

RECEIVED

STATE OF FLORIDA  
DEPARTMENT OF ENVIRONMENTAL PROTECTION

AUG 11 1993

IN RE: SITE CERTIFICATION, )  
MARTIN COAL GASIFICATION/ )  
COMBINED CYCLE PROJECT, )  
FLORIDA POWER & LIGHT COMPANY )

Dept. of Environmental Reg.  
Office of General Counsel  
OGC NO. 91-0581  
CERTIFICATION NO. PA89-27A

**FINAL ORDER MODIFYING CONDITIONS OF CERTIFICATION**

On February 20, 1991, the Governor and Cabinet, acting as the Siting Board, issued a final order approving certification of Florida Power & Light Company's (FPL) Martin Coal Gasification/Combined Cycle Facility (Martin CG/CC). That certification order approved the construction and operation of a natural gas/oil fired combined cycle facility and associated facilities to be located in Martin County, Florida.

On February 2, 1993, FPL filed a request to modify the conditions of certification pursuant to section 403.516(1)(b), F.S. FPL requested that the conditions be modified to approve several recently identified changes to the project design and operation. These proposed changes include changing operating conditions for the auxiliary boiler and the emergency diesel generator, and revising emission limitations during startup conditions for the main generating units.

Copies of FPL's request were distributed to all parties to the certification proceeding and made available for public review. On February 19, 1993, the Department published a Notice of Intent to Issue the Proposed Modification in the Florida Administrative Weekly. Copies of the intent to issue were sent to all parties to the original proceeding. As of

April 16, 1993, all of the parties to the original proceeding had received copies of the intent to issue. The notices specified that a hearing would be held if a party to the original certification hearing objects within 45 days from receipt of the proposed modification or if a person whose substantial interests will be affected by the proposed modification objects in writing within 30 days after issuance of the public notice. Written objections to the proposed modifications were not received by the Department.

Accordingly, in the absence of any dispute,  
**IT IS ORDERED THAT:**

The proposed changes to the Martin CG/CC Project requested by FPL are hereby approved based on the absence of any written objections. Pursuant to section 403.516(1)(b), F.S., the Department hereby modifies the conditions of certification for the Martin CG/CC Project as follows:

**II.A. Emission Limitations for Martin CG/CC Project**

1-3. No change.

4. The maximum allowable emissions from each CT in accordance with the BACT determination, shall not exceed the following, at 40° F (except during periods of startup and shutdown).

\* \* \*

e. The excess emissions authorized under Rule 17-210.700(1), F.A.C., shall be extended an additional two hours (for a total not to exceed four hours) for a cold turbine start for the first CT of a CC unit. The second CT of each CC unit shall comply with established emission limits in accordance with Rule 17-210.700(1), F.A.C.

5 & 6. No change.

7. Auxiliary Steam Boilers and Diesel Generators shall operate only during startup and shutdown, periodic maintenance testing, and for emergency power generation, respectively. NO<sub>x</sub> emissions for the auxiliary boiler shall not exceed 0.3 ± 0.1 lb/MMBtu for natural gas firing or 0.2-1.1 lb/MMBtu for oil firing. NO<sub>x</sub> emissions for the diesel generators shall not exceed 15.0 ± 2.0 grams/hp-hr.

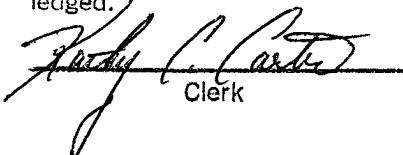
Sulfur dioxide emissions limitations for the auxiliary steam boilers and diesel generators are established by firing natural gas or limiting the light distillate fuel oil's sulfur content to 0.3% on an annual basis.

Any party to this Order has the right to seek judicial review of the Order pursuant to section 120.68, Florida Statutes, by the filing of 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, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400; 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 that the Final Order is filed with the Department of Environmental Regulation.

DONE AND ENTERED this 11<sup>th</sup> day of August, 1993 in Tallahassee, Florida.

FILING AND ACKNOWLEDGEMENT

FILED, on this date, pursuant to S120.52 Florida Statutes, with the designated Department Clerk, receipt of which is hereby acknowledged.

