance with all applicable provisions of the Chapters 62-4, 62-210, 62-212, 62-214, 62-256, 62-296, 62-297, and 62-702, Florida Administrative Code, 40 CFR Part 60, and Air Operation Permit 0170004-009-AV and any subsequent renewals, modifications or amendments. In addition to the foregoing, the Licensee shall comply with the following specific conditions of certification:

~~A. Emission Limitations~~

~~1. Stack emissions from Units 4 and 5 shall not exceed the following when burning coal:~~

~~a. SO₂ 1.2 pounds per million Btu heat input, maximum two hour average.~~

~~b. NO_x 0.70 lb. per million Btu heat input.~~

~~2. Stack SO₂ emissions from Units 4 and 5 shall not exceed the following when coal is burned:~~

~~a. Starting sixty days prior to the operation of Unit 4 2.9 lb per million Btu heat input.~~

~~b. Starting sixty days prior to the operation of Unit 5 2.1 lb per million Btu heat input.~~

~~3. The Licensee shall not burn a fuel oil containing more than 0.73% sulfur. However, the licensee may petition the Department to revise this condition by (a) demonstrating compliance with Section 17-2.05(6)(e)1, FAC, or (b) installing a flue gas desulfurization unit that will insure compliance with the above emission limitation. The boiler shall not be operated unless this condition is complied with.~~

~~4. The height of the boiler exhaust stack for Units No. 4 and 5 shall be not less than 600 feet above grade.~~

~~5. The Licensee shall provide a plot plan of equipment prior to the start of construction, showing the proposed tentative location of flue gas desulfurization (FGD) equipment so that such equipment can be added at a later date, if installation of such equipment should subsequently become necessary. Prior to installation of any FGD equipment, plans and specifications for such equipment shall be submitted to the Department for review and approval.~~

~~6. Particulate Emissions from the Coal Handling Facilities:~~

~~a. The licensee shall not cause to be discharged into the atmosphere from any coal processing or conveying equipment, coal storage system, or coal transfer and loading system processing coal, visible emissions which exceed 20 percent opacity.~~

~~b. The licensee must submit to the Department within five (5) working days after it becomes available, copies of technical data pertaining to the selected particulate emissions control for the coal handling facility. These data should include, but not be limited to, guaranteed efficiency and emission rates, and major design parameters such as air/cloth ratio and flow rate. The Department may, upon review of these data, disapprove the use of such device if the Department determines the selected control device to be inadequate to meet the visible emission limit specified in 6 (a) above.~~

~~B. Air Monitoring Program~~

~~1. The Licensee shall install and operate continuously monitoring devices for the Units 4 & 5 boiler exhaust for sulfur dioxide, nitrogen oxides and opacity. The monitoring devices shall meet the applicable requirements of Section 17-2.710, Florida Administrative Code.~~

~~2. The Licensee shall operate the ambient monitoring device for sulfur dioxide as shown on Attachment 1, in accordance with EPA reference methods in 40 CFR Part 53 and two ambient monitoring device for suspended particulates as shown on Attachment 1. New and existing monitoring devices shall be located as designated by the Department. The frequency of operation shall be every six days or as specified by the Department.~~

~~3. The Licensee shall maintain a daily log of the amounts and types of fuels used and copies of fuel analyses containing information on sulfur content, ash content and heating values to facilitate calculations of emissions.~~

~~4. The Licensee shall provide sampling ports into the stack and shall provide access to the sampling ports, in accordance with DER Publication, Standard~~

~~Sampling Techniques and Methods of Analysis for The Determination of Air Pollutants from Point Sources, July 1975.~~

~~5. The ambient monitoring program may be reviewed annually beginning two years after start-up of Unit No. 5 by the Department and the Licensee.~~

~~6. Prior to operation of the source, the licensee shall submit to the Department a standardized plan or procedure that will allow the company to monitor emission control equipment efficiency and enable the licensee to return malfunctioning equipment to proper operation as expeditiously as possible.~~

~~C. Stack Testing:~~

~~1. Within 60 calendar days after achieving the maximum capacity at which each unit will be operated, but no later than 180 operating days after initial startup, the owner or operator shall conduct performance tests for particulates and SO₂ and promptly furnish the Department a written report of the results of such performance tests.~~

~~2. Performance tests shall be conducted and data reduced in accordance with methods and procedures in accordance with DER's Standard Sampling Techniques and Methods of Analysis for The Determination of Air Pollutants from Point Sources, July 1975.~~

~~3. Performance tests shall be conducted under such conditions as the Department shall specify based on representative performance of the facility. The owner or operator shall make available to the Department such records as may be necessary to determine the conditions of the performance tests.~~

~~4. The owner or operator shall provide the Department with 30 days prior notice of the performance tests and afford the Department the opportunity to have an observer present.~~

~~5. Stack tests for particulates and SO₂ shall be performed annually in accordance with Florida Administrative Code Rule 62-297 and 40 CFR Part 60, Appendix A and F.~~

A.D. Reporting

1. For each unit, stack monitoring, fuel usage and fuel analysis data shall be reported to the Department on a quarterly basis commencing with the start of commercial operation in accordance with 40 CFR, Part 60, Section 60.7, and in accordance with Section 17-2.08, FAC.

