



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

December 11, 2009

- CERTIFIED MAIL - RETURN RECEIPT REQUESTED -

Mr. Mark J. Hornick,
General Manager, Polk Power Station
Tampa Electric Company.
Post Office Box 111
Tampa, Florida 33601-0111

RE: Tampa Electric Company
Polk Power Station
Modification to Conditions of Certification
DEP Case Number PA92-32L
OGC Case Number 09-4106

FINAL ORDER MODIFYING CONDITIONS OF CERTIFICATION

Dear Mr. Hornick:

On January 27, 1994, the Governor and Cabinet, sitting as the Siting Board, issued a final order approving certification for the Tampa Electric Company Polk Power Station Unit 1 electrical power plant site. That certification order approved the construction and operation of a 1,150 MW Integrated Coal-Gasification Combined Cycle power plant facility and associated facilities located at the Polk Power Station site in Polk County, Florida. The Department of Environmental Protection has subsequently modified the Conditions of Certification on eleven different occasions by final orders.

On June 20, 2008, the Department issued a notice of permit for Permit No. 02812232-001-UC to construct one Class V, Group 9, exploratory well pursuant to Section 403.087(1), F.S. Additionally, on March 30, 2009 the Department issued a notice of permit issuance for PA File No. FL0043869-007-IW1S Permit. The Department published notice of the intent to issue following air permits on September 26, 2000 (1050233-004-AC), May 23, 2001 (007-AC), October 14, 2004 (017-AC), June 9, 2008 (021-AC), and September 14, 2009 (026-AV) respectively.

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 Polk Power Station are hereby modified as follows:

I. through XII. No change

XIII. AIR

The construction and operation of Polk Power Station (Project) shall be in accordance with all applicable provisions of Chapter 62, F.A.C., Air Construction Permits PSD-FL-194, PSD-FL-263, PSD-FL-363 (1050233-018-AC) (PSD-FL-363), 1050233-017-AC and Title V Air Operation Permit 1050233-01626-AV. Air Construction Permits PSD-FL-194, PSD-FL-263, PSD-FL-363 (1050233-018-AC) (PSD-FL-363), 1050233-017-AC and Title V Air Operation Permit 1050233-01626-AV are incorporated by reference herein as part of this Certification attached as Appendix II through VI respectively. The provisions of Air Construction Permits PSD-FL-194, PSD-FL-263, 1050233-018-AC (PSD-FL-363), 1050233-017-AC and Title V Air Operation Permit 1050233-01626-AV shall be conditions of this certification. The licensee shall comply with the substantive provisions and limitations set forth in these permits as part of these Conditions of Certification, and as those provisions may be modified, amended, or renewed 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.

XIV. through XVII. No change

XVIII. GROUND WATER

A. – H. No change

I. *Underground Injection*

~~TEC shall not use underground injection without prior approval pursuant to Chapter 403.516, F.S.~~ Underground Injection Control Permit Number 0281232, which is attached as Appendix VI, is incorporated by reference herein as part of this Certification. The provisions of Underground Injection Control Permit Number 0281232 shall be conditions of this certification. The licensee shall comply with the substantive provisions and limitations set forth in Underground Injection Control Permit Number 0281232 as part of these Conditions of Certification, and as those provisions may be modified, amended, revised and/or renewed 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 the Conditions of Certification.

XIX. – XXXI. No change

The complete Conditions of Certification (including attachments) are available at the following web site: <http://www.dep.state.fl.us/siting/Highlights/conditions.htm>. Copies of the

Conditions of Certification and/or attachments may also be obtained by contacting the Siting Coordination Office, 3900 Commonwealth Blvd. M.S. 48, Tallahassee, 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.

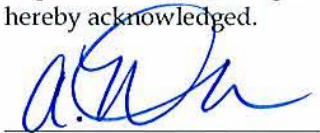
The Department also notes that in the near future it will be initiating a modification pursuant to Section 403.516(1)(c), F.S., to update TECo Polk Power Station's existing Conditions of Certification to incorporate a uniform set of General Conditions consistent with recent Site Certifications. If you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

Executed in Tallahassee, Florida.



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.



Clerk

12/11/09

Date

cc. Michelle Harmeling, DEP - WRM
Bud Cates, DEP - WRM

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the foregoing Final Order has been sent by email to:

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