

FPL West County Energy Center Unit 3

Post-Certification Monitoring and Reporting Schedule [62-17.191(3), F.A.C.]

Condition Number	Requirement and Timeframe	Due Date	Agency	Description
Condition IV paragraph 2	60 days prior to use of herbicides	60 days prior to use	FDEP	Any directly associated linear facilities connecting the collector yard to the switchyard shall be maintained in accordance with the site certification application and any appropriate state and federal regulations concerning use of herbicides. The Licensee shall notify the Southeast District of the Department and the Siting Coordination Office of the type of herbicides to be used at least 60 days prior to their first use.
Condition V.A and V.B	Hold for documents for 3 years	Hold info for 3 years	FDEP	FPL shall maintain copy of Conditions of Certification at the work site. FPL shall hold at the facility, or other location designated by this approval, records of all monitoring information, including all calibration and maintenance records and all original strip chart recordings or electronic data storage media, for continuous monitoring instrumentation required by this approval, copies of all reports required by this approval, and records of all data used to complete the application for this approval. These materials shall be retained at least three (3) years from the date of the sample, measurement, report, or application unless otherwise specified by Department rule. The Licensee shall provide copies of these records to the Department upon request. If the Licensee becomes aware of relevant facts that were not submitted or were incorrect in any report to the Department, such facts or information shall be promptly submitted or corrected.
Condition VII.C	The Permittee shall notify SED Office by telephone within 24 hours if unexpected harmful effects or evidence of irreversible environmental damage are detected by it during construction as outlined.	The Permittee shall notify SED Office by telephone within 24 hours if unexpected harmful effects or evidence of irreversible environmental damage are detected by it during construction as outlined.	FDEP	If, for any reason, the Licensee does not comply with or is unable to comply with any limitation specified in these Conditions of Certification, the Licensee shall notify the Southeast District Office of the Department by telephone during the working day that said noncompliance occurs. After normal business hours, the Licensee shall report any condition that poses a public health threat to the State Warning Point at telephone number (850) 413-9911 or (850) 413-9912. The Licensee shall confirm this situation to the Southeast DEP District Office in writing within seventy-two (72) hours of becoming aware of such conditions and shall supply the following information: 1. A description of the discharge and cause of noncompliance; and, 2. The period of noncompliance, including exact dates and times; or, if not corrected, the anticipated time the noncompliance is expected to continue, and, 3. Steps being taken to reduce, eliminate and prevent recurrence of the non-complying event.
Condition XIX.A	spills of materials having potential to significantly pollute surface or ground waters and which are not confined to a building or similar containment structure,	spills of materials having potential to significantly pollute surface or ground waters and which are not confined to a building or similar containment structure,	FDEP	The Licensee shall report all spills of materials having potential to significantly pollute surface or ground waters & which are not confined to a building or similar containment structure, by telephone immediately after discovery of such spill. The Licensee shall submit a written report w/ 48 hours, excluding weekends, from the original notification. The telephone report shall be submitted by calling the DEP SED Office IWW Compliance/Enforcement Section. After normal business hours, the Licensee shall contact the State Warning Point by calling (850) 413-9911 or (850) 413-9912. The written report shall include, but not be limited to, a detailed description of how the spill occurred, the name & chemical make-up (include any MSDS's) of the substance, the amount spilled, the time & date of the spill, the name & title of the person who first reported the spill, the size & extent of the spill and surface types (impervious, ground, water bodies, etc.) it impacted, the cleanup procedures used & status of completion, and include a map or aerial photograph showing the extent and paths of the material flow.
Condition XX	Notify near neighbors at least 15 days prior to noisy activity	Notify near neighbors at least 15 days prior to noisy activity	FDEP	FPL shall maintain copy of Conditions of Certification at the work site. FPL shall hold at the facility, or other location designated by this approval, records of all monitoring information, including all calibration and maintenance records and all orig
Condition XX	Notify near neighbors at least 15 days prior to noisy activity	Notify near neighbors at least 15 days prior to noisy activity	FDEP	Licensee shall notify area residents in advance of the onset and anticipated duration of the steam blowout of the facility's heat recovery steam generator and steam lines.