 Clerk  
8/13/93 Date

STATE OF FLORIDA DEPARTMENT  
OF ENVIRONMENTAL PROTECTION

  
VIRGINIA B. WETHERELL  
Secretary

Marjory Stoneman Douglas Bldg.  
3900 Commonwealth Boulevard  
Tallahassee, FL 32399-3000  
Telephone: (904) 488-4805

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a copy of the foregoing was sent by U.S.

Mail to the following this 13<sup>th</sup> day of August, 1993.

Douglas S. Roberts  
Hopping Boyd Green & Sams  
P.O. Box 6526  
Tallahassee, FL 32314

David Jordan, Senior Attorney  
Department of Community Affairs  
2740 Centerview Drive  
Tallahassee, FL 32399-2100

William H. Roberts  
Assistant General Counsel  
Department of Transportation  
Haydon Burns Building  
605 Suwannee Street  
Tallahassee, FL 32399

Susan M. Coughanour  
Sara Nall  
South Florida Water Management District  
P.O. Box 24680  
3301 Gun Club Road  
West Palm Beach, FL 33416-4680

M. B. Adelson  
Assistant General Counsel  
Department of Environmental  
Protection  
2600 Blair Stone Rd.  
Tallahassee, FL 32399-2400

Fred Van Vonno  
Deputy County Attorney  
Martin County  
2401 S.E. Monterey Road  
Stuart, FL 34996

Michael Palecki  
Division of Legal Services  
Florida Public Service Commission  
101 East Gaines Street  
Fletcher Building, Room 212  
Tallahassee, FL 32399-0850

James Antista  
General Counsel  
Florida Game and Fresh Water Fish Commission  
Bryant Bldg.  
620 S. Meridian Street  
Tallahassee, FL 32399-1600

Roger Saberson  
Treasure Coast Regional Planning Council  
110 E. Atlantic Avenue  
Delray Beach, FL 33444

Gary Simmons  
Troup-Indiantown Drainage District  
Post Office Box 128  
Indiantown, FL 34956-0128

STATE OF FLORIDA DEPARTMENT  
OF ENVIRONMENTAL PROTECTION



GARY C. SMALLRIDGE  
Assistant General Counsel

Twin Towers Office Building  
2600 Blair Stone Road  
Tallahassee, FL 32399-2400  
Telephone: (904) 921-9636

BEFORE THE GOVERNOR AND CABINET  
OF THE STATE OF FLORIDA

|                                  |   |                       |
|----------------------------------|---|-----------------------|
| IN RE: Martin Coal Gasification/ | ) |                       |
| Combined Cycle Project,          | ) |                       |
| Power Plant Site                 | ) |                       |
| Certification Application        | ) | DOAH CASE NO. 90-0259 |
| Florida Power & Light Company    | ) |                       |
| PA 89-27                         | ) |                       |

FINAL ORDER

BY THE GOVERNOR AND CABINET:

The Governor and Cabinet, sitting as the Siting Board, pursuant to the Florida Electrical Power Plant Siting Act, Sections 403.501-403.518, Florida Statutes (F.S.), having heard presentations by parties; having reviewed the Recommended Order, which is attached hereto as Exhibit A; having reviewed the record below; and otherwise being fully advised herein, issue this Final Order and, therefore, it is:

ORDERED:

1. The Recommended Order including the attached conditions of certification, dated December 18, 1990, prepared by the Hearing Officer pursuant to Section 403.508(3), F.S., concerning the certification of the proposed Martin Coal Gasification/ Combined Cycle Project is approved and adopted in toto.

2. The Siting Board grants certification to Florida Power & Light Company for the location, construction and operation of the first phase of the Martin Coal Gasification/Combined Cycle Project as proposed in the amended Site Certification Application and in accordance with the attached conditions of certification.

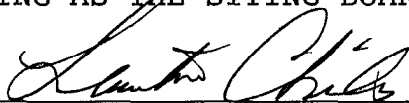
3. Florida Power & Light Company's Martin Coal Gasification/Combined Cycle Site is certified for an ultimate site capacity of 1,600 megawatts fueled by coal-derived gas, natural gas and fuel oil, subject to supplemental certification proceedings as required by Section 403.517, F.S., Rule 17-17.231, F.A.C., and the attached conditions of certification. Such proceedings shall address, among other things, the best available control technology for air emissions.

