



# Florida Department of Environmental Protection

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Jennifer Carroll  
Lt. Governor

Herschel T. Vinyard, Jr.  
Secretary

May 30, 2012

***Sent by Electronic Mail – Received Receipt Requested***

Mr. Jay Worley  
Director, Environmental Programs  
JEA  
11201 New Berlin Road  
Jacksonville, Florida 32226

RE: St Johns River Power Park-Units 1 & 2  
Modification to Conditions of Certification  
DEP Case Number PA 81-13P  
OGC Case Number 10-2672

## **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. This certification authorized the construction and operation of two fossil fuel-fired steam generators (Units 1 and 2) each having a nominal rating of 679.6 megawatts. The Department of Environmental Protection (Department) has modified the Conditions of Certification by Final Order on fifteen other occasions.

The Department has reviewed JEA's petition dated September 20, 2010 for modification to the Conditions of Certification. The petition is to reduce submittal of the quarterly groundwater sampling and analysis due on the 15th day of the month to semi-annually, submitting the data on the 30th day of the month. Herein the Department also initiated a modification in accordance with 403.516(1)(c), Florida Statutes (F.S.) to update the existing Conditions of Certification to incorporate a uniform set of General Conditions consistent with recent Site Certifications.

On April 12, 2012, all parties to the certification proceeding were provided with notice by mail of the Department's intent to modify the Conditions of Certification for this facility, along with a copy of the proposed Order Modifying Conditions of Certification.

On April 13, 2012, notice of the Department's intent to modify the Conditions of Certification for this facility was published in the Florida Administrative Weekly (FAW). Pursuant to Section 403.516, Florida Statutes ("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 by mail to such party's last address of record in which to file a written objection to the modification; that 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 Florida Administrative Weekly to object in writing; that failure to act within the time frame constitutes a waiver of the right to object; and that the Department will issue an Order Modifying the Conditions of Certification for this facility if no written objections are received by the Department.

No objections to the modification have been received by the Department. The Petition for Modification is approved and the Conditions of Certification for the St. Johns River Power Park are hereby modified as follows (words ~~stricken~~ are deletions; words underlined are additions):

#### Modification Associated with Groundwater Monitoring

Condition III GROUNDWATER, F. Monitoring and Reporting was modified and separated into the sections of the Conditions for two state agencies, the Department of Environmental Protection and the St. Johns River Water Management District. Condition III.F. is changed from:

### III. GROUNDWATER

#### F. Monitoring and Reporting

##### ~~6. Minimum Water Level Restrictions~~

~~If the Department and SJRWMD at a future date establish a minimum water level of general applicability to all users in the aquifer or aquifers hydrologically associated with these withdrawals, they may propose pursuant to Section 403.516, F.S. that JEA reduce or cease withdrawal from these groundwater sources at times when water levels fall below these minimums.~~

~~After consultation with the DEP and SJRWMD, JEA shall install a monitoring well network to monitor groundwater quality horizontally and vertically through to the top of the Hawthorne Formation's first clayey lithologic unit.~~

~~Groundwater quantity and flow directions will be determined seasonally at the site through the preparation of seasonal water table contour maps, based upon water level data obtained during the applicant's preoperational monitoring program. From these maps the water quality monitoring well network will be located. Monitoring well locations and designs shall be submitted to the Department and SJRWMD for review. Approval or disapproval of the locations and design shall be granted within 60 days. Monitoring wells shall be installed up gradient and down gradient from each solid waste disposal area, each liquid waste pond and each coal pile storage area. An additional monitoring well will be placed immediately down gradient of the first section of each solid waste landfill to be utilized. Insofar as possible, these monitoring wells may be selected from the existing wells and piezometers used in the licensee's preoperational monitoring program. Existing wells will be properly sealed in accordance with Rule 62-532.500(4), F.A.C., whenever they are abandoned due to construction of facilities or landfill cells. The water samples collected from each of the monitor wells shall be collected immediately after removal by pumping of a quantity of water equal at least two casing volumes. The water quality analyses shall be performed monthly during the year prior to commercial operation and quarterly thereafter. Results shall be submitted to the~~

~~Department and the SJRWMD by the fifteenth (15th) day of the month following the month during which such analyses were performed. Testing for the following constituents is required around unlined ponds or storage areas:~~

~~Aluminum, Arsenic, Beryllium, Cadmium, Chloride, Chromium, Color, Conductance, Copper, Gross Alpha, Iron, Lead, Mercury, Nickel, pH, Selenium, Redox, Sulfate, Sulfite, Total Dissolved Solids, Zinc.~~

~~Conductivity shall be monitored in wells around all lined solid waste disposal sites, coal piles, and wastewater treatment and sedimentation ponds.~~

To:

## **SECTION B. SPECIFIC PLANT CONDITIONS**

### **IV. ST. JOHNS RIVER WATER MANAGEMENT DISTRICT**

#### **G. Monitoring and Reporting**

##### **6. Minimum Water Level Restrictions for Floridan Production Wells**

If the SJRWMD at a future date establish a minimum water level of general applicability to all users in the aquifer or aquifers hydrologically associated with these withdrawals, they may propose pursuant to Section 403.516, F.S. that JEA reduce or cease withdrawal from these ground water sources at times when water levels fall below these minimums.

