

BEFORE THE STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL REGULATION

In Re:)
)
Jacksonville Electric Authority)
St. Johns River Power Park)
Modification of Terms and)
Conditions of Certification)
No. PA 81-13)
Duval County, Florida)

*Final Order
Modification
9/19/86*

FINAL ORDER
MODIFYING CONDITIONS OF CERTIFICATION

The Department of Environmental Regulation modifies the conditions of certification for the Jacksonville Electric Authority, St. Johns River Power Park (SJRPP), pursuant to Section 403.516(1), Florida Statutes, and Section XXV of the Conditions of Certification, which delegated modifications of conditions to the Department. The Department's action is based upon the following:

1. On March 24 and 27, 1986, Jacksonville Electric Authority (JEA) submitted letters to the Department requesting modification of the existing Conditions of Certification for the SJRPP to allow use of additional spoil sites for dredging activities and installation of a groundwater well at the Blount Island Coal Unloading Terminal.

2. On July 21, 1986, a Notice of Proposed Agency Action was served on all parties with a provision that a hearing would be held if requested on or before September 8, 1986. No hearing was requested, THEREFORE;

IT IS ORDERED:

The Department grants relief to JEA by making the following modifications to the Conditions of Certification:

A. Condition III. Groundwater

A. General

The use of groundwater from the wellfield for plant service water for SJRPP shall be minimized to the greatest extent practicable, but in no case shall exceed 7.6 mgd on a maximum daily basis from any new wells or 5.1 mgd on an average annual basis.

B. Well Criteria

The submission of well logs, and test results, and location, design and construction of well to provide plant and coal unloading facility service water shall be in accordance with applicable rules of the Department of Environmental Regulation and the St. Johns River Water Management District (SJRWMD). Total water use per month shall be reported quarterly to SJRWMD commencing with the start of construction.

C. Well Withdrawal Limits

JEA is authorized to make a combined average annual withdrawal for plant service water for SJRPP of 5.1 million gallons of water per day with a maximum combined withdrawal rate not to exceed 7.6 million gallons during a single day. Withdrawals may be made from a wellfield consisting of up to four (4) wells whose approximate locations are described in Figure 1.

JEA is authorized to make an average annual withdrawal for the coal unloading facility of 0.025 million gallons of water per day with a maximum withdrawal rate not to exceed 0.108 million gallons during a single day. Withdrawals may be made from a single well whose approximate locations are described in Figure 3.

After wells have been constructed, St. Johns River Water Management District may evaluate the individual wells and may recommend to the Department authorization of different withdrawals based upon hydrologic characteristics for the individual wells. The Department, pursuant to Section 403.516, F.S., may modify the above withdrawal limitations with the concurrence of SJRWMD and the permittee.

D. Water Use Restriction

Said water is restricted to uses other than main stream condensing. Any change in the use of said water will require a modification of this condition.

E. Emergency Shortages

In the event an emergency water shortage should be declared pursuant to Section 373.175 or 373.246, F.S., by St. Johns River Water Management District for an area including the location of these withdrawal points, the Department pursuant to Section 403.516, F.S., may alter, modify, or declare to be inactive, all or parts of Condition III.A.-F. An authorized Water Management District or DER representative, at any reasonable time, may enter the property to inspect the facilities.

F. Monitoring and Reporting

JEA shall, within the time limits hereinafter set forth, complete the following items.

1. JEA shall install a flow meter for the plant production wellfield and coal unloading facility well and will maintain pump logs for operation of each productin well in compliance with SJRWMD specifications on all production wells.

2. JEA shall submit to SJRWMD, on forms available from the District, a record of pumpage for each meter installed in F.1. above. Said pumpage shall be provided on a monthly basis, and shall be submitted by April 15, July 15, October 15, and January 15 for each preceding calendar quarter.