Condition XXII	When artifact is discovered.	When artifact is discovered.	SED, BHP	If historical or archaeological artifacts are discovered at any time within the project site, the Licensee shall cease work in the area, and notify the FDEP Southeast District office and the Bureau of Historic Preservation, Division of Historical Resources, R.A. Gray Building, Tallahassee, Florida 32399-0250, telephone number (850) 487-2073.
Condition XXIII	Prior to Construction report of protected species to Siting Office, SED and FWC	Prior to Construction	FDEP SED FWCC	Prior to start of construction, the Licensee shall survey the certified site for species of animal and plant life listed as endangered or threatened by the federal government or listed as endangered by the state. If these species are found, their presence shall be reported to the Siting Coordination Office, the SED, and the Florida Fish & Wildlife Conservation Commission's Office of Environmental Services. These species shall not be disturbed, if practicable. If avoidance is not practicable, the endangered species shall be treated as recommended by the appropriate agency. Entombment of gopher tortoises shall not be allowed.
Condition XXV.B	First sampling event	After first sample	FDEP	The Licensee shall ensure that all samples required pursuant to this Certification are taken by an appropriately trained technician following EPA and Department approved sampling procedures and chain-of-custody requirements in accordance with Rule 62-160, F.A.C. Records of monitoring information shall follow the guidelines in Rule 62-160.600, F.A.C. All chain-of-custody records shall be retained on-site for at least three (3) years and made available to the Department immediately upon request.
Condition XXVI.C.1	submit sort able compliance summary for UNIT 3 only	with in 90 days of final certification	FDEP	Additional Procedures for Post-Certification Submittals (Unit 3 only): 1. The licensee shall provide within 90 days after certification a complete summary of those submittals identified in the Conditions of Certification where due-dates for information required of the licensee are identified. Such submittals shall include, but are not limited to, monitoring reports, management plans, wildlife surveys, etc. The summary shall be provided to the Siting Coordination Office and any affected agency or agency subunit to whom the submittal is required to be provided, in a sort able spreadsheet, via CD and hard copy, in the following format in respective order (62-17.191, F.A.C.): Condition Number, Requirement and timeframe, Due Date, Name of Agency or agency subunit to whom the submittal is required to be provided.

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Condition Number	Requirement and Timeframe	Due Date	Agency	Description
Condition XXVII.C.3	submit all applicable federal permits for project	post certification	FDEP	Additional Procedures for Post-Certification Submittals (Unit 3 only): 3. Filings: All post-certification submittals of information by the licensee or copies of applications for separate federal permits which are to be issued by State agencies are to be filed with DEP Siting Office. Copies of each submittal shall also be simultaneously copied to any other agency indicated in the specific conditions requiring the post-certification submittals.
Condition XXVII.A.1	submit applicable plans for that portion of the facility	Submit plans 90 days prior to construction on the these portions of the facility	FDEP	All construction at the facility shall be pursuant to design standards presented in the application or amended application & standards or plans & drawings submitted & signed by an engineer registered in the state of Florida. Specific DEP Southeast District Office acceptance of plans will be required based upon a determination of consistency w/ approved design concepts, regulations, & these conditions prior to initiation of construction of any: industrial waste treatment facility; domestic waste treatment facility; potable water treatment & supply system; ground water monitoring system, storm water runoff system; solid waste disposal area; & hazardous or toxic handling facility or area. The Licensee shall present specific plans for these facilities for review by the DEP Southeast District Office at least 90 days prior to construction of those portions of the facility for which the plans are then being submitted, unless other time limits are specified in the following conditions herein. Review & approval or disapproval shall be accomplished in accordance with Chapter 120, F.S., or these CoC as applicable.
