



Jeb Bush
Governor

Department of Environmental Protection

Marjory Stoneman Douglas Building
3900 Commonwealth Boulevard
Tallahassee, Florida 32399-3000

David B. Struhs
Secretary

06C02-1143
DEP 0 2-1 3 7 4

October 9, 2002

- CERTIFIED MAIL - RETURN RECEIPT REQUESTED -

George Allen, General Manager
Indiantown Cogeneration, L.P.
Post Office Box 1799
19140 SW Warfield Boulevard
Indiantown, Florida 34956

**RE: Indiantown Cogeneration, L.P.
Modification to Conditions of Certification
DEP Case Number PA 90-31E**

ORDER MODIFYING CONDITIONS OF CERTIFICATION

Dear Mr. Allen:

On November 10, 2000, the Florida Department of Environmental Protection ("Department") received a request to modify the Conditions of Certification for the Indiantown Cogeneration facility. That request included changes to the surface and groundwater conditions and elimination of the condition requiring ambient air monitoring. Additional modifications were proposed by the Department to include current regulatory references, current Best Management Practices Plans, and to conform the conditions to the final PSD and Title V permits.

The Department has reviewed the modification request. On August 7, 2002, 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 August 16, 2002, notice of the Department's intent to modify the Conditions of Certification for this facility was published in the Florida Administrative Weekly ("FAW"), and on the Department's internet home page at <http://www.dep.state.fl.us/> under the link or button titled "Official Notices." Those notices specified that pursuant to Section 403.516, Florida Statutes ("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 by mail to such party's last address of record in which to file a written objection to the modification; 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; and that the Department will issue an Order Modifying the Conditions of Certification for this facility if no written objections are received by the Department.

No objections to the modification have been received by the Department. The Conditions of Certification for the Indiantown Cogeneration facility are hereby modified as follows:

PART I
ADMINISTRATIVE CONDITIONS
No change.

PART II
DEPARTMENT OF ENVIRONMENTAL PROTECTION

(1) AIR

The construction and operation of the Indiantown Cogeneration Project (ICP) shall be in accordance with all applicable provisions of Chapter 62-204, 62-210, 62-212, 62-296, 62-297, 62-256, and 62-702, Florida Administrative Code, except for SO₂ and NO_x during startup, shutdown, and malfunction, then 40 CFR 60 shall apply.

A. 1. through 4. No change.

5. Open Burning

Open Burning in connection with initial land clearing shall be in accordance with Chapter 62-256, F.A.C., Chapter ~~51-2~~ 51-2, F.A.C., Uniform Fire Code Section 33.101 Addendum, and any other applicable regulations of Martin or Okeechobee Counties, as applicable.

No open burning of construction-generated material, after initial land clearing, shall be allowed.

B. No change.

C. Monitoring and Reporting

1. Air Monitoring Program

a. No change.

~~b. The permittee shall operate two continuous ambient monitoring devices for sulfur dioxide in accordance with DEP quality control procedures and EPA reference methods in 40 CFR, Part 53, and two ambient monitoring devices for suspended particulates, and one continuous NOx monitor. The monitoring devices shall be specifically located at a location approved by the Department's Bureau of Air Regulation. The frequency of operation of the particulate monitors shall be every six days commencing as specified by the Department's Bureau of Air Regulation. During construction and operation, a meteorological station will be operated and data reported with the ambient data.~~

e. b. The permittee licensee shall maintain a log of the amounts and types of fuel received and copies of fuel analyses containing information on sulfur content, ash content and heating values. These logs shall be kept for at least two years.

d. c. The permittee licensee shall provide stack sampling facilities as required by Rule 62-297.310(6), F.A.C.

~~e. The ambient monitoring program shall begin at least one year prior to initial start up of the unit and shall continue for at least one year after commencement of commercial operation. The Department's Bureau of Air Monitoring and Assessment and the permittee shall review the results of the monitoring program annually and determine the necessity for the continuation of or modifications to the monitoring program.~~

f. d. Prior to operation of the source, the permittee licensee shall submit to the Department's Bureau of Air Regulation a plan or procedure that will allow the permittee licensee to monitor emission control equipment efficiency and enable the permittee licensee to return malfunctioning equipment to proper operation as expeditiously as possible.

g. e. Prior to the operation of the CO₂ Recovery Plant, the permittee licensee shall submit to the Department's Bureau of Air Regulation a plan or procedure demonstrating that the system used to measure the PC boiler emissions accurately accounts for the exhaust gasses ducted to the CO₂ plant.

h. f. Within 90 days of initial operation of the CO₂ Recovery Plant, the permittee licensee shall submit to the Department's Bureau of Air Regulation a summary of the actual emissions of the Recovery Plant. This shall include (at a minimum) emissions of all regulated pollutants, MEA, ammonia and methanol based upon a net CO₂ recovery level of 400 TPD of liquid CO₂ as well as the estimated maximum daily throughput of the Recovery Plant (if greater than 400 TPD). An O&M plan shall be submitted to the Department's Southeast District Office, detailing best practices for minimization of secondary pollutant emissions.

PART III
FISH AND WILDLIFE CONSERVATION COMMISSION

No change.

PART IV
SOUTH FLORIDA WATER MANAGEMENT DISTRICT

A. LEGAL / ADMINISTRATIVE CONDITIONS

1. GENERAL

a.- k. No change.

l. Enforcement

The SFWMD may enforce this certification pursuant to Sections 403.514, and 403.061, F.S., and conditions I(20) of the Administrative Conditions of this certification.

2. No change

B. WATER USE CONDITIONS

1. GENERAL No change.

2. SITE SPECIFIC DESIGN AUTHORIZATIONS

a. Authorized Withdrawals

Source	Maximum Annual Allocation (MGY)	Maximum Daily Allocation (MGD)
L-63N Canal	1942.00	5.32
Upper Floridan Aquifer	195.00 369.00	2.60 4.92
Upper Permeable Zone Lower Floridian Aquifer	174.0	2.32
Surficial Aquifer	3.0	0.04

b. Limitations on Authorized Withdrawals

(1) No change.

(2) Withdrawals from the ~~Upper and Lower Production Zones of the Upper~~ Floridan aquifer and the Surficial aquifer shall only occur when the water

level in the L-63N Canal is below 17.50 feet NVGD; or during tests and maintenance on the wells. Maintenance is defined as one hour of operation per week for each well or the minimum operation of the pump necessary to maintain mechanical integrity as specified by the pump manufacturer.

(3) No change.

(4) Any withdrawals from the L-63N Canal, ~~or the Upper or Lower Production Zone of the Upper~~ the Floridan aquifer or the Surficial aquifer in excess of the amounts specified herein (or during conditions other than specified herein) shall require prior SFWMD approval. Any withdrawals of water from alternative water supply sources under emergency conditions shall require prior SFWMD approval. The SFWMD may grant such approval for any withdrawal less than 180 days duration without modifying these Conditions of Certification. The SFWMD's approval shall be based on the non-procedural requirements of chapter 40E-2, F.A.C.

(5) No change

(6) The withdrawals from the ~~Upper and Lower Production Zones of the Upper~~ Floridan aquifer and the Surficial Aquifer are authorized for a period not to exceed 75 days at the specified maximum daily allocation or 90 days at an allocation not to exceed the maximum annual allocation. The ~~permittee licensee~~ shall not exceed a total of 90 withdrawal days from the Floridan aquifer during any consecutive 365 day period without prior approval from the SFWMD.

(7) and (8) No change.

c. Authorized Withdrawal Facilities

- 2 - 3,700 GPM Surface Water Pumps in L 63N
- 1 - 10" x 1340' Floridan Aquifer Well cased to 500' (existing well)
- 1 - 10" x 1265' Floridan Aquifer Well cased to 750'
- 2 - 15" x 1350' Floridan Aquifer Wells cased to 750'
- 2 - 15" x 1650' Floridan Aquifer Wells cased to 1487'
- 2 - 14" x 1330' Surficial Wells cased to 730'
- 1 - 8" x 118' Surficial Aquifer Well cased to 78'

d. through f. No change

3. ADDITIONAL INFORMATION REQUIREMENTS

a. through c. No change.

d. Surface Water and Groundwater Monitoring Programs

Within six months of issuance of this Certification, the permittee licensee shall develop and implement a surface water and groundwater monitoring program. Within three months of issuance of this Certification, a preliminary proposal shall be submitted to the SFWMD for a determination of compliance with the non-procedural requirements of Chapter 40E-2 and 40E-4, F.A.C. In developing the monitoring program, the permittee licensee shall consider canal withdrawal facility and well locations, depth and method of construction, types of screens, and frequency of data collection. In addition, the monitoring program shall include the following:

(1) Permittee Licensee shall monitor water levels and water quality from the Upper and Lower Production Zones of the Floridan aquifer system. Water quality monitoring from each zone shall include the determination of the chloride ion concentration and specific conductance in April and October of every year and also on a monthly basis during periods of withdrawals (exclusive of withdrawals conducted for maintenance and testing purposes). Water levels shall be collected from each zone monthly and referenced to NGVD. Data shall be submitted to the District in the month following data collection.

~~(2) Permittee shall collect water level data from the L-63 Canal adjacent to the pump station on a daily basis. Water levels shall be reference to NGVD and submitted to the District monthly. Permittee shall collect water quality data from the discharge end of the pipeline on a monthly basis. Water quality shall include the determination of the chloride ion concentration, specific conductance, TDS, pH, total phosphorus and total nitrogen. The data shall be submitted to the District on a monthly basis.~~

~~(3)~~ (2) Permittee Licensee shall monitor the Surficial aquifer for water level (references to NGVD) and water quality data during the dewatering operations. The frequency of data collection and water quality constituents to be collected shall be determined by the permittee and approved by District staff prior to commencement of dewatering.

- e. No change.
- f. Water Conservation Plan

~~Within two (2) years of issuance of the modified Certification Order~~ By October 1, 2002, the permittee licensee shall submit a Water Conservation Plan required by Chapter 40E-2, F.A.C., in effect at that time, for review and approval by SFWMD staff. The plan shall, at a minimum, incorporate the following components:

- (1) through (2) No change.

C. through E. No change.

PART V – PART X

No Changes.

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 F. Korobov 10/9/02
Clerk Date

CC by U.S. mail:

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Steven Fry, Esquire
Michelle Golden
George Long
Susan Roeder Martin, Esquire
Colin Roopnarine, Esquire
Roger G. Saberson, Esquire

Indiantown Cogeneration, L.P.
Order Modifying Conditions of Certification
DEP Case Number PA 90-31E
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Sheauching Yu, Esquire

Indiantown, PA 90-31, Service List

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