

STATE OF FLORIDA
DEPARTMENT OF POLLUTION CONTROL
CERTIFICATION
FOR A STEAM ELECTRIC POWER PLANT SITE

Certification no. PA 74-03 Date May 20, 1975

Pursuant to the provisions of section 403.501(16) thru 403.515 of Chapter 403 Florida Statutes and Chapter 17-17 Florida Administrative Code. This certification is issued to:
City of Tallahassee

For the operation and construction of the following:

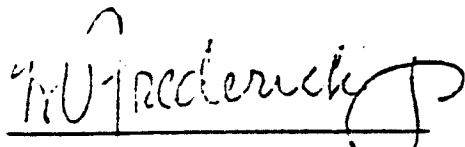
238 (Nominal) MW Oil/Gas Fueled Steam Electric
Power Plant and ancillary facilities (Arvah B.
Hopkins, Unit No. 2)

Located at: Tallahassee, Florida, Arvah B. Hopkins
Generating Site UTM 749510mE, 3371230mN

In accordance with the application dated February 15, 1974

and in conformity with the statements and supporting data entered therein, all of which are filed with the department and are considered apart of this permit.

This certification shall be effective from the date of issue ~~XXXXXXXXXXXXXXXX~~
or until revoked or surrendered and shall be subject to all laws of the state and the rules and regulations of the department, and the conditions of certification appended hereto.



W.D. FREDERICK, JR.

CHAIRMAN





PETER P. BALJER

EXECUTIVE DIRECTOR

BEFORE THE STATE OF FLORIDA POLLUTION CONTROL BOARD

RECEIVED

JUN 2 1975

In the Matter of:)
CITY OF TALLAHASSEE,)
A. B. HOPKINS STATION:)
Application for Variance)
and Certification of)
Expansion of Existing)
Electrical Power Plant)
Site,)
Leon County, Florida,)
Applicant.)
_____)

DIV. OF PLANNING
Case No. PA-74-03
Board Order No. 75-11

The following Board members were present and participated in the disposition of this matter: W. D. Frederick; John R. Middlemas; Susan Uhl Wilson; and Mark Hollis.

O R D E R

BY THE BOARD:

THIS CAUSE, after due notice, coming on to hearing, and the Florida Pollution Control Board having considered the Hearing Examiner's Report containing findings of fact, conclusions of law, and proposed order, a copy of which is attached hereto, and given time to hear arguments and comments of the parties, it is therefore,

ORDERED by the Florida Pollution Control Board that the Hearing Examiner's Report be, and the same hereby is, approved, adopted, and confirmed, subject to the following amendments:

for reasons discussed in the attached Affidavit of Dr. Paul Parks, Attachment A:

- A. The special condition of certification 2Ac)
on Page 3 relative to limitations of phosphorus
is amended to read:

2Ac) Phosphorus: The effluent shall not contain phosphorus in amounts greater than 1.65 mg/l for the first year of operation. This phosphorus limitation may be continued or reduced by the Department to 0.33 mg/l after one year, based upon the results of monitoring data provided to the Department by the applicant concerning the effects of this phosphorus on the receiving waters.

- B. The special condition of certification 2Ad)
on Page 3 relative to limitations on sulfate
is amended to read:

2Ad) Hydrochloric acid shall be utilized for pH adjustment and scale control in the cooling tower. Sulfuric acid may be used for resin regeneration. The effluent shall not contain sulfate in amounts greater than a six-fold concentration of sulfate naturally occurring in the well water. Should the applicant provide scientific data which demonstrates to the satisfaction of the Department that sulfate will not degrade the receiving waters, sulfuric acid may then be used for scale control and pH adjustment upon approval by the Department. The Department shall provide public notice, a 30-day period for the submittal of public comments, and a public hearing if requested, prior to any approval by the Department of said sulfuric acid for scale control and pH adjustment in the cooling tower.

- C. The special condition of certification 2Ah)
on Page 3 relative to limitations on hydro-
chloric acid is deleted.

ENTERED this 29 day of May, 1975.

