

**BEFORE THE STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION**

In Re: Seminole Electric Cooperative, Inc.)
Seminole Power Plant)
Modification of Conditions)
of Certification)
Putnam County, Florida)

DEP File No. PA78-10G

OGC Case No. 99-0577

DEPARTMENT OF
ENVIRONMENTAL PROTECTION
FEB 09 2000
TALLAHASSEE

**FINAL ORDER MODIFYING
CONDITIONS OF CERTIFICATION**

On September 19, 1979, the Governor and Cabinet, sitting as the Siting Board, issued a final order approving certification for the Seminole Electric Cooperative, Inc. Seminole electrical power plant site. That certification order approved the construction and operation of a 1240 megawatt (MW), coal-fired power plant and associated facilities located in Putnam County, Florida.

On April 8, and June 18, 1999, Seminole Electric Cooperative, Inc. (SECI) filed requests to amend the conditions of certification pursuant to Section 403.516(1)(b), Florida Statutes. SECI requested that the conditions be modified to allow the reuse of combustion by-product materials, to allow changes in industrial waste effluent limitations and monitoring requirements and to allow other related changes necessary to conform the conditions to requested changes in the NPDES permit.

Copies of SECI's proposed modifications were made available for public review. In April 1999, all parties to the original proceeding received copies of the request to modify power plant certification. On September 10, 1999, a Notice of Intent to Issue Proposed Modification of Power Plant Certification was published in the *Florida Administrative Weekly*. On October 6,

1999, copies of this proposed Final Order were mailed to all parties. The notice specified that parties to the original certification hearing had 45 days from the issuance of the notice by mail to such party's last address of record to object to the requested modification. Any other person whose interests would be substantially affected had 30 days from the date of publication of the public notice to object in writing. No written objections to the proposed modifications have been received by the Department. Accordingly, in the absence of any timely objections,

IT IS ORDERED:

The proposed changes to the SECI Seminole Power Plant as described in the April 8, 1999, and June 18, 1999, requests for modification are APPROVED. Pursuant to Section 403.516(1)(b), F.S., the conditions of certification for the Seminole Power Plant, are MODIFIED as follows:

I. and II. No change.

III. Groundwater

A. General

The use of groundwater from two wells for plant service water for Units 1 and 2 shall be minimized to the greatest extent practicable, but in no case shall exceed 3.9 MGD on a maximum daily basis or 0.55 MGD ~~0.85 MGD~~ on an average annual basis. If, in the future, the demand for groundwater use is expected to increase above this amount, Seminole shall submit necessary and appropriate information to the Department and to the St. Johns River Water Management District (SJRWMD) to demonstrate that the increased water use complies with the applicable substantive consumptive use permitting criteria. The Department, in consultation with the SJRWMD, may authorize such an increase in

writing. Seminole shall then operate the plant in compliance with that approval and these conditions of certification.

IV. - XXVI. No change.

XXVII. Gypsum and Flyash Reuse Facilities

- A. Seminole may modify its Flue Gas Desulfurization (FGD) system by introducing an oxidation system to convert sulfite to sulfate and by installing a chloride bleed system to produce synthetic gypsum for reuse, as long as the emission limitations of condition I.A. are not exceeded. Flyash may processed for reuse or sale as well.
- B. If any wallboard manufacturing facility or other operation that reuses gypsum is to be located within the property currently comprising Seminole's certified site, Seminole shall file a revised site map and legal description excluding from the certified site that area conveyed to the manufacturer or related operation. The revised site map shall also include a depiction of any easements that Seminole conveys to any manufacturer or other operation for that portion of the site which is not conveyed to the manufacturer. Any parcels conveyed for gypsum reuse shall be located within that area generally identified for that purpose in Seminole's April 8, 1999 request. The revised site map shall become effective upon written acknowledgment of receipt by the Department. The owner or operator of any wallboard plant or related facility shall be responsible for applying for, obtaining and complying with all appropriate permits and for complying with all regulations applicable to its separate activities, including the wallboard plant, and any conveyor used to deliver gypsum from the Seminole plant to the wallboard or other gypsum reuse facility. Those separate facilities and their operations shall not be subject to this Certification and its conditions unless otherwise expressly stated in this Certification.

