



Florida Department of Environmental Protection

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Tallahassee, Florida 32399-2400

Rick Scott
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Noah Valenstein
Secretary

December 14, 2017

Sent by Electronic Mail – Document Access Verification Requested

Paul Carpinone
Director, Environmental, Health and Safety
Tampa Electric Company
P.O. Box 111
Tampa, Florida 33601-0111
plcarpinone@tecoenergy.com

RE: Polk Power Station
Modification to Conditions of Certification
DEP Case Number PA 92-32R
OGC Case Number 17-0997

FINAL ORDER MODIFYING CONDITIONS OF CERTIFICATION

Dear Mr. Carpinone:

On January 27, 1994, the Florida Siting Board issued a Site Certification to Tampa Electric Company (TEC) for the construction and operation of Polk Power Station (PPS). The Department of Environmental Protection (Department) has modified the Conditions of Certification (Conditions) for PPS by Final Order on seventeen other occasions. Pursuant to Section 403.516(1)(c), Florida Statutes (F.S.), the Department has initiated a modification to PPS's Conditions to change the sampling frequency and eliminate specific parameters under the current groundwater monitoring requirements. These changes are based on monitoring data submitted to and reviewed by the Department.

On October 27, 2017, all parties to the certification proceeding were provided notice of the Department's intent to modify the Conditions for PPS. On November 7, 2017, notice of the Department's intent to modify the Conditions for PPS was also published in the Florida Administrative Register (FAR).

Pursuant to Section 403.516, F.S., and Rule 62-17.211, Florida Administrative Code (F.A.C.), all parties to the certification proceeding have 45 days from the issuance of notice in which to file a written objection to the modification. Pursuant to Section 403.516, F.S., and Rule 62-17.211, F.A.C., any person who is not already a party to the certification proceeding and whose substantial interests will be affected by the requested modification has 30 days from the date of publication of the public notice in the FAR to object in writing. Failure to act within the time frame constitutes a waiver of the right to become a party.

These timeframes have expired and no objections to the modification have been received by the Department. Therefore, the Conditions for PPS are hereby modified as follows (words ~~stricken~~ are deletions; words underlined are additions):

SECTION A: GENERAL CONDITIONS NO CHANGE

SECTION B: SPECIFIC CONDITIONS:

I. DEPARTMENT OF ENVIRONMENTAL PROTECTION

A. *Industrial Wastewater* NO CHANGE

B. *Industrial Wastewater Ground Water Monitoring*

1. The Licensee shall comply with the requirements of the approved Polk Power Station (PPS) Groundwater Construction, Operation and Maintenance Requirements (GWCOMR) – Industrial Wastewater (Attachment C-1 to these Conditions). A violation of the requirements of the GWCOMR shall be a violation of these Conditions.

TEC shall abide by the conditions of the approved site-wide GWCOMR and any subsequent modification thereof for the continued authorized discharge of industrial wastewater to ground water. Such provisions shall be fully enforceable as conditions of the certification.

a. NO CHANGE

b. The GWCOMR shall be revised to comply with the provisions contained in Rules 62-620.325 and ~~62-620.345~~, F.A.C. ~~if applicable, or to comply with any applicable effluent standard or limitation issued or approved under Section 301(b)(2)(C) and (D), 304(b)(2) and 307(a) of the Clean Water Act (the Act), as amended, by change in the effluent standards, limitations, or water quality standards previously issued or approved.~~ At a minimum, projects Revisions to the GWCOMR which involve the following shall be considered a modification to these Conditions and if a modification is required it ~~considered a~~

~~modification to these Conditions and~~ shall be processed in accordance with
Section 403.516(1)(c), F.S., and Rule 62-17.211, F.A.C., as applicable.

i.-ii. NO CHANGE

iii. Incorporation of newly promulgated
applicable rules which are not currently reflected in the License or promulgated rules
which are more stringent than the existing conditions in the License; and/or

iv. NO CHANGE

c. All other revisions or updates to the GWCOMR
shall be submitted to the DEP Southwest District Office Industrial Wastewater Program
and/or the DEP Solid Waste Program as appropriate for review and approval; with copies
to the Siting Office. Review shall be in accordance with Section A, Condition ~~XIII~~X,
Procedures for Post-Certification Submittals., unless otherwise determined by the
Department that a modification is necessary. Additionally, the GWCOMR may be
updated to adjust effluent limitations or monitoring requirements should future Water
Quality Based Effluent Limitation determinations, water quality studies, DEP approved
changes in water quality standards, or other information show a need for a different
limitation or monitoring requirement. The Department may develop a Total Maximum
Daily Load (TMDL). Once a TMDL has been established and adopted by rule, the
Department shall revise the GWCOMR or these Conditions to incorporate the final
findings of the TMDL.

d. NO CHANGE

2.-3. NO CHANGE

C. – F. NO CHANGE

CONDITIONS II. – VIII. NO CHANGE

~~IX VIII.~~ HILLSBOROUGH COUNTY

SECTION C: TRANSMISSION LINE SPECIFIC CONDITONS NO CHANGE

The strikethrough/underline version of the Groundwater Construction, Operation and
Monitoring Requirements (Attachment C to the Conditions) may be viewed and obtained
from the following website:

http://publicfiles.dep.state.fl.us/Siting/Outgoing/TECO_Polk/Modification_R/Strikethrough_TECO_Polk_Att_C-1_June_2017.pdf

The final version of the modified Conditions can be viewed and obtained from the following website:
http://publicfiles.dep.state.fl.us/Siting/Outgoing/Web/Certification/pa92_32_2017_R.pdf

Copies of the Conditions and/or attachments may also be obtained by contacting the Department of Environmental Protection, Siting Coordination Office, 2600 Blair Stone Road, M.S. 5500, Tallahassee, Florida 32399-2400, (850) 717-9000.

Any party to the this Order has a right to seek judicial review of it pursuant to Section 120.68, F.S. 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 30 days from the date this Order is filed with the Clerk of the Department of Environmental Protection.

Sincerely,



Cindy Mulkey
Administrator,
Siting Coordination Office

CC by electronic mail:
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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

Service List: Sent by Electronic Mail – Received Receipt Requested

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