FOR AND BY THE DIRECTION OF THE
FLORIDA POLLUTION CONTROL BOARD:


PETER P. BALJET, Executive Director
2562 Executive Center Circle, East
Montgomery Building
Tallahassee, Florida 32301

VOTE:

FOR

W. D. Frederick
John R. Middlemas
Susan Uhl Wilson
Mark Hollis

AGAINST

None

A F F I D A V I T

STATE OF FLORIDA:

COUNTY OF LEON:

Before me personally appeared Paul C. Parks, Ph.D., Chief Chemist for the Florida Department of Pollution Control who was sworn and says as follows:

1. I have a B.S. and Ph.D. in Chemistry, three years postdoctoral study in biophysical chemistry, five years teaching and research experience in physical and biophysical chemistry and two years experience as Chief Chemist for the Department of Pollution Control.

2. In my testimony of March 8; 1975 concerning the use of phosphorus containing antiscalents, I testified that antiscalents which do not contain phosphorus are commercially available. Based upon this and other testimony the Hearing Examiner, concluded that a total ban of phosphorus containing antiscalents was warranted and phosphorus in the effluent was to be limited to those concentrations which would naturally occur due to evaporative concentration of the source groundwater.

3. Subsequent, new information provided by the Applicant as well as additional evaluation of data by me suggests that non-phosphorus containing antiscalents may have more harmful environmental effects than those which contain phosphorus.

use a phosphorus containing antiscalent for a trial period of one year with monitoring which will determine if this activity will add deleterious amounts of phosphorous to the receiving waters. This modified Special Condition for Certification authorizes the Department to rescind permission to use the phosphorus containing antiscalent if deleterious effects due to phosphorus are found to occur.

6. The Hearing Examiner, through the conditions for certification, required the use of hydrochloric acid rather than sulfuric acid for scale and pH control in the cooling towers. I fully concur in imposing this condition; however, I believe that the Applicant should have an opportunity through scientific research to demonstrate to the Department that the addition of sulfate to this receiving water system will not degrade the receiving waters. This demonstration must consist of controlled experiments conducted to the satisfaction of the Department's technical staff and to the satisfaction of the scientific community. The demonstration would involve only small scale laboratory and field tests and would not involve the use of sulfuric acid for pH and scale control in the cooling tower.

7. For the reason described in number 6 above, I recommend that Special Conditions for Certification 2A(d) and 2A(h) be amended to establish this demonstration procedure which might subsequently allow the Applicant to use sulfuric acid for pH and scale control in the cooling towers if the Applicant can demonstrate under the conditions described in number 6 above that the addition of sulfate will not degrade the receiving waters.

Paul C. Parks

Paul C. Parks

Sworn to and subscribed before
me this 20th day of May, 1975.

Margaret L. Walker

NOTARY PUBLIC

State of Florida at Large

My Commission Expires:

Notary Public, State of Florida at Large
My Commission Expires Feb. 26, 1978
Bonded by American Fire & Casualty Co.

BEFORE THE STATE OF FLORIDA
DEPARTMENT OF POLLUTION CONTROL

IN THE MATTER OF:

CITY OF TALLAHASSEE,
A. B. HOPKINS STATION:
Application for Variance
and Certification of Expansion
of Existing Electrical Power
Plant Site,

CASE # PA 74-03

HEARING EXAMINER'S
REPORT

Leon County, Florida,

Applicant

I. GENERAL SUBJECT MATTER OF HEARING

The City of Tallahassee petitioned for a Variance and for Electrical Power Plant Site Certification pursuant to F.S. 403. The matters presented to this Examiner involved air, water and noise as well as proposed safety measures to be put into effect at the A. B. Hopkins Station, located in Leon County, Florida. It should be noted that the aforesaid applications apply to the expansion of the existing facilities.