#### RIGHT TO APPEAL

Any party to this order has a right to seek judicial review of the order pursuant to Section 120.68, F.S., by the filing of a Notice of Appeal pursuant to Rule 9.110, Florida Rules of Appellate Procedure, with the Clerk of the Siting Board, Department of Environmental Regulation, in the Office of General Counsel, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400; and by the filing of 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 (30) days from the date this Order is filed with the Clerk of the Siting Board.

DONE and ENTERED this 20<sup>th</sup> day of February, 1991, in Tallahassee, Florida pursuant to the vote of the Governor and Cabinet, sitting as the Siting Board, at a duly constituted Cabinet meeting on February 12, 1991.

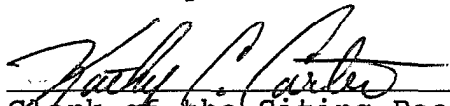
BY THE GOVERNOR AND CABINET  
SITTING AS THE SITING BOARD



THE HONORABLE LAWTON CHILES  
GOVERNOR

FILING AND ACKNOWLEDGEMENT

Filed on this date, pursuant to Section 120.52(10), Florida Statutes (1990), with the designated Department Clerk, receipt of which is hereby acknowledged.



Clerk of the Siting Board  
Department of Environmental  
Regulation

2.21.91  
Date

I hereby certify that the attached order was provided by  
mail on February 21, 1991 to the following parties:

The Honorable Lawton Chiles  
Governor  
The Capitol, Room 210  
Tallahassee, Florida 32399

The Honorable Jim Smith  
Secretary of State  
The Capitol, LL-10  
Tallahassee, Florida 32399

The Honorable Robert A. Butterworth  
Attorney General  
The Capitol, Plaza Level  
Tallahassee, Florida 32399

The Honorable Bob Crawford  
Commissioner of Agriculture  
The Capitol, Plaza Level  
Tallahassee, Florida 32399

The Honorable Gerald A. Lewis  
State Comptroller  
The Capitol, Room 2001  
Tallahassee, Florida 32399

The Honorable Tom Gallagher  
State Treasurer and Insurance Commissioner  
The Capitol, LL-27  
Tallahassee, Florida 32399

The Honorable Betty Castor  
Commissioner of Education  
The Capitol, Plaza Level  
Tallahassee, Florida 32399

The Honorable Mary Clark  
Hearing Officer  
Division of Administrative Hearings  
1230 Apalachee Parkway  
Tallahassee, Florida 32399-1550

Clerk  
Division of Administrative Hearings  
1230 Apalachee Parkway  
Tallahassee, Florida 32399-1550

Hamilton S. Oven, Jr., P.E.  
Florida Department of Environmental  
Regulation  
2600 Blair Stone Road, Room 309L  
Tallahassee, FL 32399-2400

Kathryn Funchess, Esquire  
Senior Attorney  
Florida Department of Community Affairs  
2740 Centerview Drive  
Tallahassee, Florida 32399-2100

Susan M. Coughanour  
South Florida Water Management District  
Post Office Box 24680  
West Palm Beach, Florida 33416-4680

Vernon Whittier  
Assistant General Counsel  
Department of Transportation  
Haydon Burns Building  
605 Suwannee Street, M.S. #58  
Tallahassee, Florida 32399

Frances Jauquet  
Attorney  
South Florida Water Management District  
Post Office Box 24680  
West Palm Beach, Florida 33416-4680

Roger G. Saberson  
Attorney for Treasure Coast  
Regional Planning Council  
70 S.E. 4th Avenue  
Delray Beach, Florida 33483-4514

Dan Cary, Executive Director  
Treasure Coast Regional Planning Council  
3228 S.W. Martin Downs Blvd. #205  
Palm City, Florida 33490

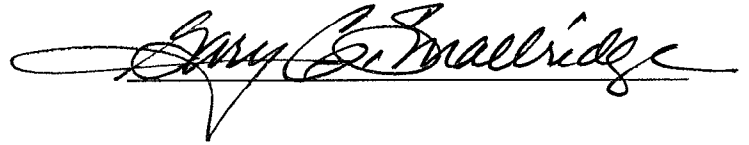
Eugene McClellan, Assistant General Counsel  
Department of Natural Resources  
3900 Commonwealth Boulevard  
Tallahassee, Florida 32399