Condition XXVII.A.2	Prior to any material change or revision FDEP must be notified in writing	Prior to any material change or revision	FDEP	The Department must be notified in writing and prior written approval obtained for any material change or revision to be made to the project during construction which is in conflict with these Conditions of Certification. If there is any material change or revision made to a project approved by the Department without this prior written approval, the construction will not be cleared for service, and the construction will be considered a violation of these Conditions of Certification.
Condition XXVII.A.3	90 days prior to date of first operation.	90 days prior to date of first operation.	FDEP	Ninety (90) days prior to the anticipated date of first operation, the Licensee shall provide the Department with an itemized list of any changes made to the facility design and operation plans that would affect a change in discharge, as referenced in Condition VI, subsequent to the time of issuance of this Certification. This preoperational review of the final design and operation shall demonstrate continued compliance with Department rules and standards.
Condition XXVII.B.2	Seek approval from SED prior to activity commencement	Seek approval from SED prior to activity commencement	FDEP	Any open burning in connection with initial land clearing shall be in accordance with Chapter 62-256, F.A.C., Chapter 51-2, F.A.C., Uniform Fire Code Section 33.101, Addendum, and any other applicable county regulation. Any burning of construction-generated material, after initial land clearing that is allowed to be burned in accordance with Chapter 62.256, F.A.C., shall be approved by the DEP Southeast District office in conjunction with the Division of Forestry and any other county regulations that may apply. Burning shall not occur if not approved by the appropriate agency or if the Department or the Division of Forestry has issued a ban on burning due to fire safety conditions or due to air pollution conditions.
Condition XXVII.C	Develop ECP prior to construction. Quarterly Assessments during construction.	Develop ECP prior to construction. Quarterly Assessments during construction.	FDEP	An environmental control program shall be established under the supervision of a Florida registered professional engineer or other qualified person to assure that all construction activities conform to applicable environmental regulations and the applicable Conditions of Certification. If a violation of standards, harmful effects or irreversible environmental damage not anticipated by the application or the evidence presented at the certification hearing is detected during construction, the Licensee shall notify the DEP District Office as required by Condition VII, Compliance.
Condition XXVII.D	Notice Commencement of Construction Submit within 15 days of initiation of construction activities.	Notice Commencement of Construction Submit within 15 days of initiation of construction activities.	FDEP	Notice of commencement of construction shall be submitted to the Siting Coordination Office and the DEP Southeast District Office within fifteen (15) days after initiation.
Condition XXVII.D	Submit quarterly status report to SED starting 3 months after initiation.	Submit quarterly status report to SED starting 3 months after initiation.	FDEP	Starting three (3) months after construction commences, a quarterly construction status report shall be submitted to the DEP Southeast District Office. The report shall be a short narrative describing the progress of construction.
Condition XXIX.B	60 days before abandonment / inactivation of ww facility	60 days before abandonment / inactivation of ww facility	FDEP	The Licensee is hereby authorized to operate wastewater facilities as shown or described in the West County Energy Center Site Certification Application and other documents on file with the Department and made a part hereof. Domestic wastewater facilities shall comply with any applicable provisions of Chapter 64E-6, F.A.C., and Palm Beach County ECR-1. The Licensee shall give the Department written notice at least 60 days before inactivation or abandonment of a wastewater facility and shall specify what steps will be taken to safeguard public health and safety during and following inactivation or abandonment.
Condition XXIX.B	60 days before abandonment / inactivation of ww facility	60 days before abandonment / inactivation of ww facility	SFWMD	The Licensee is hereby authorized to operate wastewater facilities as shown or described in the West County Energy Center Site Certification Application and other documents on file with the Department and made a part hereof. Domestic wastewater facilities shall comply with any applicable provisions of Chapter 64E-6, F.A.C., and Palm Beach County ECR-1. The Licensee shall give the Department written notice at least 60 days before inactivation or abandonment of a wastewater facility and shall specify what steps will be taken to safeguard public health and safety during and following inactivation or abandonment.
