



Florida Department of Environmental Protection

Bob Martinez Center
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

MAILED

4/5-07

Charlie Crist
Governor

Jeff Kottkamp
Lt. Governor

Michael W. Sole
Secretary

April 5, 2007

- CERTIFIED MAIL - RETURN RECEIPT REQUESTED -

Ms. Farzie Shelton
City of Lakeland
Department of Electric Utilities
501 East Lemon Street
Lakeland, FL 33801-5050

RE: City of Lakeland
C.D. McIntosh, Jr., Power Plant
Modification to Conditions of Certification
DEP Case Number PA74-06M
OGC Case Number 07-0584

FINAL ORDER MODIFYING CONDITIONS OF CERTIFICATION

Dear Ms. Shelton:

On February 19, 2007, the Department published notice of its intent to issue Permit 1050004-018-AC. On March 22, 2007, the Department issued Final Permit 1050004-018-AC for the McIntosh Unit 3. 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 McIntosh Unit 3 Station are hereby modified as follows:

II. SPECIFIC

A. Unit No. 3

The construction and operation of the Unit No. 3 at the McIntosh Plant shall be in accordance with all applicable provisions of the Chapters 62-210 - 62-297, Florida Administrative Code, PSD-FL-008, Permit 1050004-018-AC, attached as Appendix A and Title V Air Operation Permit No 1050004-016-AV and any subsequent modifications

[illegible]

and/or amendments. The licensee shall comply with the following conditions of certification:

No Change

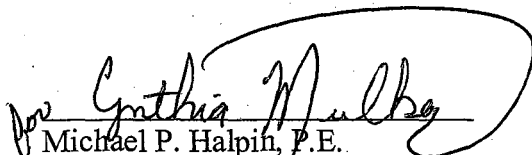
B. Unit No. 5

1. Air Resource Management

Air Construction Permit Number PSD-FL-245, which is attached as Appendix AB, is incorporated by reference herein as part of this Certification. The provisions of Air Construction Permit Number PSD-FL-245 shall be conditions of this certification. The licensee shall comply with the substantive provisions and limitations set forth in Air Construction Permit Number PSD-FL-245 and by Title V Air Operation Permit No 1050004-016-AV as part of these Conditions of Certification, and as those provisions may be modified in the future by the Department. Such provisions may be modified in the future by the Department. 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.

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.


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.

 4-5-07
Clerk Date

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the foregoing Final Order has been sent by United States Postal Service to:

James V. Antista, Esquire Fish and Wildlife Conservation Commission 6230 South Meridian Street Tallahassee, FL 32399-1600	Craig Varn, Esquire Department of Community Affairs 2555 Shumard Oak Boulevard Tallahassee, FL 32399-2100
Mary Ann Helton, Esquire Florida Public Service Commission Gerald Gunter Building 2450 Shumard Oak Boulevard Tallahassee, FL 32399-0850	Sheauching Yu, Esquire Department of Transportation Haydon Burns Building 605 Suwannee Street Mail Station 58 Tallahassee, FL 32399-0450
Mr. Frank Anderson, Esquire Southwest FL Water Management District 2379 Broad St. Brooksville, FL 34609-6899	Mark Carpanini, Esquire Office of the County Attorney POB 9000 Bartow, FL 33831-9000
Angela Morrison, Esquire Hopping Green Sams & Smith POB 6526 Tallahassee, FL 32314	Norman White, Esquire Central FL Regional Planning Council 555 East Church St Bartow, FL 33830
Andrew R. Reilly, Esquire East Lake Parker Residents POB 2039 Lakeland, FL 33845-2039	Thomas B. Tart, Esquire Orlando Utilities Commission 500 South Orange St. Orlando, FL 32801
Denise Stalls Vice President, Environmental Affairs Orlando Utilities Commission 500 South Orange Avenue Orlando, Florida 32802	Scott A. Goorland, Esquire Department of Environmental Protection 3900 Commonwealth Blvd. Mail Station 35 Tallahassee, FL 32399-3000