II. HISTORY

On February 15, 1974, the City of Tallahassee applied for certification of their Arvah B. Hopkins site for 238 megawatts of additional generating capacity. The initial hearing on zoning and land use was held on April 17, 1974. The Hearing Examiner at said hearing held that the site and proposed expansion was in compliance with the

III. DATE, TIME & LOCATION OF HEARING:

The hearings herein were advertised and scheduled for Thursday, February 20, 1975; however, on that date, the hearings were continued to the 7th day of March, 1975, and the hearing as to the Variance was commenced at 9:00 A.M. The Hearing on the Application for Certification was begun at 2:30 P.M. on March 7, 1975.

IV. APPEARANCES

(A) Department of Pollution Control, Boone Kursteiner, Esquire.

(B) City of Tallahassee, Bryan W. Henry, Esquire

(C) P.S.C.: Joseph McGlothlin, Esquire, Barrett G. Johnson, Esquire.

(D) Division of State Planning of The Department of Administration; Mr. Thomas Krilowycz and Dr. Frank Maier.

(E) Florida Fresh Water Fish and Game Commission: Mr. Brad Hartman.

V. DESCRIPTION OF ACTIVITY UNDER CONSIDERATION:

This case involves the expansion of operation of the Arvah B. Hopkins Electrical Plant and the thermal discharge into "Beaver Creek" and eventually flowing into Lake Talquin

VI. FINDINGS OF FACT:

The City of Tallahassee made application for a Variance and for Certification pursuant to F.S. 403, and Chapter 17-17 of the Florida Administrative Code, in February, 1974.

An initial hearing was held on April 17, 1974, at which time

that the area to be served consisted of that portion of Leon County which the City of Tallahassee had jurisdiction over and which was directly served by the utility. Furthermore, it was the Finding of this Hearing Examiner that the City had met the burden of proof and had demonstrated a need in the area served.

(B) THERMAL DISCHARGE:

Conflicting testimony was presented as to the environmental impact upon "Beaver Creek" due to the thermal discharge from the proposed expansion. This matter was resolved by and between the parties herein as follows: a 20 acre "cooling pond" would be constructed within the boundaries of the A. B. Hopkins plant and that said cooling pond would be constructed in a manner which would insure complete mixing (said mixing will be accomplished by either mechanical or structural methods). Based on the aforesaid stipulation, it was the finding of this Examiner that, subject to the Conditions to Certification attached hereto, there would be no substantial adverse impact caused by the thermal discharge.

(C) OPERATIONAL SAFEGUARDS

The Overall design and layout of the plant are such to minimize hazards to humans and the environment. Barrier fences and security control measures will be enforced to prevent public exposure to hazardous conditions.

(D) IMPACT ON AIR QUALITY

The applicant will burn low sulphur fuel and will construct a stack which is 250 feet in height. Use of the tall stack and low sulphur fuel oil should enable the applicant to comply with the latest available technology, non-degradation, air quality standards and emission standards. Particulate matter to be produced by the operation of this facility will be acceptable. The objection of the Division of State

(E) WATER POLLUTION:

A good deal of time was devoted to the potential damage to the environment from the sulfates caused by the use of sulfuric acid in the cooling towers. Similarly, much testimony was directed to the use of anti-scaling agents which would produce phosphates which would damage the environment. Based on said testimony, the following recommendations are made:

(1) SULFATES: Due to the potential environmental damage of using sulphuric acid in the cooling towers, it is recommended that hydrochloric acid be used. It is noted that the City of Tallahassee offered arguments as to the additional cost of hydrochloric acid as opposed to sulphuric acid, however, the possible "cost" to the environment far outweighs the minor financial consequences.

(2) PHOSPHATES: Considerable amounts of testimony was presented by various experts, representatives of State Agencies and the general public as to the potential environmental impact if the use of phosphates is allowed as anti-scaling agents. Once again the City offered arguments and testimony as to the additional financial costs and lack of availability of non-phosphate agents. It is the finding of this Examiner that the potential danger from the use of chemicals which produce phosphates warrants the total banning of said chemicals.

VII. LEGAL ISSUES AND CONCLUSIONS OF LAW:

(A) Application for Variance from §17-3(3)(d)(i) F.C.A. relating to fresh water.

