



Florida Department of Environmental Protection

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

Charlie Crist
Governor

Jeff Kottkamp
Lt. Governor

Michael W. Sole
Secretary

November 24, 2008

- 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 PA74-06P
OGC Case Number 08- 2630

FINAL ORDER MODIFYING CONDITIONS OF CERTIFICATION

Dear Ms. Shelton:

On September 11, 2008, the Department published notice of its intent to issue Permit 1050004-024-AC. On September 26, 2008, the Department issued Final Permit 1050004-024-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 Chapters 62-210 - 62-297, Florida Administrative Code, PSD-FL-008 (attached as Appendix C), Permit 1050004-018-AC (attached as Appendix A), Permit 105004-019-AC (attached as Appendix D), and Title V Air Operation Permit No 1050004-016-AV (attached as Appendix E), and Permit 105004-024-AC (attached as Appendix F) and any subsequent modifications and/or amendments. The licensee shall comply with the following conditions of certification:

A.1 through A.16. no change.

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.

Following the thirty day period for the Notice of Appeal, the above attachments will be available with the Conditions of Certification at the following website:
<http://www.dep.state.fl.us/siting/Highlights/conditions.htm>. Copies of the attachments may also be obtained by contacting the Siting Coordination Office, Bob Martinez Center, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, (850) 245-8002.

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.

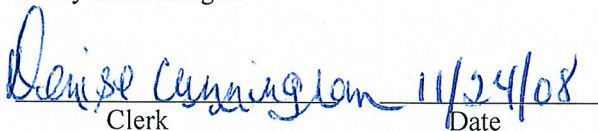
Executed in Tallahassee, Florida.



Michael P. Halpin, P.E.
Administrator, Siting Coordination Office

Attach:

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


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
james.antista@fwc.state.fl.us

Kelly Martinson, Esquire
Department of Community Affairs
2555 Shumard Oak Boulevard
Tallahassee, FL 32399-2100
kelly.martinson@dca.state.fl.us

Jennifer Brubaker, Esquire
Florida Public Service Commission
Gerald Gunter Building
2450 Shumard Oak Boulevard
Tallahassee, FL 32399-0850
jbrubake@psc.state.fl.us

Kimberly Menchion, Esquire
Department of Transportation
Haydon Burns Building
605 Suwannee Street
Mail Station 58
Tallahassee, FL 32399-0450
Kimberly.Menchion@dot.state.fl.us

Angela Morrison-Uhland, Esquire
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POB 6526
Tallahassee, FL 32314
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Joseph Jarret, Esquire
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Bartow, FL 33831-9000
joseph.jarret@polk-county.net

Martha Moore, Esquire
Southwest FL Water Management District
2379 Broad St.
Brooksville, FL 34609-6899
martha.moore@swfwmd.state.fl.us

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Maitland, FL 32789
loewen@ecfrpc.org

Thomas B. Tart, Esquire
Orlando Utilities Commission
500 South Orange St.
Orlando, FL 32801
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Denise Stalls, Vice President, Environmental
Affairs
Orlando Utilities Commission
500 South Orange Avenue
Orlando, Florida 32802
DStalls@ouc.com

Toni Sturtevant, Esquire
Department of Environmental Protection
3900 Commonwealth Blvd.
Mail Station 35
Tallahassee, FL 32399-3000
Toni.sturtevant@dep.state.fl.us

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION

NOTICE OF FINAL PERMIT

*In the Matter of an
Application for Permit by:*

City of Lakeland, Department of Electric Utilities
3030 East Lake Parker Drive
Lakeland, Florida 33805

Authorized Representative:

Mr. Timothy Bachand, P.E., Manager of Engineering

Air Permit No. 1050004-024-AC
C.D. McIntosh, Jr. Power Plant
Coal Handling and Transfer
Upgrades
Polk County

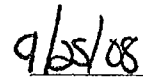
Enclosed is the final air construction permit which authorizes construction of a truck unloading ramp, above-ground truck unloading hopper with baghouse, a network of conveyors allowing direct coal transport to the crusher or distribution to additional stackout piles, and a series of reclaim conveyors to transport coal from the stackout piles to the crusher. The proposed work will be conducted at the C.D. McIntosh, Jr. Power Plant, which is located in Polk County at 3030 East Lake Parker Drive, Lakeland, Florida. As noted in the attached Final Determination, no changes were made to the permit as drafted. This permit is issued pursuant to Chapter 403, Florida Statutes.

Any party to this order has the right to seek judicial review of it under Section 120.68 of the Florida Statutes by filing a notice of appeal under Rule 9.110 of the Florida Rules of Appellate Procedure with the clerk of the Department of Environmental Protection in the Office of General Counsel (Mail Station #35, 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 must be filed within 30 days after this order is filed with the clerk of the Department.

Executed in Tallahassee, Florida.



