



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

March 16, 2009

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Mr. Jay Worley
Director, Environmental Programs
St. Johns River Power Park
11201 New Berlin Road
Jacksonville, Florida 32226

RE: **St Johns River Power Park
Modification to Conditions of Certification
DEP Case Number PA 81-13N
OGC Case Number 09-0166**

FINAL ORDER MODIFYING CONDITIONS OF CERTIFICATION

Dear Mr. Worley;

On June 29, 1982, the Siting Board certified the construction and operation of the St. Johns River Power Park. On October 8, 2008 the Department published notices of its intent to issue Title V permit 0310045-020-AV. On December 22, 2008 the Department issued the Title V permit 0310045-020-AV for St. Johns River Power Park. 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.

On December 22, 2008 the Florida Department of Environmental Protection's Siting Coordination Office (Department) received a request for a post certification amendment to the Site Certification Application for Jacksonville Electric Authority (JEA)'s St. Johns River Power Park (SJRPP). This amendment requested the utilization of reclaimed water at the St. Johns River Power Park for irrigation and in the flue gas desulfurization system.

The Department has determined that a modification is necessary to the Conditions of Certification (COC). Notice of the modification, pursuant to 403.516(1)(c), Florida Statutes ("F.S.") was published in the Florida Administrative Weekly on February 13, 2009. No objections were received.

The Conditions of Certification for the St. Johns River Power Park are hereby modified as follows:

I. Air

The construction and operation of SJRPP Units 1 & 2 at the JEA steam electric power plant site shall be in accordance with all applicable provisions of Chapters 62-4, 62-204, 62-210, 62-212, 62-213, 62-214, 62-256, 62-296, 62-297, 62-701 and 62-702, Florida Administrative Code, PSD Permit 265, PSD-FL-010 (0310045-015-AC and 0310045-017-AC), attached as Appendix A1 and A2, and Title V Air Operation Permit No 0310045-0446 20 (Appendix B). Any final issuance, modification, or amendment to such PSD permits and Title V, are incorporated by reference herein, and are binding and enforceable Conditions of this Certification. The Licensee is subject to and shall comply with the terms, conditions, requirements, limitations, and restrictions set forth in Appendix A1 and A2 as well as Appendix B and any final issuance, modification, or amendment to such PSD and Title V permit. A violation of the terms conditions, requirements, limitations, and restrictions in Appendix A1, A2 and Appendix B is a violation of these Conditions of Certification.

II. No Change

III. Groundwater

A. – B. No Change

C. Well Withdrawal Limits

Reclaimed water may be used for the purpose of irrigation. Following the issuance of a watershed permit (which includes SJRPP), reclaimed water shall be used in the Flue Gas Desulfurization Systems (FGDS) unless reclaimed water is unavailable, identified for a more beneficial use, and/or the quality results in the inability to utilize for irrigation and/or in the FGD. 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 well field consisting of up to four (4) wells whose approximate locations are described in Figure 1.

D. – H. No Change

IV. – XXXII. No Change

March 16, 2009

Page Three

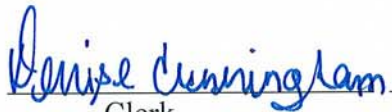
Any party to the this Order has a right to seek judicial review of it pursuant to Section 120.68, Florida Statutes by filing a Notice of Appeal, pursuant to Rule 9.110, Florida Rules of Appellate Procedure, with the Clerk of the Department of Environmental Protection in the Office of General Counsel, 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.



Denise Cunningham

Clerk

3/16/2009

Date

March 16, 2009

Page Four

CC by email (return receipt requested):

James Antista, Esquire
Fish and Wildlife Conservation Commission
6230 South Meridian Street
Tallahassee, FL 32399-1600
james.antista@fwc.state.fl.us

Matt Davis, Esquire
Department of Community Affairs
2555 Shumard Oak Blvd.
Tallahassee, Florida 32399-2100
matthew.davis@dca.state.fl.us

Kimberly Menchion, Esq.
Assistant General Counsel
Department of Transportation
605 Suwannee Street, MS 58
Tallahassee, FL 32399-0458
kimberly.menchion@dot.state.fl.us

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

Jennifer Brubaker, Attorney Supervisor
Florida Public Service Commission
Office of General Counsel
2450 Shumard Oak Boulevard
Tallahassee, FL 32399-0850
jbrubake@psc.state.fl.us

Veronica Thiebach, Esquire
St. Johns River Water Management District
P.O. Box 1429
Palatka, FL 32178-1429
vthiebach@sjrwmd.com

Gary P. Sams, Esq.
Angela R. Morrison, Esq.
Hopping Green & Sams, P.A.
P.O. Box 6526
Tallahassee, Florida 32317
auhland@hgslaw.com
gsams@hgslaw.com

Daniel Beard, Esquire
City of Jacksonville-City Hall
220 West Bay Street
Jacksonville, FL 32202
dbeard@jacksonvilleil.com

Bryan Teeple
Northeast Regional Planning Council
9143 Phillips Highway
Jacksonville, FL 32256
bteeple@nefrc.org

Additional copy to:

Jeff Martin
Department of Environmental Protection
Northeast District Office
Jacksonville, FL, 32256-7577
jeff.martin@dep.state.fl.us