Gary Simmons  
Secretary-Treasurer  
Troup-Indiantown Drainage District  
Post Office Box 128  
Indiantown, Florida 34956

Fred W. Van Vonno  
Assistant County Attorney  
2401 S.E. Monterey Road  
Stuart, Florida 34996

Michael Palecki, Esquire  
Division of Legal Services  
Florida Public Service Commission  
101 East Gaines Street  
Fletcher Building, Room 212  
Tallahassee, Florida 32399-0850

Gary P. Sams  
Douglas S. Roberts  
Hopping Boyd Green & Sams  
Attorneys for Florida Power &  
Light Company  
Tallahassee, Florida 32314

A handwritten signature in cursive script, appearing to read "Gary P. Sams", written over a horizontal line.

STATE OF FLORIDA  
DEPARTMENT OF ENVIRONMENTAL PROTECTION

|                                        |                      |
|----------------------------------------|----------------------|
| IN RE: FLORIDA POWER & LIGHT COMPANY ) |                      |
| MARTIN COAL GASIFICATION/COMBINED )    | DER CASE NO.PA 89-27 |
| CYCLE PROJECT MODIFICATION OF )        |                      |
| CONDITIONS OF CERTIFICATION )          | OGC CASE NO.91-0581  |
| MARTIN COUNTY, FLORIDA )               |                      |
| _____ )                                |                      |

**FINAL ORDER MODIFYING**  
**CONDITIONS OF CERTIFICATION**

On February 12, 1991, the Governor and Cabinet, sitting as the Siting Board, issued a final order approving certification for Florida Power & Light Company's Martin Coal Gasification/Combined Cycle Project. That certification order approved the construction and operation of a 800 MW, gas-fired, combined cycle power plant and associated facilities located in Martin County, Florida.

On December 1, 1995, Florida Power & Light (FPL) filed a request to amend the conditions of certification pursuant to Section 403.516(1)(b). Florida Statutes. FPL requested that the conditions be modified to allow automatic modification of conditions of certification concerning water discharges whenever the Department or EPA were to approve modifications of the federally delegated National Pollutant Discharge Elimination System (NPDES) Permit for the facility.

Copies of FPL's proposed modification were made available for public review in January, 1996. On January 26, 1996, a Proposed Modification of Power Plant Certification was published in the Florida Administrative Weekly. As of January 26, 1996, all parties to the original proceeding had received copies of the intent to modify. The notice specified that a hearing would be held if a party to the original certification hearing objects within 45 days from receipt of the proposed

modification or if a person whose substantial interests will be affected objects in writing within 30 days after issuance of the public notice. No written objection to the proposed modifications was received by the Department.

Accordingly, in the absence of any timely objection,

**IT IS ORDERED:**

The proposed changes to the Florida Power & Light Company's Martin Power Plant as described in their December 1, 1995, request for modification are APPROVED. Pursuant to Section 403.516(1)(b), F.S., the conditions of certification for the Martin Coal Gasification/Combined Cycle Project, are MODIFIED as follows:

**XXI. MODIFICATION OF CONDITIONS**

The conditions of this certification may be modified in the following manner:

- A. No change
- B. This certification shall be automatically modified to conform to any subsequent amendments, modifications, or renewals made by DEP under a federally delegated or approved program to any separately issued Prevention of Significant Deterioration (PSD) permit, Title V Air Permit, or National Pollutant Discharge Elimination System (NPDES) permit for the certified facility. FPL shall send each party to the original certification proceedings (at the party's last known address as shown in the record of such proceeding) notice of requests submitted by FPL for modifications or renewals of the above listed permits if the request involves a relief mechanism (e.g., mixing zone, variance, etc.) from state standards, a relaxation of conditions included in the permit due to state permitting requirements, or the inclusion of less restrictive air emission limitations in the air permits. DEP shall notify all parties to the certification proceeding of any intent to modify conditions under this section prior to taking final agency action.