CONCLUSION: It was agreed by and between the parties herein that upon the construction of a 20 acre cooling pond together with either mechanical or physical methods to insure complete mixing, the

VIII PROPOSED ORDER:

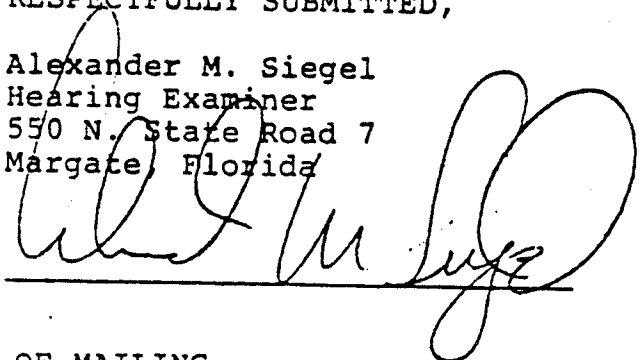
The Application for Certification for the expansion of the Arvah B. Hopkins electrical generating plant should be granted subject to various conditions to certification which are attached hereto as submitted by the Florida Department of Pollution Control and are marked as "STANDARD CONDITIONS OF CERTIFICATION" and "SPECIAL CONDITIONS OF CERTIFICATION".

Notwithstanding any condition to certification as set forth in the attachments hereto, this Hearing Examiner wishes to re-emphasize the Findings of Fact in regards to the potential environmental change which would be caused with the use of chemicals which would produce sulfates and phosphates into the discharge. It is the finding of this Examiner that there are chemicals commercially available which would substantially prevent the formation and subsequent discharge of both sulfates and phosphates from the site.

Dated: May 5, 1975

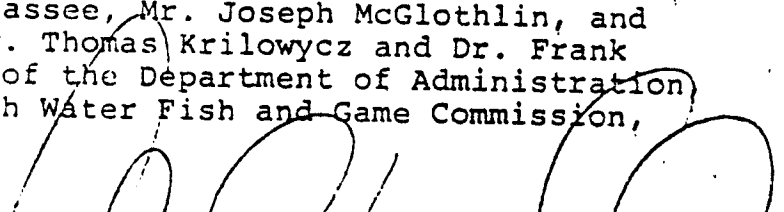
RESPECTFULLY SUBMITTED,

Alexander M. Siegel
Hearing Examiner
550 N. State Road 7
Margate, Florida



CERTIFICATE OF MAILING

I HEREBY CERTIFY that copies of the foregoing Report have been mailed to Mr. Boone Kursteiner, Department of Pollution Control, Mr. Bryan W. Henry, City of Tallahassee, Mr. Joseph McGlothlin, and Mr. Barrett G. Johnson, P.S.C., Mr. Thomas Krilowycz and Dr. Frank Maier, Division of State Planning of the Department of Administration and Mr. Brad Hartman, Florida Fresh Water Fish and Game Commission, this 6th day of May, 1975



City of Tallahassee
Electric Power Plant Site Certification Review
Arvah E. Hopkins, Unit No. 2
Case No. PA-74-03
Florida Department of Pollution Control
CONDITIONS OF CERTIFICATION
SPECIAL

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Special Conditions of Certification

Florida Department of Pollution Control
City of Tallahassee
Arwah B. Hopkins Electric Power Plant Site Certification Unit 2
Case No. PA-74-03
CONDITIONS OF CERTIFICATION

Special

I. Air

- A. Stack Emissions - Emissions shall be controlled so as not to exceed the appropriate standards specified in Chapter 17-2, F.A.C. and any subsequent amendments, unless excepted by a variance.
- B. Stack Height - The stack serving Unit No. 2 shall be not less than 250 ft. high.
- C. Stack Monitoring - Monitoring equipment as approved by Department of Pollution Control shall be provided on the Unit No. 2 stack for:
 - a) Opacity
 - b) Nitrogen oxides
- D. Stack Monitoring Platform - A suitably installed and accessible sampling platform as approved by Department of Pollution Control will be provided on the Unit No. 2 stack.
- E. Equipment - Major equipment changes that will affect air emissions or which may have a substantial environmental impact shall be approved by the Department prior to the placing of orders for equipment or the start of construction. Where deemed necessary, an environ-

mental assessment on the effect of the change shall be prepared. (An example of a major change is the installation of flue gas desulfurization equipment, or conversion of facilities to the use of coal). This condition supplements Standard Condition 1.