Trina L. Vielhauer, Chief
Bureau of Air regulation



(Date)

TLV/sa/bxt

NOTICE OF FINAL PERMIT

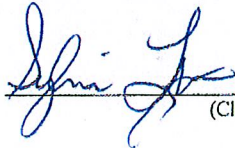
CERTIFICATE OF SERVICE

The undersigned duly designated deputy agency clerk hereby certifies that this Notice of Final Permit (including the Final Permit and Final Determination) was sent by electronic mail (or a link to these documents made available electronically on a publicly accessible server) with received receipt requested to the persons listed below.

Mr. Timothy Bachand, Lakeland Electric (Timothy.Bachand@lakelandelectric.com)
Ms. Farzie Shelton, Lakeland Electric (Farzie.Shelton@lakelandelectric.com)
Mr. Bret Galbraith, Lakeland Electric (Bret.Galbraith@lakelandelectric.com)
Mr. Kennard Kosky, Golder Associates Inc. (kkosky@golder.com)
Ms. Gracy Danois, U.S. EPA Region 4 (danois.gracy@epa.gov)
Ms. Cindy Zhang-Torres, Southwest District Office (Cindy.Zhang-Torres@dep.state.fl.us)
Ms. Barbara Friday, DEP BAR (Barbara.Friday@dep.state.fl.us) (for posting with U.S. EPA, Region 4)
Ms. Vickie Gibson, DEP BAR (Victoria.Gibson@dep.state.fl.us) (for read file)

Clerk Stamp

FILING AND ACKNOWLEDGMENT FILED, on this date, pursuant to Section 120.52(7), Florida Statutes, with the designated agency clerk, receipt of which is hereby acknowledged.



(Clerk)

9/29/08

(Date)

FINAL DETERMINATION

PERMITTEE

City of Lakeland, Department of Electric Utilities
3030 East Lake Parker Drive
Lakeland, Florida 33805

PERMITTING AUTHORITY

Florida Department of Environmental Protection (Department)
Division of Air Resource Management
Bureau of Air Regulation, New Source Review Section
2600 Blair Stone Road, MS #5505
Tallahassee, Florida 32399-2400

PROJECT

Air Permit No. 1050004-024-AC
C.D. McIntosh, Jr. Power Plant
Coal Handling and Transfer Upgrades

This permit authorizes construction of a truck unloading ramp, above-ground truck unloading hopper with baghouse, a network of conveyors allowing direct coal transport to the crusher or distribution to additional stackout piles, and a series of reclaim conveyors to transport coal from the stackout piles to the crusher.

NOTICE AND PUBLICATION

The Department distributed an Intent to Issue Permit package on September 5, 2008. The applicant published the Public Notice of Intent to Issue in The Ledger on September 11, 2008. The Department received the proof of publication on September 15, 2008.

COMMENTS

No comments on the Draft Permit were received from the public, the Department's Southwest District Office, the EPA Region 4 Office, or the applicant.

CONCLUSION

In conclusion, the permitting authority hereby issues the Final Permit as drafted and publicly noticed.



Florida Department of Environmental Protection

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

Charlie Crist
Governor

Jeff Kottkamp
Lt. Governor

Michael W. Sole
Secretary

PERMITTEE

City of Lakeland, Department of Electric Utilities
3030 East Lake Parker Drive
Lakeland, Florida 33805

Authorized Representative:
Mr. Timothy Bachand, P.E., Manager of Engineering

Air Permit No. 1050004-024-AC
Permit Expires: October 1, 2009
C.D. McIntosh, Jr. Power Plant
Coal Handling and Transfer Upgrades

PROJECT AND LOCATION

This permit authorizes construction of a truck unloading ramp, above-ground truck unloading hopper with baghouse, a network of conveyors allowing direct coal transport to the crusher or distribution to additional stackout piles, and a series of reclaim conveyors to transport coal from the stackout piles to the crusher. The proposed work will be conducted at the C.D. McIntosh, Jr. Power Plant, which is an electric services facility (SIC No. 4911). The facility is located in Polk County at 3030 East Lake Parker Drive, Lakeland, Florida. The UTM coordinates are Zone 409.0 km East, and 3106.2 km North.

STATEMENT OF BASIS

This air pollution construction permit is issued under the provisions of Chapter 403 of the Florida Statutes (F.S.), and Chapters 62-4, 62-204, 62-210, 62-212, 62-296 and 62-297 of the Florida Administrative Code (F.A.C.). The permittee is authorized to conduct the proposed work in accordance with the conditions of this permit and as described in the application, approved drawings, plans, and other documents on file with the Department.

CONTENTS

- Section 1. General Information
- Section 2. Administrative Requirements
- Section 3. Emissions Unit Specific Conditions
- Section 4. Appendices

Executed in Tallahassee, Florida

Joseph Kahn, Director
Division of Air Resource Management

9/26/08
(Date)