Florida Department of Environmental Protection

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2600 Blair Stone Road
Tallahassee, Florida 32399-2400

Rick Scott
Governor

Carlos Lopez-Cantera
Lt. Governor

Noah Valenstein
Secretary

November 6, 2017

Sent by Electronic Mail – Document Access Verification Requested

Brian V. Powers
Station Manager
Crystal River North Plant & Fuel Operations
15760 Power Line Street
Crystal River, FL 34428
Brian.Powers@duke-energy.com

RE: Crystal River Energy Complex
Modification to Conditions of Certification
DEP Case Number PA 77-09S
OGC Case Number 17-0894

FINAL ORDER MODIFYING CONDITIONS OF CERTIFICATION

Dear Mr. Powers:

On November 21, 1978, the Florida Pollution Control Board issued a Site Certification to the Florida Power Corporation, now known as Duke Energy Florida (DEF), for the construction and operation of the Crystal River Energy Complex (CREC) in Citrus County. The Department of Environmental Protection (Department) has modified the Conditions of Certification (Conditions) for CREC by Final Order on eighteen other occasions. Pursuant to Section 403.516(1)(c), Florida Statutes (F.S.), the Department of Environmental Protection (Department) has initiated a modification to CREC's Conditions to 1) remove the requirement to report data from DEF's non-regulatory ambient air monitoring site; and 2) add clarifications to the groundwater monitoring requirements.

On September 19, 2017, all parties to the certification proceeding were provided notice by electronic mail of the Department's intent to modify the Conditions for CREC, along with a draft copy of the proposed order modifying the Conditions. On September 27, 2017, notice of the Department's intent to modify CREC's Conditions 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 for CREC are hereby modified as follows (words ~~stricken~~ are deletions; words <u>underlined</u> are additions):

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List of Attachments

Attachment A: Maps

~~Attachment B: Ambient Air Monitoring Locations~~ <u>DELETED</u>

Attachments C – K: No Changes

SECTION A. GENERAL CONDITIONS – NO CHANGE

SECTION B. SPECIFIC CONDITIONS:

I. DEPARTMENT OF ENVIRONMENTAL PROTECTION - CREC Units 4 & 5

The following Specific Conditions shall apply only to Unit 4 and Unit 5. Compliance with these Specific Conditions shall be the responsibility of Duke Energy Florida (Fossil).

A. Air - <u>Reserved</u>

~~In addition to the federal requirements listed in Section A, Condition V., the Licensee shall comply with the following specific Condition of Certification:~~

~~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. Ambient air monitoring locations are can be found in Attachment B.~~

B-C. No Change

D. Environmental Resource Permitting (Gypsum Handling/Storage Pad)

1. The Licensee shall submit inspection reports for the gypsum handling and temporary storage pad in the form required by the Department, FDEP Form # 62-343.900(6), *Inspection Certification*, in accordance with the following schedule:

~~(X)~~a. For systems utilizing retention and wet detention, the inspections shall be performed 24 months after operation is authorized and every 24 months thereafter.

~~(X)~~b. For systems utilizing effluent filtration or exfiltration the inspections shall be performed 18 months after operation is authorized and every 18 months thereafter.

~~(X)~~c. For systems utilizing swales or retention-and-percolation, the inspections shall be performed 24 months after operation is authorized and every 18 months thereafter.

E-H: No Change

II. DEPARMENT ENVIRONMENTAL PROTECTION - CREC Unit 3 – No Change

III. DEPARTMENT ENVIRONMENTAL PROTECTION - CCCP Units 1 and 2 – No Change

IV. DEPARTMENT ENVIRONMENTAL PROTECTION —Facility Wide (CREC Units 3-5 and CCCP Units 1 and 2)

A. Groundwater Monitoring Requirements

1. No Change
2. a. No Change

b. The GWMOMR shall be revised to comply with the provisions contained in Rules 62-620.325 ~~and 62-620.345~~, F.A.C.~~, if applicable, or to comply with any applicable effluent standard or limitation issued or approved under Section 301(b)(2)(C) and (D), 304(b)(2) and 307(a)(2) of the Clean Water Act (the Act), as amended, by change in the effluent standards, limitations, or water quality standards previously issued or approved.~~ At a minimum,~~Revisions to the GWMOMR~~ projects which involve the following shall be reviewed for a determination on the requirement of a modification to these Conditions and if a modification is required, ~~considered a modification to these Conditions and~~ it shall be processed in accordance with Section 403.516(1)(c), F.S., and Rule 62-17.211, F.A.C. as applicable.

i. – ii. No Change

iii. Incorporation of newly promulgated applicable rules which are not currently reflected in the License or promulgated rules which are more stringent than the existing conditions in the License; and/or

iv. Pollutants not addressed in the GWMOMR or these Conditions.~~;~~

c. All other revisions or updates to the GWMOMR shall be submitted to the DEP Southwest District Office Industrial Wastewater Program and/or the DEP ~~Southwest District~~ Solid Waste Program as appropriate for review and approval with copies to the Siting Office. Review shall be in accordance with Section A, Condition XX~~I~~. Procedures for Post-Certification Submittals unless otherwise determined by the Department that a modification is necessary. Additionally, the GWMOMR may

be updated to adjust effluent limitations or monitoring requirements should future Water Quality Based Effluent Limitation determinations, water quality studies, DEP approved changes in water quality standards, or other information show a need for a different limitation or monitoring requirement. The Department may develop a Total Maximum Daily Load (TMDL). Once a TMDL has been established and adopted by rule, the Department shall revise the GWMOMR or these Conditions to incorporate the final findings of the TMDL.

d-h. No Change

~~B~~3. Within 180 days of the final order of certification for the Citrus Combined Cycle Project, DEF shall submit a revised GWMOMR to the Department for review and approval pursuant to Condition A.XX., Procedures for Post-Certification Submittals.

B. – D. No Change

CONDITIONS V. – X. 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/pa77_09_2017_S.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 32399-3000, (850) 717-9000.

Pursuant to Section 120.68, F.S., any party to this order has a right to seek judicial review, 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 **30 days** from the date this order is filed with the Clerk of the Department of Environmental Protection.

Sincerely,

Cindy Mulkey
Administrator
Siting Coordination Office

CC by electronic mail:
District Director, FDEP: jill.creech@dep.state.fl.us
District Liaison, FDEP: mark.langford@dep.state.fl.us
Duke Energy Florida: Jamie.hunter@duke-energy.com

FILING AND ACKNOWLEDGMENT
FILED, on this date, pursuant to §120.52 Florida Statutes, with the designated Department Clerk, receipt of which is hereby acknowledged.

2017.11.06
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Clerk_____ Date_____

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

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