



Florida Department of Environmental Protection

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2600 Blair Stone Road
Tallahassee, Florida 32399-2400

Charlie Crist
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Lt. Governor

Michael W. Sole
Secretary

January 6, 2009

- CERTIFIED MAIL - RETURN RECEIPT REQUESTED -

Ms. Barbara P. Linkiewicz
Environmental Licensing Manager
Florida Power & Light Company
Post Office Box 14000
Juno Beach, Florida 33408

RE: Florida Power and Light Turkey Point
Modification to Conditions of Certification
DEP Case Number PA 03-45C
OGC Case Number 08-2885

FINAL ORDER MODIFYING CONDITIONS OF CERTIFICATION

Dear Ms. Linkiewicz:

The Florida Siting Board certified the Florida Power and Light (FP&L) Turkey Point power plant on February 8, 2005 (Unit #5) and October 29, 2008 (Units #3 & 4), respectively. On October 14 and October 17, 2008, the Department published notice of its intent to issue Title V Air Operation Permits No. 0250003-010-AV and 0250003-011-AV respectively. On December 12 and December 18, 2008, the Department issued Title V Air Operation Permits No. 0250003-010-AV and 0250003-011-AV respectively, which have been incorporated into the Conditions of Certification through this modification.

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. The Conditions of Certification for the Turkey Point Power Plant are hereby modified as follows:

VI. UNIT 5 SPECIFIC CONDITIONS

A. Air

1. The construction and operation of the Turkey Point Unit 5 project shall be in accordance with all applicable provisions of Title V Air Operation Permit No. 0250003-00911-AV, and Permit No. PSD-FL-338 (DEP Permit No. 0250003-006-AC), (attached as Appendices A and B) as well as any other permit required under a federal program such as Title III, Title IV and/or Title V issued for Turkey Point Unit 5 and any

revisions, amendments, corrections or modifications thereto, and of Chapters 62-210 through 62-297, F.A.C.

VII. UNIT 3 & 4 SPECIFIC CONDITIONS

A. Air

The operation of the Turkey Point Unit 3 and 4 Nuclear Plant shall be in accordance with all applicable provisions of Title V Air Operation Permit ~~0250003-004-AV~~ 0250003-010-AV. Title V Air Operation Permit ~~0250003-004-AV~~ 0250003-010-AV is incorporated by reference herein as part of this Certification and attached as Appendix C.

The provisions of the above shall be conditions of this certification. The licensee shall comply with the substantive provisions and limitations set forth in Title V Air Operation Permit Number ~~0250003-004-AV~~ 0250003-010-AV as part of these Conditions of Certification, and as those provisions may be modified, amended, or renewed in the future by the Department. Such provisions shall be fully enforceable as conditions of this certification. Any violation of such provisions shall be a violation of these Conditions of Certification.

No other changes to the Conditions of Certification

The Conditions of Certification (including attachments) are available at the following web site: <http://www.dep.state.fl.us/siting/Highlights/conditions.htm>. Copies of the Conditions of Certification and/or attachments may also be obtained by contacting the Siting Coordination Office, Marjory Stoneman Douglas Building, 3900 Commonwealth Boulevard, Florida 32399-3000, (850) 245-2002.

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,



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

1/6/2009
Date

CC by certified email:

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