Condition XXXII.A.1.a	When there is a change in contractual responsibilities	When new contract responsibilities take effect	FDEP SFWMD	The Licensee shall be responsible for compliance with the Certification Conditions. If contractual rights, duties, or obligations are transferred under this Certification, notice of such transfer or assignment, including the identification of the entity responsible for compliance with the Certification, shall immediately be submitted to the FDEP and the SFWMD by the previous certification holder (Licensee) and the Assignee. Any assignment or transfer shall carry with it the full responsibility for the limitations and conditions of this Certification. The previous Licensee shall be responsible for informing the Assignee of all authorized facilities and uses and the conditions under which they were authorized. The previous Licensee shall remain liable for corrective actions that may be required as a result of any violations prior to transfer or assignment of any contractual rights, duties, or obligations under this Certification. Ref: Sections 373.044, 373.085, 373.113, 373.223, 373.342, and 373.413, F.S.; Rules 40E-2.091, 40E-2.301, 40E-2.381, 40E-3.101(1), and 40E-6.351, F.A.C.

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Condition Number	Requirement and Timeframe	Due Date	Agency	Description
Condition XXXII.A.2.a	90 days prior to commencement of construction, submit dewatering plan. (See Condition XXXII.B.2.j -- #104 and 105)	90 days prior to commencement of construction, submit dewatering plan. (See Condition XXXII.B.2.j -- #104 and 105)	FDEP	At least ninety (90) days prior to the commencement of construction of any portion of the project, the Licensee shall submit to SFWMD staff, for a completeness and sufficiency review, any pertinent additional information required under the SFWMD's conditions of Certification for that portion proposed for construction. If SFWMD staff does not issue a written request for additional information within thirty (30) days, the information shall be presumed to be complete and sufficient. Reference: Section 373.413(2), F.S.
Condition XXXII.A.2.c	At least 90 days prior to implementing change in design.	At least 90 days prior to implementing change in design.	FDEP	The Licensee shall submit, consistent with the provisions of Condition XXXII.A.2., any proposed revisions to the site specific design authorizations specified in this Certification to the SFWMD for review and approval prior to implementation. The submittal shall include all the information necessary to support the proposed request, including detailed drawings, calculations and/or any other applicable data. Such requests may be included as part of the appropriate additional information submittals required by this Certification provided they are clearly identified as a requested amendment or modification to the previously authorized design. Reference: Sections 373.085, 373.219, 373.223, 373.313, F.S.; Rules 40E-2.091, 40E-2.301, 40E-3.461, 40E-6.121, and 40E-6.221, F.A.C.
Condition XXXII.B.1.f	Prior to final Certification Order.	Prior to final Certification Order.	FDEP	The Licensee must demonstrate the legal right to conduct water use on the project lands, in accordance with Section 2.1.1 of the Basis of Review for Water Use Permits in the SFWMD. Prior to issuance of the Certification Order, the Licensee shall submit copies of legal documents to the SFWMD that clearly demonstrate ownership or control of the project site, including a sketch map and project acreage, for incorporation into this Certification.
Condition XXXII.B.2.h(1a)	after notification of reclaim water available on site	After written notification that reliable source of reclaimed water exists at the site.	SFWMD	Upon written notification from the SFWMD that a reliable source of reclaimed water is available at the project site to provide Units 1 and 2 with cooling water in a quality that meets the reclaimed water user requirements and limitations set forth in Rule 62-610, F.A.C., and would not require significant modifications to the plant's water pre-treatment system, the Licensee shall conduct a feasibility evaluation in accordance with Section 3.2.3.2 of the Basis of Review For Water Use Permit Applications in the SFWMD to determine the environmental, technical, and economic feasibility of utilizing reclaimed water. The evaluation shall include an analysis of potential conflicts with facility permit requirements such as air emission control and wastewater disposal.