F. Ambient Air Monitoring - At least one sulfur dioxide monitoring unit shall be operated at one of the locations identified in letter from Environmental Science and Engineering, Inc., dated September 30, 1974, and approved by the Department of Pollution Control. Samples shall be collected every sixth day and the results furnished monthly to the Department.

G. Fuel Oil - The sulfur content of fuel oil consumed shall be analyzed and records of such analysis shall be maintained for inspection by the Department.

H. Control of Sulfur Dioxide - A plan to provide the latest reasonably available control technology (LRACT) for control of sulfur dioxide (SO_2) shall be submitted within 18 months of date of site certification.

2. Water

A. Effluent Standards - Wastewater discharged from the site shall meet the standards set forth in Chapter 17-3, FAC, and any subsequent amendments, unless excepted by a variance. The following specific limits are identified:

- a) pH shall be in accord with Chapter 17-3 FAC.
- b) Chlorine: Chlorination shall be conducted in such a manner that chlorine residual in the effluent at State Road 260 is not detectable by the analytical methodology specified in 40 CFR Part 136.
- c) Phosphorus: The effluent shall not contain phosphorus in amounts greater than 0.33 mg/l as P.
- ✓ d) Sulfate: The effluent shall not contain sulfate in amounts greater than a six fold concentration of sulfate naturally occurring in the well water.
- e) Chloride: Chloride shall not exceed 250 mg/l.
- f) Deleterious Substances: No organic or inorganic substance which is not specifically described in the application shall be added to the effluent.
- g) Temperature: The temperature at the point of discharge shall meet the requirements of Chapter 17-3 FAC.
- ✓ h) Hydrochloric acid shall be utilized for pH adjustment and scale control in the cooling tower. Sulfuric acid may be used for resin regeneration.

✓ 2. Chemical & Physical Monitoring*

<u>Name</u>	<u>STORET Code</u>	<u>Reporting Units</u>	<u>Station Numbers</u>	<u>Frequency</u>
Chlorine, total residual	50760	mg/l	1	1/M (a)
Oil and Grease	00350	mg/l	1	1/M
pH, field	00400	pH unit	1	C(b)
Flow rate	50050	mgd	1	C(b)
Temperature, water	00010	°C	1	C(b)
Temperature, air	00020	°C	1	C(b)
Conductivity, adjusted to 25°C	00095	micromho	1	C(b)
Stream flow, instantaneous	00061	cfs	2-7	1/M
pH, field	00400	pH unit	2-7 (c)	1/M
Temperature, water	00010	°C	2-7	1/M
Temperature, air	00020	°C	2-7	1/M
Conductivity, adjusted to 25°C	00095	micromho	2-7	1/M
Phosphorus, total	00665	mg/l P	1-7 (d)	1/M
Nitrogen, Kjeldahl, total	00625	mg/l N	1-7 (d)	1/M
Nitrate, total	00620	mg/l N	1-7 (d)	1/M
Orthophosphate, total	70507	mg/l P	1-7 (d)	1/M
Sulfate, total	00945	mg/l SO ₄	1-7 (d)	1/M
Sulfide, total	00745	mg/l S	1-7 (d)	1/M
Chloride, total	00940	mg/l Cl	1-7 (d)	1/M
Solids, fixed plus volatile, dissolved	70300	mg/l	1-7	1/M
Oxygen, dissolved	00300	mg/l O ₂	1-7	1/M
Mercury, total	71700	ug/l Hg	1-7	1/Q
Chromium, total	01034	ug/l Cr	1-7	1/Q
Copper, total	01042	ug/l Cu	1-7	1/Q
Cadmium, total	01027	ug/l Cd	1-7	1/Q
Lead, total	01051	ug/l Pb	1-7	1/Q
Mercury, total in bottom deposits	71920	mg/kg dry wt.	1-7	1/Q
Chromium, total in bottom deposits	01029	mg/kg dry wt.	1-7	1/Q
Copper, total in bottom deposits	01043	mg/kg dry wt.	1-7	1/Q
Cadmium, total in bottom deposits	01028	mg/kg dry wt.	1-7	1/Q
Lead, total in bottom deposits	01052	mg/kg dry wt.	1-7	1/Q
Conductivity, pH and dissolved oxygen profiles from surface to sediment/water interface		graphical	2, 4, 6, 7	1/Q

(a) Measured only during periods of chlorination.