- C. If construction of new facilities occurs within jurisdictional wetlands within Seminole's revised site, Seminole shall submit information to the Department in accordance with the wetland-related provisions of Condition XII above. If the Department determines that it is necessary based upon review of the information submitted, Seminole shall provide mitigation to offset the wetland impacts of those facilities. After the information is submitted, the Department shall have 90 days to issue a determination of compliance of the project with these conditions and applicable regulations.
- D. Off-specification gypsum, ash by products, FGD system wastes, and other miscellaneous wastes may continue to be disposed in encapsulation cells at the onsite landfill after conversion of the FGD system is completed, in accordance with Condition XII above. However, by no later than three months before the date on which Seminole expects to commence the production of calcium sulfate (gypsum), Seminole shall submit to the Department a report assessing the required landfill capacity needed for prospective on-site disposal of solid wastes, the manner and location for such disposal, and existing and proposed procedures and actions associated with modifying or terminating usage of existing or future landfill areas. Seminole shall commence implementation of all action items set forth in that report upon written approval by the Department.
- E. Seminole has applied to the Department to modify the Plant's separate NPDES permit for approval of the purge stream treatment system associated with the gypsum conversion project in accordance with Section 403.0885, Florida Statutes and Chapter 62-620, F.A.C. All additional effluent limitations, monitoring requirements and other substantive conditions which will be required in the Chapter 62-620, F.A.C. permit shall become new Conditions of Certification pursuant to Condition XXV. The Department will issue any

orders needed to revise these conditions to conform to the new or revised conditions of the NPDES permit.

- F. If a wallboard manufacturing plant or other gypsum reuse facility is constructed adjacent to the Seminole plant, water may be withdrawn from Seminole's onsite water wells for those activities as authorized by a consumptive use permit issued by the St. Johns River Water Management District to the wallboard plant or other gypsum reuse facility. However, this water shall not be used for electric power production purposes.

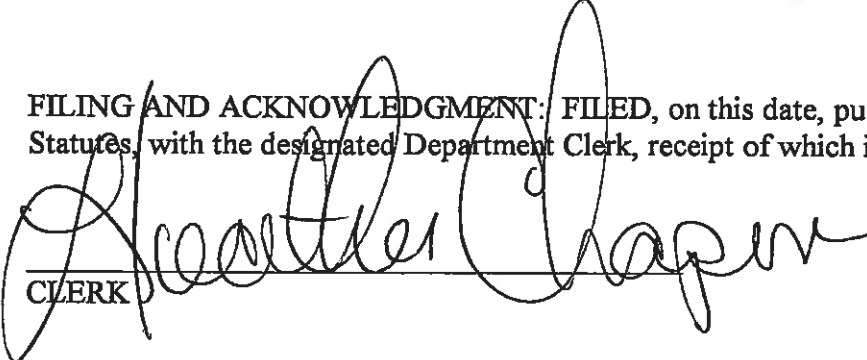
Any party to this Notice has the right to seek judicial review of the Order pursuant to Section 120.68, Florida Statutes, by the filing of a Notice of Appeal pursuant to Rule 9.110, Florida Rules of Appellate Procedure, with the Clerk of the Department of Environmental Protection in the Office of General Counsel, Mail Station 35, 3900 Commonwealth Boulevard, 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 that the Final Order is filed with the Department of Environmental Protection.

DONE AND ENTERED this 31st day of January 2000, in Tallahassee,
Florida.

STATE OF FLORIDA, DEPARTMENT
OF ENVIRONMENTAL PROTECTION


KIRBY B. GREEN, III
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FILING AND ACKNOWLEDGMENT: FILED, on this date, pursuant to Section 120.52 Florida
Statutes, with the designated Department Clerk, receipt of which is hereby acknowledged.


CLERK DATE 2/1/00

CERTIFICATE OF SERVICE

I CERTIFY that a true and correct copy of the foregoing Final Order Modifying

Conditions of Certification was mailed to:

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on this 1st day of February, 2000.

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STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION



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