Condition XXXII.B.2.h(1c)	after determination of feasibility	After determination of feasibility	SFWMD	If the feasibility evaluation demonstrates that the use of reclaimed water is feasible, the Licensee shall provide the SFWMD with a schedule for reclaimed water use, for the SFWMD's review and approval, within 90 days of such notification. Once the use of reclaimed water has been approved by the SFWMD and established, withdrawals of surface water from the L-10/L-12 Canal, the Floridan aquifer, or any other authorized use of excess storm water shall be reduced in proportion to the volume of reclaimed water to be used by Units 1 and 2.
Condition XXXII.B.2.j	Submit detail plan for dewatering	Prior to construction of any portion of the project that involves dewatering.	SFWMD	Prior to commencement of construction of those portions of the project that involve dewatering activities, the Licensee shall submit a detailed plan for any such activities to the SFWMD for a determination of compliance with the non-procedural requirements of Chapters 40E-2, 40E-3 and 40E-20, F.A.C., in effect at the time of submittal. Reference: Sections 373.229 and 373.308, F.S.; Rules 40E-2.091, 40E-2.301, and 40E3.500-531, F.A.C. The following information, referenced to NGVD where appropriate, shall be submitted:
Condition XXXII.B.2.j	Allow 90 days for SFWMD, review and final approval	Allow 90 days for SFWMD, review and final approval	SFWMD	1) A detailed site plan which shows the location(s) for each proposed dewatering area 2) The method(s) used for each dewatering operation 3) The maximum depth for each dewatering operation 4) The location and specifications for all proposed wells and/or pumps associated with each dewatering operation 5) The duration of each dewatering operation 6) The discharge method, route, and location of receiving waters generated by each dewatering operation, including the measures (BMPs) that will be taken to prevent water quality problems in the receiving water(s) 7) An analysis of the impacts of the proposed dewatering operations on any existing on and/or off-site legal users, wetlands, or existing groundwater contamination plumes 8) The location of any infiltration trench(es) and/or recharge barriers 9) All plans must be signed and sealed by a Professional Engineer or a Professional Geologist registered in the State of Florida
Condition XXXII.B.2.l	Prior to repair, replacement and/or abandonment on any existing onsite wells.	Prior to repair, replacement and/or abandonment on any existing onsite wells.	SFWMD	If any of the existing on-site wells require repair, replacement, and/or abandonment, the Licensee shall submit the information described in Chapter 40E-3, F.A.C., for review by the SFWMD prior to initiating such activities. Reference: Sections 373.308 and 373.316, F.S.; Rules 40E-3.041, 40E-3.101, 40E-3.411, and 40E-3.500-531, F.A.C.
Condition XXXII.B.2.m	Prior to construction of any new wells or replacement wells	Prior to construction of any new wells or replacement wells	SFWMD	Prior to construction of any new or replacement wells, the Licensee shall submit the drilling plans and other pertinent information, required by Chapter 40E-3, F.A.C., to the SFWMD for review and approval. If the well locations are different from those previously reviewed and approved in this Certification, the Licensee shall also submit to the SFWMD, for review and approval, an evaluation of the impacts of the proposed pumpage from the proposed well location(s) on adjacent existing legal users, pollution sources, environmental features, and water bodies. Reference: Section 373.223, F.S.; Rules 40E-2.091, 40E-2.301, and 40E-2.381, F.A.C.

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Condition XXXII.B.2.n	Prior to construction Allow 90 days for SFWMD review and approval	Prior to construction Allow 90 days for SFWMD review and approval	SFWMD	Prior to the commencement of construction of Unit 3, the Licensee shall submit a revised Water Conservation Plan, as required by Chapter 40E-2, F.A.C., in effect at that time, for review and approval by SFWMD staff. The plan shall, at a minimum, incorporate the following components: (1) An audit of the amount of water needed in the Licensee's operational processes. The following measures shall be implemented within one year of audit completion if found to be cost effective in the audit: (a) Implementation of a leak detection and repair program; (b) Implementation of a recovery/recycling or other program providing for technological, procedural or programmatic improvements to the Licensee's facilities; and (c) Use of processes to decrease water consumption. (2) Development and implementation of an employee awareness program concerning water conservation. Reference: Sections 373.223, F.S.; Rules 40E-2.091, 40E-2.301, and 40E-2.381, F.A.C.