C. All other modifications shall be made in accordance with Section 403.516, Florida Statutes.

Any party to this Notice has the right to seek judicial review of the Order Pursuant to Section 120.68, Florida Statutes, by the filing of 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, 3900 Commonwealth Boulevard, 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 that the Final Order is filed with the Department of Environmental Protection.

DONE AND ENTERED this 22nd day of April, 1996 in Tallahassee,  
Florida.

**FILING AND ACKNOWLEDGEMENT**  
**FILED, on this date, pursuant to S120.52**  
**Florida Statutes, with the designated**  
**Department Clerk, receipt of which**  
**is hereby acknowledged.**

Robbena B... 4/24/96  
Clerk Date

**STATE OF FLORIDA DEPARTMENT  
OF ENVIRONMENTAL PROTECTION**

Virginia B. Wetherell  
for **VIRGINIA B. WETHERELL**  
**SECRETARY**  
3900 Commonwealth Boulevard  
Tallahassee, FL 32399-3000

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a copy of the foregoing was sent by U.S.

Mail to the following this 24<sup>th</sup> day of April, 1996.

Jim Alves, Esquire  
Hopping Green Sams & Smith  
P.O. Box 6526  
Tallahassee, FL 32314

Karen Brodeen, Esquire  
Department of Community Affairs  
2740 Centerview Drive  
Tallahassee, FL 32399-2100

William H. Roberts  
Assistant General Counsel  
Department of Transportation  
Haydon Burns Building  
605 Suwannee Street  
Mail Station 58  
Tallahassee, FL 32399

Sara Nall, Esquire  
South Florida Water Management  
District  
P.O. Box 24680  
3301 Gun Club Road  
West Palm Beach, FL 33416-4680

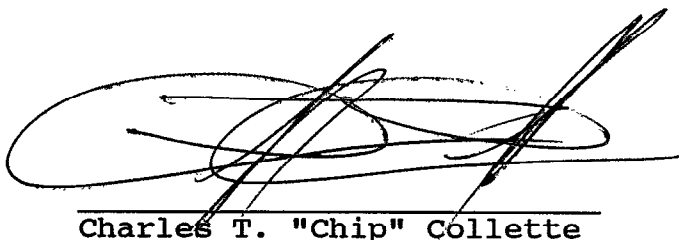
Fred Van Vonno  
Deputy County Attorney  
Martin County  
2401 S.E. Monterey Road  
Stuart, FL 34996

Bob Elias, Esquire  
Division of Legal Services  
Florida Public Service Commission  
2540 Shumard Oak Blvd.  
Tallahassee, FL 32399-0850

James Antista, Esquire  
General Counsel  
Florida Game and Fresh Water  
Fish Commission  
Bryant Bldg.  
620 S. Meridian Street  
Tallahassee, FL 32399-1600

Roger Saberson, Esq.  
For Treasure Coast Regional  
Planning Council  
70 SE 4th Ave.  
Delray Beach, FL 33483-4514

Gary Simmons  
Troup-Indiantown Drainage District  
Post Office Box 128  
Indiantown, FL 34956-0128



Charles T. "Chip" Collette

STATE OF FLORIDA  
DEPARTMENT OF ENVIRONMENTAL PROTECTION

IN RE: SITE CERTIFICATION, )  
MARTIN COAL GASIFICATION/ ) OGC NO. 91-0581  
COMBINED CYCLE PROJECT, ) CERTIFICATION NO. PA89-27C  
FLORIDA POWER & LIGHT COMPANY /

FINAL ORDER MODIFYING CONDITIONS OF CERTIFICATION

On February 20, 1991, the Governor and Cabinet, acting as the Siting Board, issued a final order approving certification of Florida Power & Light Company's (FPL) Martin Coal Gasification/ Combined Cycle Facility (Martin CG/CC). That certification order approved the construction and operation of a natural gas/oil fired combined cycle facility and associated facilities to be located in Martin County, Florida.

On February 16, 1995, FPL filed a request to modify the conditions of certification pursuant to section 403.516(l)(b), Florida Statutes (F.S.). FPL requested relief from maximum water level elevations in the cooling pond to conform to an agreement with the South Florida Water Management District.

