



Jeb Bush
Governor

Department of Environmental Protection

Twin Towers Building
2600 Blairstone Road
Tallahassee, Florida 32399-2400

MAILED
11-30-06

DEP06-1854

Colleen M. Castille
Secretary

November 29, 2006

- CERTIFIED MAIL - RETURN RECEIPT REQUESTED -

John J. Hunter
Progress Energy Florida
Post Office Box 14042
St. Petersburg, FL 33733-4042

**RE: Tiger Bay Cogeneration Facility
Modification to Conditions of Certification
DEP Case Number PA 97-37D
OGC Case Number 06-2401**

FINAL ORDER MODIFYING CONDITIONS OF CERTIFICATION

Dear Mr. Hunter:

The Siting Board certified the Tiger Bay Cogeneration Plant on June 24, 1998. On August 21, 2005 the Progress Energy Tiger Bay Cogeneration Plant received a No Exposure Certification for Exclusion from NPDES Stormwater Permit No. FLRNEE394. This permit is valid for 5 years. Such a permit is considered a modification to the existing Conditions of Certification. Therefore, the Conditions of Certification for the Tiger Bay Facility are hereby modified as follows:

III. GENERAL CONDITIONS

A. Facilities Operation

1. and 2. No Change

3. The Licensee shall comply with the terms and conditions contained in NPDES General Permit FLR00C415 the conditional exclusion for "no exposure" of industrial activities and materials to stormwater in accordance with NPDES Stormwater "No Exposure" Certification No. FLRNEE394 (attached and incorporated herein as Appendix 3) and Permit No. AC53-214903/PSD-FL-190-A and any revisions, modifications or reissuances thereof.

XIV. WATER RESOURCES MANAGEMENT

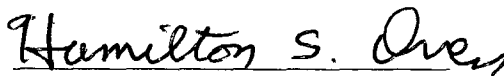
A. Stormwater Discharge

1. ~~The facility's existing non-contact surface water management system is permitted to discharge storm water under the terms and conditions imposed by EPA's storm water general permit issued for use in the state of Florida. The facility's permit number is FLR00C415. The Licensee is required to continue to update the facility's Storm Water Pollution Prevention Plan (SWPPP) annually, as required by the general permit; and to implement the annual revisions to the SWPPP. The facility does not come into contact with industrial materials or activities and therefore does not result in stormwater discharge associated with industrial activity. All terms and conditions of Rule 62-620.100(2)(o), F.A.C. will be met to allow the conditional exclusion from National Pollution Discharge Elimination System (NPDES) stormwater permitting. Should conditions change, such that the condition of no exposure no longer exists, the licensee will apply for an NPDES individual Stormwater permit, or seek coverage under a NPDES generic Stormwater permit. The No Exposure Certification for Exclusion from NPDES Stormwater Permit number FLRNEE394 will be valid for a period of 5 years from the date of receipt of an authorization letter from DEP Renewal.~~

2. and 3. No Change

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.



Hamilton S. Oven, P.E.

Administrator, Siting Coordination Office

November 29, 2006

Page Three

FILING AND ACKNOWLEDGMENT

FILED, on this date, pursuant to §120.52

Florida Statutes, with the designated

Department Clerk, receipt of which is

hereby acknowledged.

Linda Korskov 11-29-06
Clerk Date

cc:

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Kissimmee Utility Power
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West Palm Beach, FL 33416-4680

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West Palm Beach, FL 33406

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Department of Environmental Protection
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Jeb Bush
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Department of Environmental Protection

Twin Towers Office Building
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

RECEIVED

SEP 16 2005

Environmental Services

Colleen M. Castille
Secretary

September 14, 2005

Facility ID: FLRNEE394

Roger B Zirkle
Florida Power Corporation
dba Progress Energy, Inc.
PO Box 14042, CX1B
St Petersburg, FL 33733

RE: Tiger Bay Cogeneration Plant
3219 County Road 630
Ft Meade, FL 33841

Dear Applicant:

The Florida Department of Environmental Protection has received and processed your *No Exposure Certification for Exclusion from NPDES Stormwater Permitting*, and the accompanying processing fee, for the facility referenced above. This letter serves to acknowledge that your certification is complete and your fee is paid-in-full.

The certification is your statement affirming that stormwater from your facility does not come into contact with industrial materials or activities and therefore does not result in stormwater discharge associated with industrial activity. Furthermore, the certification affirms that all terms and conditions of Rule 62-620.100(2) (o), F.A.C., are met allowing the conditional exclusion from NPDES stormwater permitting. Should conditions change, such that the condition of no exposure no longer exists, you must apply for an NPDES individual stormwater permit or seek coverage under an NPDES generic stormwater permit.

The certification as filed is valid for a period of five (5) years from the date of this letter so long as conditions of no exposure exist at your facility. Accordingly, your conditional exclusion from NPDES stormwater permitting begins on **August 21, 2005** and will expire on **August 20, 2010**. To renew your certification for another five year period, you must file a new certification form and remit a new processing fee. To assure continuous coverage, it is recommended that the new certification and processing fee be filed at least thirty (30) days prior to the expiration date.

Florida Department of Environmental Protection

Printed on recycled paper.

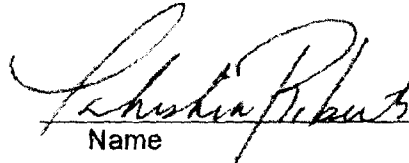
Please note that your facility identification number is: **FLRNEE394**. You must use this number on any future documents or correspondence submitted to the Department.

Facilities claiming the no exposure exclusion from NPDES stormwater permitting are subject to inspection by the Department, or its authorized agents, to confirm that conditions at a facility are consistent with the certification as filed. Knowingly filing a false certification with the Department could result in serious civil and criminal penalties.

If you have any questions concerning this acknowledgment letter, please contact the NPDES Stormwater Notices Center at (866) 336-6312 or (850) 297-1232.

CERTIFICATE OF SERVICE

THE UNDERSIGNED HEREBY CERTIFIES that the foregoing acknowledgment of coverage under the No Exposure Exclusion from NPDES Stormwater Permitting, Rule 62-620.100(2)(o), F.A.C., was mailed by Science Applications International Corporation working under FDEP Contract Number WM788, on behalf of the Florida Department of Environmental Protection, on the date indicated below via the United States Postal Service.

 9/14/05
Name Date