(b) Measured continuously at station no. 1. Estimate daily average from record, report daily average, daily high and daily low.

(c) Grab samples to be used for stations 2-11.

(d) Eight hour flow proportioned composite from hourly grab samples for all non-continuous station no. 1 measurements.

*Testing procedures are those described in 40 CFR Part 136, Federal Register, Tuesday, October 16, 1973, Volume 38, No. 199.

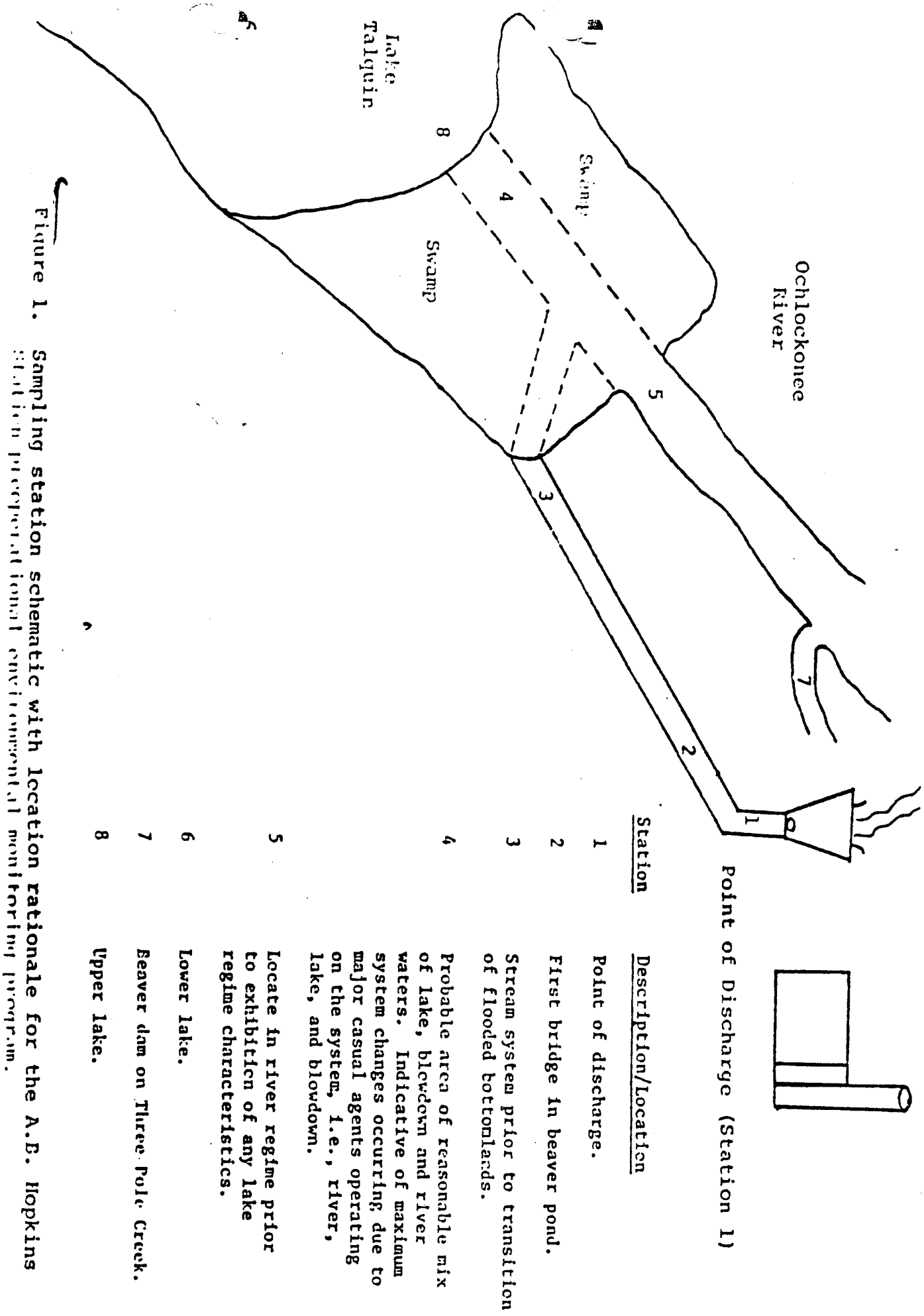


Figure 1. Sampling station schematic with location rationale for the A.B. Hopkins Station preoperational environmental monitoring program.

✓ C. Stream/Lake Monitoring - A monitoring program shall be undertaken on the receiving stream, Ochlockonee River and Lake Talquin. The program shall be approved by the Department and shall include not less than one year of preoperational data for Unit No. 2. Purpose of the program shall be to measure those chemical and biological parameters that are determined to be most indicative of the effects of the power plant liquid discharges. Included shall be sampling in the receiving waters mentioned here, on the basis as specified by the attached Biological monitoring program. The Department shall review the chemical monitoring program after six months of plant operation and the Biological monitoring program after one year of plant operation. After such review the Department may authorize a reduction or modification of those monitoring programs.

✓ Please see Figure 1. for station description.

Biological Monitoring

<u>Parameter</u>	<u>Station No.</u>	<u>No. Replicates & Frequency</u>
Phytoplankton (1)	2,4,6	2/Q
Benthic Macroinvertebrates (2)	2,3,4,6,7	4/Q
Macrophytes (3)	2,3,4,6,7	1/6mo.
Fish (4)	2,3,4,6,7	1/Q
Periphyton (5)	2,3,4,6,7	6/Q

-
- (1) Phytoplankton - counts and identification.
 - (2) Benthic Macroinvertebrates - counts and identification.
 - (3) Macrophytes - aerial coverage.
 - (4) Fish - counts and identification.
 - (5) Periphyton - counts and identification.