Copies of FPL's request were distributed to all parties to the certification proceeding and made available for public review. On March 10, 1995, the Department published a Notice of Intent to Issue the Proposed Modification in the Florida Administrative Weekly. Copies of the request to modify were sent to all parties to the original proceeding. As of March 8, 1995, all of the parties to the original proceeding had received copies of the intent to issue. The notice specified

that a hearing would be held if a party to the original certification hearing objects within 45 days from receipt of the proposed modification or if a person whose substantial interests will be affected by the proposed modification objects in writing within 30 days after issuance of the public notice. Written objections to the proposed modifications were not received by the Department.

Accordingly, in the absence of any timely objection, IT IS ORDERED:

The proposed modifications to the Conditions of Certification relating to the maximum water level elevation in the cooling pond for the Martin CG/CC Project requested by FPL are hereby APPROVED. Pursuant to section 403.516(1)(b), F.S., the conditions of certification for the Martin CG/CC Project are MODIFIED by the Department as follows:

#### IV.B.2.d. Cooling Pond Maximum Elevation

~~The maximum water level elevation of the on-site cooling pond shall not exceed 31 feet NGVD.~~ In accordance with Amendment Two to the June 14, 1983, Revised Permit Agreement between SFWMD and FPL, FPL is authorized to fill the cooling pond at the Martin Plant to surface water elevations of 33.67 NGVD during the period of October 16 through May 14 of each year ("dry season") and 32.83 feet NGVD during the period May 15 through October 15 of each year ("wet season"), provided that if rainfall events cause these dry and wet season water levels to be exceeded, FPL shall refrain from adding make-up water to the cooling pond from the St. Lucie (C-44) Canal via the 90,000 GPM intake pumps until such time as seepage and evaporative losses or flood control releases have lowered the

cooling pond elevation below these levels.

Any party to this Order has the right to seek judicial review of the Order pursuant to section 120.68, Florida Statutes, by the filing of 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, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400; 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 that the Final Order is filed with the Department of Environmental Regulation.

DONE AND ENTERED this 28<sup>TH</sup> day of April, 1995 in Tallahassee, Florida.

STATE OF FLORIDA DEPARTMENT  
OF ENVIRONMENTAL PROTECTION

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

[Signature]  
Clerk

5/2/95  
Date

[Signature]  
VIRGINIA B. WETHERELL  
Secretary

Marjory Stoneman Douglas B1dg.  
3900 Commonwealth Boulevard  
Tallahassee, FL 32399-3000  
(904) 488-4805

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a copy of the foregoing was sent by U.S.  
Mail to the following this 2nd day of May, 1995.

Douglas S. Roberts  
Hopping Green Sams & Smith  
P.O. Box 6526  
Tallahassee, FL 32314

Karen Brodeen, Senior Attorney  
Department of Community Affairs  
2740 Centerview Drive  
Tallahassee, FL 32399-2100

William H. Roberts  
Assistant General Counsel  
Department of Transportation  
Haydon Burns Building  
605 Suwannee Street  
Mail Station 58  
Tallahassee, FL 32399

Sara Nall  
South Florida Water Management  
District  
P.O. Box 24680  
3301 Gun Club Road  
West Palm Beach, FL 33416-4680

Fred Van Vonno  
Deputy County Attorney  
Martin County  
2401 S.E. Monterey Road  
Stuart, FL 34996

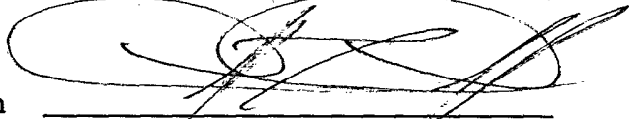
Michael Palecki  
Division of Legal Services  
Florida Public Service Commission  
101 East Gaines Street  
Fletcher Building, Room 212  
Tallahassee, FL 32399-0850

James Antista  
General Counsel  
Florida Game and Fresh Water  
Fish Commission  
Bryant Bldg.  
620 S. Meridian Street  
Tallahassee, FL 32399-1600

Roger Saberson, Esq.  
For Treasure Coast Regional  
Planning Council  
70 SE 4th Ave.  
Delray Beach, FL 33483-4514

Gary Simmons  
Troup-Indiantown Drainage District  
Post Office Box 128  
Indiantown, FL 34956-0128