2. Ambient air monitoring data shall be reported to the Department quarterly commencing on the date of certification by the last day of the month following the quarterly reporting period utilizing the SAROAD or other format approved by the Department in writing.

3. Beginning one month after certification or one month after approval of a substantial amendment of the certified site, the licensee shall submit to the Department a quarterly status report briefly outlining progress made on engineering design and purchase of any new major pieces of equipment (including control equipment). All reports and information required to be submitted under this condition shall be submitted to the Administrator of Power Plant Siting, Department of Environmental Regulation, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400.

~~B.E.~~ Coal Characteristics and Contracts

~~Before approval can be granted by the Department for use of control devices, characteristics of the coal to be fired must be known. Therefore, before these approvals are granted, if the licensee executes a change in coal contract that would result in delivery of coal with different characteristics than is currently being burned, the licensee must submit to the Department copies of coal contracts which should include the expected sulfur content, ash content, and heat content of the coal to be fired. These data will be used by the Department in its evaluation of the adequacy of the control devices to meet current emission limits. Also, the licensee must demonstrate the ability to acquire a low sulfur coal supply of sufficient length to enable the installation of sulfur removal equipment if the supplies of low sulfur coal should not become available or be discontinued. Therefore, the coal contracts must be for a period of at least five (5) years from the date of start-up of the boiler.~~

~~C.F.~~ Coal Information

As an alternative to the submittal of contracts for purchase of coal under condition E above, the licensee may submit the following information:

1. The name of the coal supplier;
2. The sulfur content, ash content, and heat content of the coal as specified in the purchase contracts;
3. The location of the coal deposits covered by the contract (including mine name and seam);
4. The date by which the first delivery of coal will be made;
5. The duration of the contract; and

6. An opinion of counsel for the licensee that the contracts are legally binding.

G. ~~Reporting:~~

~~Beginning one month after certification the licensee shall submit to the Department a quarterly status report briefly outlining progress made on engineering design and purchase of major pieces of equipment (including control equipment). All reports and information required to be submitted under this condition shall be submitted to the Administrator of Power Plant Siting, Department of Environmental Regulation, 2600 Blair Stone Road, Tallahassee, Florida 32301.~~

D.H. Natural Gas

Natural Gas may be used as a startup and low-load flame stabilization fuel in Unit 4 and Unit 5.

II. Water Discharges

Any discharges into any waters of the State during construction and operation of the Units 4 & 5 shall be in accordance with all applicable provisions of Chapter 17-3, Florida Administrative Code and 40 CFR 423, *Effluent Guidelines and Standards for Steam Electric Power Generating Point Source Category* and with NPDES permit no. FL 0036366-006-IW1S/NR as well as an subsequent modifications, amendments and/or renewals. Also, the Licensee shall comply with the following conditions of certification:

A. Plant Effluents and Receiving Body of Water

- 1-2 No Change
- 3. Thermal Mixing Zone

The zone of thermal mixing for cooling tower blowdown shall not extend beyond the western end of the north bank of the existing discharge canal. During discharge, the blowdown from the cooling tower for Units No. 4 & 5 shall be withdrawn at the point of lowest temperature of the recirculating cooling water prior to the addition of makeup water. ~~The temperature at the point of discharge into the discharge canal and into the Gulf of Mexico shall comply with the temperature limitations specified in NPDES Permits No. FL0036366 and FL0000159, respectively.~~

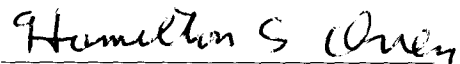
Written objections must be filed (received) in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, MS 35, Tallahassee, Florida 32399-3000. If the Department does not receive any written objections, then an Order Modifying the Conditions of

Certification shall be issued by the Department. If written objections are timely filed which address only a portion of the modification, then pursuant to Rule 62-17.211(1)(b)5., F.A.C., the Department shall issue an Order approving that portion of the modification to which no objections were filed, unless that portion of the modification is substantially related to or necessary to implement the portion to which written objections are filed. If written objections are raised, then pursuant to Section 403.516(1)(c), F.S., the applicant may file a petition for modification with the Department and the Division of Administrative Hearings seeking approval for those portions of the modification to which written objections were timely filed.

Mediation is not available in this proceeding.

Any questions regarding this Final Order to Modify Conditions of Certification should be directed to Hamilton S. Oven at (850) 245-8002. Questions regarding legal issues should be referred to the Department's Office of General Counsel at (850) 245-2242. Such contact with any of the above does not constitute an objection to the modification.

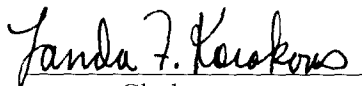
Sincerely,



Hamilton S. Oven, P.E.
Administrator, Siting Coordination Office

Attach:

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

6-22-06
Date

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the foregoing Final Order has been sent by United States Postal Service to:

James V. Antista, Esquire
Florida Fish and Wildlife Conservation Commission
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Tallahassee, FL 32399-1600

Mary Ann Helton, Esquire
Division of Legal Services
Florida Public Service Commission
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