- ✓ D. Cooling Pond - A cooling pond shall be constructed on site to further reduce the thermal effects of the plant discharge. The pond shall be a minimum of twenty (20) acres in extent, with an average depth of four (4) feet in depth. The pond shall be designed with baffles or other mechanical devices to insure complete mixing and to prevent short-circuiting.

3. Ground-Water Monitoring

A system of groundwater monitoring shall be implemented, at least 12 months prior to operation of Unit No. 2. Unless problems are suspected, two wells shall be measured semi-annually and the data reported to the Department and the Northwest Florida Water Management District. The monitoring program shall be reviewed every two years with the Northwest Florida Water Management District and submitted to the Department for concurrence.

4. Archeological Sites

The 231-acre Hopkins site shall be examined by the appropriate archeological agency to identify areas of archeological significance. Subsequently, efforts shall be made to remove, mark or otherwise protect the archeological values. This shall not apply to the area already occupied by structures or the area upon which foundations for the boiler, generator, cooling tower, and stack are to be located.

5. Site Drainage and Erosion Control

- A. Provision shall be made to control sediment runoff during and after construction, utilizing the latest techniques developed by the DOT/DPC. The environmental control ordinances of the City of Tallahassee shall be complied with. Sediment and oil traps shall be installed and maintained where necessary to achieve the goals of pollution control.
- B. A control program shall be established by the applicant to provide periodic review of all construction activities to assure protection of the environment.
- C. When new or revised site drainage is undertaken it shall be constructed to minimize the direct effect of runoff from parking areas and other impervious surfaces.

6. Changes

The Department may modify the provisions of the special conditions as necessary to obtain the objectives of the special conditions upon mutual agreement with the permittee. Said modifications and agreement shall be in writing.