Condition XXXII.D	Update Stormwater Plan for submittal	90 days prior to commencement of construction, submit dewatering plan. (See Condition XXXII.B.2.j -- #104 and 105)	SFWMD	Prior to the commencement of construction of the surface water management system or any modifications thereto that involve off-site discharges, the Licensee shall submit the details of the proposed surface water management system design/modifications to the SFWMD for a determination of compliance with the non-procedural requirements of Chapter 40E-63, F.A.C. All plans, details, and calculations shall be signed and sealed by a Florida Registered Professional Engineer. Upon review of the submitted plans/calculations, the Licensee may be required to incorporate additional water quality treatment methods, a Best Management Practices Plan, and a Water Quality Monitoring Plan into the project design.
Condition XXXIII.F	Prior to expiration	Renew current FAA permits (e.g. Cranes) prior to expiration dates	FAA	Any structures proposed in the application which exceed 200 feet in height will be subject to an aeronautical study by the Federal Aviation Authority under the provisions of 14 CFR Part 77. The Licensee must obtain any necessary variances. Specifically, for Unit 3 any newly proposed structure or alteration of an existing structure will be subject to the requirements of Chapter 333, F.S., and Rule 14-60.009, Airspace Protection, F.A.C. Additionally, notification to the Federal Aviation Administration (FAA) is required prior to beginning construction, if the structure exceeds notification requirements of 14 CFR Part 77, Objects Affecting Navigable Airspace, Subpart B, Notice of Construction or Alteration. Notification will be provided to FAA Southern Region Headquarters using FAA Form 7460-1, Notice of Proposed Construction or Alteration in accordance with instructions therein.
Condition XXXIV.B	Hurricane plan submittal-	Commercial operations	DCA	The Licensee shall prepare a West County Energy Center hurricane preparation and recovery plan. The plan shall be submitted to the Department of Community Affairs and the Palm Beach County Office of Emergency Management no later than completion of building construction code compliance review of the West County Energy Center by Palm Beach County.
Condition XXXIV.C	update an resubmit hurricane plan -5 years	Commercial operations	DCA	The Licensee shall formally update the hurricane preparation and recovery plan every five (5) years following commencement of commercial operation of the West County Energy Center and whenever an additional electrical generating unit is brought into service at the West County Energy Center site. The updated plan shall be submitted to the Department of Community Affairs and the Palm Beach County Office of Emergency Management.
Dev Order Amendment Condition: Planning 1	Upon discovery	Discovery of any archeological materials	PBC State Historic Preservation Office	Should any archeological materials be uncovered, the Planning Director shall be contacted immediately, and all work on the pit shall cease until such time as "the find" has been examined, catalogued, recorded, and preservation status determined, as required by the ULDC. (Previous Condition Planning 1 of Resolution R-2006-0027, Control No. 1989-052) (ONGOING: CODE ENF/PLANNING - Planning) [This condition is applicable to Palm Beach Aggregates and the power plant.]
UIC Permit General Condition 15	Non compliance report due	With in 14 days of going non-compliant	FDEP	Reports of compliance or noncompliance with, or any progress reports on, requirements contained in any compliance schedule of this permit shall be submitted no later than 14 days following each scheduled date.
Generic Stormwater Permit Part IV B.1.b	Discharge of reportable substance	Notify State Warning Point Submit written notification w/in 14 days SWPP modified with 14 days of release	FDEP	The discharge of hazardous substances or oil in the stormwater discharge(s) from a facility or activity shall be prevented or minimized in accordance with the applicable stormwater pollution prevention plan for the facility or activity. The operator is required to notify the State Warning Point as soon as he or she has knowledge of a discharge.