After consultation with the SJRWMD, JEA shall install a monitoring well network to monitor ground water quality horizontally and vertically through to the top of the Hawthorne Formation's first clayey lithologic unit.

And:

## **SECTION B. SPECIFIC PLANT CONDITIONS**

### **I. DEPARTMENT OF ENVIRONMENTAL PROTECTION**

#### **B. Solid Waste Ground Water Monitoring**

1. Ground water monitoring is required around all solid waste landfill sites. The Licensee shall install a solid waste ground water monitoring well network to monitor the water quality of the surficial aquifer around each site, in accordance with applicable provisions of Chapter 62-520, F.A.C.

2. For the existing solid waste ground water monitoring program, the Licensee shall submit an updated Solid Waste Ground Water Monitoring Plan to DEP's Siting Office and to the Solid Waste Section of DEP's Northeast District Office within 90 days of the date that Modification P becomes final or such other date as the Licensee and NED agree. This plan shall include a list of all existing monitor wells, a location map of monitor wells, construction details of monitor wells with top of

well casing and land surface elevations, latitude and longitude (in degrees, minutes, seconds) of each monitor well, a list of all monitoring and field parameters. The Solid Waste Ground Water Monitoring Plan shall be submitted for review and approval through the post-certification process referred to in Condition XX, Procedures for Post-Certification Submittals, and attached to the Conditions as Attachment D-1.

3. For any new solid waste disposal area, an updated Solid Waste Ground Water Monitoring Plan showing the monitor well locations and designs shall be submitted to the NED for review and approval at least 12 months prior to operation of any new solid waste disposal area. The plan shall be submitted for review and approval pursuant to the post-certification process referred to in Condition XX, Procedures for Post-Certification Submittals, and attached to the Conditions as Attachment D-1. In addition to the items for the existing plan, the updated plan for any new solid waste disposal area shall include seasonal ground water depths and flow directions at the disposal area through the preparation of seasonal water table contour maps, based upon water level data obtained during the Licensee's preoperational monitoring program. From these maps, the ground water monitoring well network will be located. Any changes or updates to the existing Solid Waste Ground Water Monitoring Plan shall be submitted to the Siting Coordination Office with a copy to the DEP Solid Waste Section of the NED for review and approval pursuant to Condition XX, Procedures for Post-Certification Submittals, prior to implementation. The approved revised plan will replace the existing plan attached to these conditions as Attachment D-1.

4. Ground water samples shall be collected on a semi-annual basis in accordance with DEP SOPs for ground water sampling. All correspondence, reports, plans, and summaries pertaining to ground water monitoring pursuant to this condition shall be submitted to the Solid Waste Section of the NED with a copy to DEP's Siting Office.

### **G. Industrial Wastewater Ground Water Monitoring**

1. Ground water monitoring is required around all industrial wastewater sites. The Licensee shall install an industrial wastewater ground water monitoring well network to monitor the water quality of the surficial aquifer around the coal pile storage area, lined wastewater basins and lined sedimentation ponds, in accordance with Chapter 62-520, F.A.C.

2. For the existing industrial wastewater ground water monitoring program, the Licensee shall submit an updated Industrial Wastewater Ground Water Monitoring Plan to the Ground Water Section of NED and the DEP's Siting Office within 90 days after the date modification P becomes final or such other date as the Licensee and NED agree. This plan shall include a list of all existing monitor wells, a location map of monitor wells, construction details of monitor wells with top of well casing and land surface elevations, latitude and longitude (in degrees, minutes, seconds) of each monitor well, a list of all monitoring and field parameters, and frequency of monitoring for each parameter. The existing plan shall be reviewed and approved through the post-certification process referred to in the "Procedures for Post-Certification Submittals" Condition, and attached to the Conditions as Attachment D-2.

3. For any new industrial wastewater sites, an updated Industrial Wastewater Ground Water Monitoring Plan showing the monitor well locations and designs shall be submitted to the DEP offices for review at least 90 days prior to operation of any new industrial wastewater sites. The plan shall be reviewed and approved through the post-certification process referred to in the "Procedures

for Post-Certification Submittals” Condition, and attached to the Conditions as Attachment D-2. In addition to the items for the existing plan, the updated plan shall include seasonal ground water depths and flow directions at the site through the preparation of seasonal water table contour maps, based upon water level data obtained during the Licensee's preoperational monitoring program. From these maps, the ground water monitoring well network will be located. The ground water monitoring program shall be implemented prior to operation of any new industrial wastewater site. Any changes or updates to the existing Industrial Wastewater Ground Water Monitoring Plan shall be submitted to the Ground Water Section of the NED with a copy to the DEP’s Siting office for review and approval pursuant to the “Procedures for Post-Certification Submittals” Condition, prior to implementation. The approved revised plan will replace the existing plan attached to these conditions as Attachment D-2.