**STATE OF FLORIDA DEPARTMENT  
OF ENVIRONMENTAL PROTECTION**



Charles T. "Chip" Collette  
Assistant General Counsel

Twin Towers Office Building  
2600 Blair Stone Road  
Tallahassee, FL 32399-2400  
(904) 488-9314

STATE OF FLORIDA  
DEPARTMENT OF ENVIRONMENTAL PROTECTION

IN RE: SITE CERTIFICATION, )  
MARTIN COAL GASIFICATION/ ) CERTIFICATION NO. PA89-27B  
COMBINED CYCLE PROJECT, ) OGC NO. 91-0581  
FLORIDA POWER & LIGHT COMPANY )

FINAL ORDER MODIFYING CONDITIONS OF CERTIFICATION

On February 20, 1991, the Governor and Cabinet, acting as the Siting Board, issued a final order approving certification of Florida Power & Light Company's (FPL) Martin Coal Gasification/Combined Cycle Facility (Martin CG/CC). That certification order approved the construction and operation of a natural gas/oil fired combined cycle facility and associated facilities to be located in Martin County, Florida.

On July 26, 1994, FPL filed a request to modify the conditions of certification pursuant to section 403.516(1)(b), F.S. FPL requested temporary relief from short-term emission limits to allow testing and evaluation of engineering design modifications to the dry low NOx combustors in the combustion turbines, and a revision to the method for demonstrating compliance with mercury emission limits.

Copies of FPL's request were distributed to all parties to the certification proceeding and made available for public review. On September 2, 1994, the Department published a Notice of Intent to Issue the Proposed Modification in the Florida

Administrative Weekly. Copies of the intent to issue were sent to all parties to the original proceeding. As of August 29, 1994, all of the parties to the original proceeding had received copies of the intent to issue. The notices specified that a hearing would be held if a party to the original certification hearing objects within 45 days from receipt of the proposed modification or if a person whose substantial interests will be affected by the proposed modification objects in writing within 30 days after issuance of the public notice. Written objections to the proposed modifications were not received by the Department.

Accordingly, in the absence of any dispute, IT IS ORDERED THAT:

The proposed modifications to the Conditions of Certification relating to nitrogen oxide emissions and testing of Low-Nox combustors for the Martin CG/CC Project requested by FPL are hereby approved based on the absence of any written objections. The Department does not feel that the change of mercury emission test procedures is necessary at this time since no gasifiers have been constructed, but may be approved upon submission of additional information pursuant to Florida Administrative Code Rule 17-297.620, and Condition II.A.10. Pursuant to section 403.516(1)(b), F.S., the Department hereby modifies the conditions of certification for the Martin CG/CC

Project as follows:

II.A. Emission Limitations for Martin CG/CC Project

4. The maximum allowable emissions from each CT in accordance with the BACT determination, shall not exceed the following, at 40° F (except during periods of startup and shutdown and except as provided in Condition II.A.22.:)

22. FPL may alter the DIM II combustors for the four CTs subject to these conditions, operate the CT receiving the first altered DIM II combustor for a maximum period of 60 days for adjustment; and, operate each of the other three CTs for a maximum period of 30 days, after installation of the altered DIM II combustors, for adjustment provided the following conditions are met:

a. The Department's Southeast District air program administrator shall be notified in writing a minimum of 10 days in advance of initially placing any altered DIM II combustor into service.

b. To allow time for evaluation and testing of alterations to the dry low NOx combustor (DIM) design, the emission limitations in Specific Condition 4 of the referenced permit shall not apply during a sixty (60) day period following installation of the final DIM design configuration in the initial CT and shall not apply during a thirty (30) day period per CT

following installation of the final DIM design in each of the remaining - three CTs. During the evaluation and testing of the altered combustors, the maximum nitrogen oxides (NOx) emissions shall comply with the emission limit specified by the new source performance standards for CT, 40 CFR 60, Subpart GG. The annual allowable emissions (TPY) of NOx for each CT in permit PSD-FL-146 and these conditions shall not be exceeded.

c. Except during CT performance testing for extreme conditions, carbon monoxide (CO) emissions shall not exceed 100 ppmvd. The maximum CO emissions during a 12 hour test period to evaluate CT performance during extreme conditions shall not exceed 500 ppmvd, 30 minute average. The annual allowable emissions (TPY) of CO for each CT in permit PSD-FL-146 and these conditions shall not be exceeded.