City of Tallahassee
Electric Power Plant Site Certification Review
Arvah B. Hopkins, Unit No. 2
Case No. PA-74-03
Florida Department of Pollution Control
CONDITIONS OF CERTIFICATION
STANDARD

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Standard Conditions of Certification

Florida Department of Pollution Control
City of Tallahassee
Arvah B. Hopkins Electric Power Plant Site Certification Unit 2
Case No. PA-74-03
CONDITIONS OF CERTIFICATION

Standard

1. Change in Discharge

All discharges or emissions authorized herein shall be consistent with the terms and conditions of this certification. The discharge of any pollutant identified in this certification more frequent than or at a level in excess of that authorized shall constitute a violation of the certification. Any anticipated facility expansions, production increases, or process modifications which will result in new, different or increased discharges of pollutants or expansion in steam generating capacity must be reported by submission of a new application.

2. Noncompliance Notification

If, for any reason, the permittee does not comply with or will be unable to comply with any limitation specified in this certification, the permittee shall notify the appropriate regional administrator or subregional office of the Department by telephone during the working day that said noncompliance occurs and shall confirm this within forty-eight (48) hours of becoming aware of such condition, and shall supply the following information:

a) A description of the discharge and cause of non-compliance; and

b) The period of noncompliance, including exact dates and times; or, if not corrected, the anticipated time, the noncompliance is expected to continue, and steps being taken to reduce, eliminate and prevent recurrence of the noncomplying discharge.

3. Facilities Operation

The permittee shall at all times maintain in good working order and operate as efficiently as possible all treatment or control facilities or systems installed or used by the permittee to achieve compliance with the terms and conditions of this certification.

4. Adverse Impact

The permittee shall take all reasonable steps to minimize any adverse impact resulting from noncompliance with any

limitation specified in this certification, including such accelerated or additional monitoring as necessary to determine the nature and impact of the noncomplying discharge.

5. Right of Entry

The permittee shall allow the Director of the Florida Department of Pollution Control and/or authorized representatives, upon the presentation of credentials:

a) To enter upon the permittee's premises where an effluent source is located or in which records are required to be kept under the terms and conditions of this permit; and

b) To have access to and copy any records required to be kept under the conditions of this certification; and

c) To inspect any monitoring equipment or monitoring method required in this certification and to sample any discharge or pollutants.

6. Revocation or Suspension

After notice and opportunity for a hearing, this certification may be suspended, or revoked in whole or in part during its term for cause including, but not limited to, the provision of Section 403.512, Chapter 403, Florida Statutes.

7. Civil and Criminal Liability

Nothing in this certification shall be construed to preclude the institution of any legal action or relieve the permittee from responsibilities, liabilities, or penalties established pursuant to any applicable State Statutes, or Regulation, including Departmental rules and regulations promulgated by the Department pursuant to Chapter 403, F.S.

8. Property Rights

The issuance of this certification does not convey any property rights in either real or personal property, or any exclusive privileges, nor does it authorize any injury to public or private property or any invasion of personal rights, nor any infringement of Federal, State, or local laws or regulations.

9. Severability

The provisions of this certification are severable, and if any provision of this certification or the application of any provision of this certification to any circumstances, is held invalid, the application of such provision to other circumstances, and the remainder of the certification shall not be affected thereby.

10. Certification Period

This certification shall be in perpetuity as to the use as a steam electric generating unit, provided all conditions of certification are complied with, and subject to the Florida Electric Power Plant Siting Law, Section 403.501 - 403.515 and amendments thereto.

11. Legal Action

Nothing in this certification shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities, or penalties established pursuant to any applicable Florida Statute, or regulation, including Departmental rules and regulations promulgated by the Department pursuant to Chapter 403, Florida Statutes.

12. Unforeseen Circumstances

Before engaging in a construction activity which may result in a significant adverse environmental impact that was not evaluated or that is significantly greater than that evaluated in the certification application, the applicant shall provide both telephone and written notification to the Department. This shall include unexpected harmful effects or evidence of irreversible damage, not previously identified.