B. Condition XI.C.2.

2. Variances to the provisions of Section 17-3.121(9) for cadmium, 17-3.061(h) for lead, 17-3.121(18) for mercury, and Section 17-3.121(27) for silver are granted pursuant to the provisions of Sections 403.201(1)(c) and 403.511(2), F.S., at the spoil area sites' overflows for a period not to exceed a cumulative total of twelve months starting with commencement of dredging activities. Concentrations at the boundary of the 150 meter radius mixing zones shall not exceed the following:

Cadmium	8.2 ug/l
Mercury	0.2 ug/l
Lead	62 ug/l
Silver	6.1 ug/l

Any party to this Order has the right to seek judicial review of the Order pursuant to Section 120.67, Florida Statutes by the filing of a Notice of Appeal pursuant to Rule 9.110, Florida Rules of Appellate Procedure, with the clerk of the Department in the Office of General Counsel, 2600 Blair Stone Road, Tallahassee, Florida 32301, 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.

DONE AND ORDERED this 18th day of September, 1986, in Tallahassee, Florida.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL REGULATION


VICTORIA J. TSCHINKEL
Secretary

FILING AND ACKNOWLEDGEMENT
FILED, on this date, pursuant to §120.52 (9),
Florida Statutes, with the designated Department Clerk, receipt of which is hereby acknowledged.

Mary L. Wilson 9-19-86
Clerk Date

Twin Towers Office Building
2600 Blair Stone Road
Tallahassee, Florida 32301
Telephone: (904) 488-4805

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that copies of the foregoing FINAL ORDER
MODIFYING CONDITIONS OF CERTIFICATION were furnished by United
States Mail to all counsel of record listed on the attached
service list, on this 11 day of September, 1986.


BRADFORD L. THOMAS
Assistant General Counsel

State of Florida Department
of Environmental Regulation
Twin Towers Office Building
2600 Blair Stone Road
Tallahassee, Florida 32301
Telephone: 904/488-9730

Mr. Randall E. Denker, Esq.
103 North Gadsden Street
Tallahassee, Florida 32301

Mr. W. O. Birchfield, Esq.
Attorney for Jacksonville
Chamber of Commerce
Martin, Ade, Birchfield,
and Johnson
3000 Independent Square
Jacksonville, Florida 32202

Mr. Michael Twomey, Esq.
Assistant General Counsel
Fla. Public Service Commission
Fletcher Building, Room 209
101 East Gaines Street
Tallahassee, Florida 32301

Mr. Phillip S. Bennett, Esq.
Department of Transportation
605 Suwannee Street, Room 562
Tallahassee, Florida 32301

Mr. Gary Pruitt
Aids to Navigation Branch
Seventh Coast Guard District
U.S. Coast Guard
51 S.W. 1st Avenue
Miami, Florida 33130-1681

Ms. Nancy Schwall
U.S. Army Corps of Engineers
Post Office Box 4970
Jacksonville, FL 32237-0019

Mr. Don Bayly
Bio-Environmental Services Div.
515 West Sixth Street
Jacksonville, Florida 32206

Mr. Henry Dean, Esq.
Executive Director
St. Johns River Water
Management District
Post Office Box 1429
Palatka, Florida 32077

Mr. C. Laurence Kleesey, Esq.
Department of Community Affairs
Howard Building, 2nd Floor
2571 Executive Center Circle East
Tallahassee, Florida 32301

Mr. George W. Kent, Jr., Esq.
1543 Kingsley Avenue, Suite 15-B
Orange Park, Florida 32073

Mr. Charles McCoy, Esq.
Attorney for Department of
Natural Resources/Board
of Trustees of the Internal
Improvement Trust Fund
3900 Commonwealth Boulevard
Tallahassee, Florida 32303

Mr. G. A. Schneider, Esq.
Attorney for Jacksonville
Port Authority
220 East Bay Street
City Hall, 13th Floor
Jacksonville, Florida 32202

Mr. William D. Preston, Esq.
Hopping, Boyd, Green & Sams
Post Office Box 6256
Tallahassee, Florida 32314

Mr. Ted Bisterfeld
U.S. Environmental Protection
Agency
EIS Branch
345 Courtland Street, N.E.
Atlanta, Georgia 30365

Mrs. L. B. Andrews
Sea Oats Garden Circle
115 Palm Avenue
Jacksonville, Florida 32218

Ms. Jeannie Creech, President
Hecksher Drive Community Club
Post Office Box 361
Fort George Island, FL 32226

Mr. Tom Welch, Esq.
Assistant Counsel
City of Jacksonville
220 East Bay Street
City Hall, 13th Floor
Jacksonville, Florida 32202