4. The Licensee shall give at least 72-hours notice to the NED, prior to the installation of any monitoring wells.

5. Prior to construction of ground water monitoring wells, a soil boring shall be made at each monitoring well location in order to properly determine the well depth and screen interval.

6. All monitoring wells shall be constructed and developed in accordance with the DEP’s guidelines referenced in Chapter 62-520, F.A.C. and installed by a licensed water well contractor.

7. All piezometers and monitoring wells not part of the approved ground water monitoring plan are to be plugged and abandoned in accordance with Rule 62-532.500(4), F.A.C., unless future use is intended.

8. Within 90 days of the date that modification P becomes final or such other date as the Licensee and NED agree and once every five years thereafter, the Licensee shall conduct an expanded sampling of existing monitoring wells MWI-B4 and MWC-C3, for the primary and secondary drinking water parameters included in Chapter 62-550, Tables 1, 4, 5 and 6, (excluding asbestos, pesticides). All analytical results from this expanded sampling shall be submitted to the NED within 90 days following the sampling event.

9. If the NED determines that the monitoring results for the parameters listed in the approved plan indicate an abnormally increasing trend in any of the compliance wells or intermediate wells, the Licensee shall meet with the NED to discuss and formulate a plan for additional assessment and monitoring, if necessary.

10. If the concentration of a monitoring constituent in the natural background ground water quality is greater than the stated maximum, or in the case of pH is also less than the minimum, the representative background quality shall be the prevailing standard.

11. Water levels shall be recorded before evacuating each well for sample collection. Elevation references shall include the top of the well casing and land surface at each well site (NAVD allowable) at a precision of plus or minus 0.01 foot.

12. Ground water monitoring wells shall be purged prior to sampling to obtain representative samples.

13. Analyses shall be conducted on unfiltered samples, unless filtered samples have been approved by the DEP's Northeast District Office as being more representative of ground water conditions.

14. If any monitoring well becomes damaged or inoperable, the Licensee shall notify the NED immediately and a detailed written report shall follow within seven days. The written report shall detail what problem has occurred and remedial measures that have been taken to prevent recurrence. All monitoring well design and replacement shall be approved by the NED prior to installation.

15. The Licensee shall ensure that all monitor well sampling is performed in accordance with the DEP's Standard Operating Procedures Manual for Field Sampling, and shall conform to the applicable Quality Assurance/Quality Control requirements of Chapter 62-160, F.A.C.

16. The Licensee shall ensure that all monitor well samples are analyzed by a certified laboratory that meets the requirements of Chapter 62-160, F.A.C. Minimum detection limits shall be at or below the ground water standards and/or criteria.

17. All correspondence, reports, plans, and summaries pertaining to ground water monitoring shall be submitted to the Ground Water Section of the NED with copies to the DEP's Siting Office.

#### Modifications Associated with the Incorporation of General Conditions

The modified Conditions of Certification PA 81-13P (Attachment A to this document) replace the existing Conditions of Certification PA 81-13O (Attachment B) in its entirety. Several existing Conditions have been updated and incorporated into the more uniform set of General Conditions. Many existing Conditions have been moved to different sections of the document.

The existing Conditions (Attachment B) contain cross references to the corresponding conditions in the modified Conditions (Attachment A) appearing in red following each section of the document. In the electronic Adobe pdf file of the existing Conditions (Attachment B), the cross references have been electronically linked to the corresponding condition in the Adobe pdf file of the modified Conditions (Attachment A). In order to toggle between the two documents on your screen, save both files (Attachment A and Attachment B) from

[http://publicfiles.dep.state.fl.us/Siting/Outgoing/JEA%20STJRPP/Modifications/Mod\\_P/Conditions/](http://publicfiles.dep.state.fl.us/Siting/Outgoing/JEA%20STJRPP/Modifications/Mod_P/Conditions/)

and paste them into a single folder. Click on the links in Attachment B. Attachment A will open. Sizing the two documents to share the screen will make it easier to toggle between them. Clicking on a link in Attachment B will take you directly to the corresponding condition in Attachment A.

A complete set of the Conditions of Certification (including attachments) can be viewed and downloaded from the following website: <http://www.dep.state.fl.us/siting/certification.htm>  
Copies of the Conditions of Certification and/or attachments may also be obtained by contacting Cindy Mulkey., Administrator, Siting Coordination Office, Department of Environmental Protection, 3900 Commonwealth Blvd., M.S. 48, Tallahassee, Florida 32399-3000, (850) 245-2007.

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.

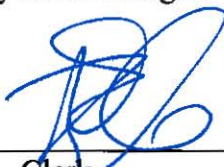
Sincerely,



Cindy Mulkey  
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

5/30/12  
\_\_\_\_\_  
Date

cc by email

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