



Florida Department of Environmental Protection

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

Charlie Crist
Governor

Jeff Kottkamp
Lt. Governor

Michael W. Sole
Secretary

January 12, 2009

William Reichel, FPL Martin Plant
Plant General Manager
Post Office Box 176
Indiantown, FL 34956

RE: Florida Power & Light's Martin Power Plant
Modification to Conditions of Certification
DEP Case Number PA89-27N
OGC Case Number 10-0009

FINAL ORDER MODIFYING CONDITIONS OF CERTIFICATION

Dear Mr. Reichel;

On February 12, 1991, the Siting Board certified the construction and operation of Units 3 and 4 of the Florida Power & Light Martin Power Plant. An Expansion project, Unit #8, was certified on April 14, 2003. These certifications authorized the construction and operation of 2400 megawatts (MW) of gas-fired steam electric power plant units and ancillary facilities. The Department of Environmental Protection (Department) has modified the Conditions of Certification by Final Order on twelve other occasions.

Notice of the intent to issue Title V Operation Permit 0850001-021-AV was published on September 23, 2009. Title V Operation Permit 0850001-021-AV was issued on November 17, 2009.

Pursuant to 403.516(1)(b), Florida Statutes ("F.S."), the Department may modify specific Conditions of a site Certification which are inconsistent with the terms of any federally delegated or approved permit. Such modification(s) may be made without further notice if the matter has been previously noticed under the requirements for any federally delegated or approved permit program. The Conditions of Certification for the Martin Power Plant are hereby modified as follows:

IV. AIR

The construction and operation of Martin Expansion Project shall be in accordance with all applicable provisions of Chapters 62-204, 62-210, 62-212, 62-296, and 62-297, F.A.C. In addition to the foregoing, the project shall comply with all applicable provisions and requirements of PSD Permits FL-146, FL-286 and FL 327, Air Permit No. 0850001-016-AC incorporated by reference herein as part of this Certification attached as Appendix 4I and DEP Permit 0850001-01721-AV incorporated by reference herein as part of this Certification attached as Appendix 2II as may be subsequently modified, amended or renewed. Such provisions shall be fully enforceable as conditions of this certification. Any violation of such provisions shall be a violation of these Conditions of Certification.

V. SURFACE WATER DISCHARGES

Discharges into surface waters of the state during construction and operation of the project shall be in accordance with applicable provisions of 62-4, 62-160, 62-302, 62-601, 62-650, and 62-660, F.A.C., DEP (NPDES) Permit No. FL0030988-007-IW1S, attached as Appendix 3III, as well as any subsequent revisions, renewals, amendments or modifications, and the following Conditions of Certification:

A.-B. No Change

No further Changes in the Conditions

The Conditions of Certification (including attachments) are available at the following web site: <http://www.dep.state.fl.us/siting/certification.htm> Copies of the Conditions of Certification and/or attachments may also be obtained by contacting the Siting Coordination Office, Marjory Stoneman Douglas Building, 3900 Commonwealth Boulevard, Florida 32399-3000, (850) 245-2002.

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.

The Department also notes that in the near future it will be initiating a modification pursuant to Section 403.516(1)(c), F.S., to update Martin Power Plant's existing Conditions of Certification to incorporate a uniform set of General Conditions consistent with recent Site Certifications. If you have any questions regarding this upcoming modification, please contact Ann Seiler at (850) 245-2143.

Executed in Tallahassee, Florida.

Sincerely,



Michael P. Halpin, 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.

Essie Turner 1-12-10
Clerk Date

CC by certified mail:

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