d. The volatile organic compound (VOC) emissions shall not exceed 20 ppmvd except during CT performance testing for extreme conditions. During the 12 hour test period to evaluate CT performance during extreme conditions, VOC emissions shall not exceed 100 ppmvd. The annual allowable emissions (TPY) of VOC from each CT in permit PSD-FL-146 and these conditions shall not be exceeded. The VOC emissions shall be evaluated during the testing periods by measuring total unburned hydrocarbons (UHC). FPL shall determine the VOC component of UHC emissions at several different UHC levels during the testing of the first combustion

turbine to have the new DLNII combustors installed. The ratio of VOC/UHC concentration shall be measured, as a minimum, at the low, medium, and high UHC concentration observed during the CT performance tests. The VOC component of the UHC emissions shall be attributed against the annual 57 ton VOC emission limit for the facility. The UHC levels shall not exceed 40 ppmvd during the test period. However, during the 12-hour non-continuous CT performance testing for extreme conditions, UHC emissions shall not exceed 500 ppmvd.

e. After the adjustment period, each CT must be in compliance with all limitations in the condition II.A.4.

f. Within 45 days after the completion of the project, the permittee shall furnish the Department with a report summarizing the variation in parameters and emissions of NOx, VOC, and CO from the modified DIM II on all of the CTs and any operation problems with the CT units remaining to be resolved.

Any party to this Order has the right to seek judicial review of the Order pursuant to section 120.68, Florida Statutes, by the filing of 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, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400; 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 that the Final Order is filed with the Department of Environmental Regulation.

DONE AND ENTERED this 27<sup>th</sup> day of September 1994 in Tallahassee, Florida.

**FILING AND ACKNOWLEDGEMENT**  
FILED, on this date, pursuant to S120.52  
Florida Statutes, with the designated  
Department Clerk, receipt of which  
is hereby acknowledged.

[Signature]  
Clerk

9/28/94  
Date

STATE OF FLORIDA DEPARTMENT  
OF ENVIRONMENTAL PROTECTION

Virginia B. Wetherell

VIRGINIA B. WETHERELL  
Secretary

Marjory Stoneman Douglas Bldg.  
3900 Commonwealth Boulevard  
Tallahassee, FL 32399-3000  
(904) 488-4805

Telephone:

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the foregoing was sent by U.S.

Mail to the following this 28<sup>th</sup> day of September, 1994.

Douglas S. Roberts  
Hopping Boyd Green & Sams  
P.O. Box 6526  
Tallahassee, FL 32314

James Antista, General Counsel  
Florida Game and Fresh Water Fish Commission  
Bryant Bldg.  
Tallahassee, FL 32399-1600

Roger Saberson  
Treasure Coast Regional Planning Council  
110 E. Atlantic Avenue  
Delray Beach, FL 33444

Gary Simmons  
Troup-Indiantown Drainage District  
Post Office Box 128  
Indiantown, FL 34956-0128

Karen Brodeen, Senior Attorney  
Department of Community Affairs  
2740 Centerview Drive  
Tallahassee, FL 32399-2100

William H. Roberts  
Assistant General Counsel  
Department of Transportation  
Haydon Burns Building  
605 Suwannee Street  
Tallahassee, FL 32399

Sara Nall  
South Florida Water Management District  
P.O. Box 24680  
3301 Gun Club Road  
West Palm Beach, FL 33416-4680

Fred Van Vonno  
Deputy County Attorney  
Martin County  
2401 S.E. Monterey Road  
Stuart, FL 34996

Michael Palecki  
Division of Legal Services  
Florida Public Service Commission  
101 East Gaines Street  
Fletcher Building, Room 212  
Tallahassee, FL 32399-0850

STATE OF FLORIDA DEPARTMENT  
OF ENVIRONMENTAL PROTECTION

*David A. Crowley for*  
Richard T. Donelan  
Assistant General Counsel

Twin Towers Office Building  
2600 Blair Stone Road  
Tallahassee, FL 32399-2400  
(904) 921-9636

Telephone: