



Florida Department of Environmental Protection

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August 21, 2008

- CERTIFIED MAIL - RETURN RECEIPT REQUESTED -

William Reichel, FPL Martin Plant
Plant General Manager
Post Office Box 176
Indiantown, FL 34956

**RE: Florida Power & Light's Martin Power Plant
Modification to Conditions of Certification
DEP Case Number PA89-27M
OGC Case Number 08-0775**

FINAL ORDER MODIFYING CONDITIONS OF CERTIFICATION

Dear Mr. Reichel;

The Siting Board issued the Site Certifications for the Martin Power Plant February 12, 1991, April 14, 2003, and on August 15, 1995. These certifications authorized the construction and operation of 2400 megawatts (MW) of gas-fired steam electric power plant units and ancillary facilities. The Department of Environmental Protection has subsequently modified the Conditions of Certification on ten different occasions by final orders.

On May 1, 2008, Florida Power & Light Company submitted a petition to the Department requesting a modification to the site certification for the Martin Power Plant Site to authorize the replacement of planned facilities associated with coal gasification with the "Martin Solar Energy Center" (MSEC). Pursuant to §§ 403.516(1), F.S. and Rule 62-17.211(1), Florida Administrative Code (F.A.C.) the Department proposes to modify the Conditions of Certification for approval of the modification request.

On or before July 7, 2008 all parties to the certification proceeding were provided with notice by certified 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. Additionally, on June 13, 2008, notice of the Department's intent to modify the Conditions of Certification for this facility was published in the Florida Administrative Weekly. Pursuant to Section 403.516, F.S., and Rule 62-17.211, F.A.C., all parties to the certification proceeding have 45 days from the issuance of the notice by mail to such party's last address of record in which to file a written objection to the modification; failure of any of the parties to file a response will constitute a waiver of objection to the modification; and 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.

No objections to the modification have been received by the Department. The Conditions of Certification for the Martin Expansion Project are hereby modified as follows:

I. CERTIFICATION CONTROL

A. Pursuant to s. 403.501-518, F.S., the Florida Electrical Power Plant Siting Act, this certification is issued to Florida Power and Light Company (FPL) owner/operator of the Martin Power Plant. Under the control of these Conditions of Certification the FPL will operate the Martin Expansion Project consisting of two natural gas-fired Combined Cycle Units No. 3 and No. 4 (each 450 MW nominal) ~~and two simple cycle Units 8A and 8B (each 170 MW nominal) which will be incorporated into~~ Unit 8, a "4 on 1" Combined Cycle Gas Turbine facility (total 1100 MW Nominal) and ancillary equipment, and the Martin Solar Energy Center. The Martin Expansion Project includes future facilities, given preliminary approval, namely ~~two~~ gas-fired Combined Cycle Units ~~No. 5 and No. 6 and a coal gasification facility~~ renewable energy facilities; those facilities will require approval in subsequent proceedings under the Act. These units are located on an 11,300-acre site located in Sections 29&30/Township 39 South/Range 37 East in southwestern Martin County;

B. No change

III. DEFINITIONS

Unless otherwise indicated herein, the meaning of the terms used herein shall be governed by the definitions contained in Chapters 403, 378, 373, and 253, Florida Statutes and any regulation adopted pursuant thereto and the statutes and regulations of any agency. In the event of any dispute over the meaning of a term used in these conditions which is not defined in such statutes or regulations, such dispute shall be resolved by reference to the most relevant definition contained in any other state or federal statute or regulation or, in the alternative, by the use of the commonly accepted meaning as determined by the Department of Environmental Protection:

A. "Application" shall mean the Site Certification Applications for the Martin Coal Gasification/Combined Cycle (CG/CC) Project, peaking units 8A and 8B and Combined Cycle Unit 8, and the Martin Solar Energy Center site modification request as supplemented.

H. "Project" shall mean the Martin Expansion Project and all associated facilities, including: Units 3 and 4, ~~Units 8A and 8B~~, Combined Cycle Unit 8, ~~coal and limestone handling and related facilities~~ the Martin Solar Energy Center, the cooling pond, gas pipeline, supplemental cooling tower, transmission lines and related facilities. The project consists of ~~four~~ several phases. Phase I involved natural gas-fired,

combined cycle Units 3 and 4 with distillate fuel oil as backup and an associated natural gas pipeline and transmission line upgrade. Phase II involves incorporation of Units 8A and 8B into combined-cycle Unit 8. Phase III involves ~~Units 5 and 6 fueled by natural gas or onsite coal gasification facilities, with distillate fuel oil and natural gas as backup.~~ Phase IV consists of coal gasification facilities initial development of the Martin Solar Energy Center. Future phases may involve additional gas-fired combined cycle units (which include Units 5 and 6) and renewable energy facilities using solar, biomass and other energy sources. Those future phases beyond Phases III and IV will require approval in subsequent proceedings under the Act.

K. "Facility" shall mean the certified electrical power generation facility and all associated structures, including but not limited to: combustion turbine generators, heat recovery steam generators, duct burners, steam turbine generators, selective catalytic reduction units, solar thermal arrays and heat exchangers, heat transfer fluid expansion storage tanks, transformers, associated transmission lines, substations, fuel and water storage tanks, natural gas delivery metering station, air and water pollution control equipment, storm water control ponds and facilities, cooling towers, and related structures.

V. SURFACE WATER DISCHARGES

Discharges into surface waters of the state during construction and operation of the project shall be in accordance with applicable provisions of 62-4, 62-160, 62-302, 62-601, 62-650, and 62-660, F.A.C., DEP (NPDES) Permit No. FL0030988-0057-~~IWB/MR1S,~~ attached as Appendix 3, as well as any subsequent revisions, renewals, amendments or modifications, and the following Conditions of Certification:

~~A. Plant Effluents and Receiving Body of Water.~~

~~For discharges made from the Martin Power Plant the following conditions shall apply:~~

~~1. Receiving Body of Water (RBW)~~

~~The receiving body of water has been determined by DEP to be (a) those waters of the discharge canal leading to the St. Lucie Canal which are considered to be waters of the state within the definition of Chapter 403, F.S., and (b) those water of the L-65 canal receiving cooling pond seepage from culverts 003a through 003e.~~

~~2. Points of Discharge (PODs)~~

~~The points of discharge have been determine by DEP to be where the effluent physically enters the waters of the state in the discharge canal and the L-65 canal at the Outfall Serial Numbers (OSNs) 001, 002, and 003.~~

~~3. Thermal Limits~~

~~Heated water discharged at OSN 001 shall not be more than 5°F higher than the ambient (natural) temperature in the St. Lucie canal and shall not exceed 92°F. At all times under all conditions of stream flow the discharge temperature shall be controlled so that at least two thirds (2/3) of the width of the discharge canal's surface~~

~~remains at ambient (natural) temperature. Further, no more than one fourth (1/4) of the cross section of the discharge canal at a traverse perpendicular to the flow shall be heated by the discharge. All thermal limits shall apply at the edge of the mixing zone granted by this Certification.~~

~~4. Chemical Wastes From the Project~~

~~All discharges of low volume wastes (demineralizer regeneration, floor drainage, lab drains, and similar wastes) shall be treated in an adequately sized and constructed treatment facility prior to discharge into the cooling pond.~~

~~5. pH~~

~~The pH of combined discharges to the cooling pond from OSN's 004 - 009 shall be such that the pH will fall within the range of 6.0 to 9.0 and any discharge from the cooling pond at OSN 001 to the discharge canal shall not exceed 6.0 to 8.5.~~

~~6. Polychlorinated Biphenyl Compounds~~

~~There shall be no discharge of polychlorinated biphenyl compounds.~~

~~7. Cooling Pond Overflow to the St. Lucie Canal~~

~~The Licensee is authorized to discharge from Outfall D-001-Cooling Pond Overflow to the St Lucie Canal. This outfall includes, or will include at a future date, discharges from Internal Outfalls I-004, I-006, I-007, I-008, I-009, I-010, I-011, I-012, I-013 and non-contact cooling water from Units 1-6 and Unit 8 cooling tower blowdown to the Plant Intake /Discharge Canal then to St. Lucie Canal.~~

~~a. Such discharges shall be limited and monitored by the Licensee as specified below:~~

EFFLUENT CHARACTERISTIC	DISCHARGE LIMITATIONS		MONITORING REQUIREMENTS		
	Daily Maximum	Monthly Average	Measureme nt Frequency	Sample Type	Sample Point
Flow (Quantity and Duration), MGD	Report	N/A	1/Day of Discharge	Calculation	EFF-1
Temperature -°F	92.0 See k. below	N/A	2/Day of Discharge	Grab	EFF-1A
Total Residual Chlorine (TRC), mg/l	Report See l. below	N/A	1/Day of Discharge	Grab	EFF-1
Specific Conductance, µmhos/cm	Report	N/A	1/Week	Grab	EFF-1
Dissolved Oxygen, mg/l	Report	N/A	1/Week	Grab	EFF-1

pH, Standard Units	Report		1/Week	Grab	EFF-1
Total Phosphorous (as P), mg/l	Report	N/A	1/Week	Grab	EFF-1
Ortho-phosphate (as P), mg/l	Report	N/A	1/Week	Grab	EFF-1
Oil & Grease, mg/l	Report	N/A	1/Week	Grab	EFF-1
Total Ammonia (as N), mg/l	Report	N/A	1/Week	Grab	EFF-1
Un-ionized Ammonia, mg/l	Report See c below	N/A	1/Week	Calculation	EFF-1
Total Nitrogen (as N), mg/l	Report	N/A	1/Week	Grab	EFF-1
Nitrite (as N), mg/l	Report	N/A	1/Week	Grab	EFF-1
Nitrate (as N), mg/l	Report	N/A	1/Week	Grab	EFF-1
Total Recoverable Arsenic, mg/l	Report	Report	1/Week	Grab	EFF-1
Total Recoverable Cadmium, µg/l	Report	Report	1/Week	Grab	EFF-1
Total Recoverable Chromium, µg/l	Report	Report	1/Week	Grab	EFF-1
Total Recoverable Copper, µg/l	Report	Report	1/Week	Grab	EFF-1
Total Recoverable Mercury, µg/l	Report	Report	1/Week	Grab	EFF-1
Total Recoverable Zinc, µg/l	Report	Report	1/Week	Grab	EFF-1
Total Recoverable Lead, µg/l	Report	Report	1/Week	Grab	EFF-1
Total Recoverable Iron, mg/l	Report	Report	1/Week	Grab	EFF-1
Total Recoverable Selenium, µg/l	Report	Report	1/Week	Grab	EFF-1
Total Hardness (as CaCO ₃), mg/l	Report	N/A	1/Week	Grab	EFF-1
Chlorides, mg/l	Report	N/A	1/Week	Grab	EFF-1
Sodium, mg/l	Report	N/A	1/Week	Grab	EFF-1
Total Sulfate, mg/l	Report	N/A	1/Week	Grab	EFF-1
Total Suspended Solids, mg/l	Report	N/A	1/Week	Grab	EFF-1

Total Dissolved Solids, mg/l	Report	N/A	1/Week	Grab	EFF-1
Turbidity, NTUs	Report	N/A	1/Week	Grab	EFF-1

Sample Point	Description of Monitoring Location
EFF-1	Nearest accessible point after final treatment, but prior to mixing with the receiving water.
EFF-1A	At the edge of a mixing zone in the Intake/ Canal which extends 400 meters from the spillway gates and from that point to the intake structure.

~~b. The maximum water surface elevation in the cooling pond shall be used to as an indicator for discharge. Authorization for operation of the maximum water surface level has been given by the South Florida Water Management District.~~

~~c. Effluent samples for pH and temperature (grab) shall be taken simultaneously with each total ammonia grab sample. Un-ionized ammonia shall be calculated in accordance with **Table I** (attached). All measured values for pH, temperature, and total ammonia used to calculate an un-ionized ammonia value shall be reported as an attachment to the Discharge Monitoring Report (DMR). All calculated un-ionized ammonia values shall be reported on the attachment. The daily maximum value for un-ionized ammonia for each reporting period shall be reported on the DMR.~~

~~d. This discharge is permitted only in cases caused by extreme or cumulative rainfall in excess of a 24-hour rainfall event with a probable recurrence interval of once in 10 years, where unavoidable to prevent loss of life, severe property damage, or damage to the physical integrity of the cooling pond or its structures and twice each year to test emergency release gates. The Licensee will notify the Southeast District Office two weeks prior to a scheduled gate test.~~

~~e. In the event an unscheduled discharge occurs the Licensee shall inform the Florida Department of Environmental Protection (FDEP) Southeast District Office by telephone as soon as practicable, but in no case later than 48 hrs after the discharge occurs. The Licensee shall also provide the FDEP with the following information, in writing within ten (10) days of the discharge: (1) a description and cause of the discharge; and (2) the period of discharge, including exact dates and times; and the anticipated time the discharge is expected to continue.~~

~~f. The Licensee shall take all reasonable steps to minimize any adverse impact to navigable waters resulting from the discharge, including such monitoring as necessary to determine the environmental impact of the discharge.~~

~~g. Monitoring is required only when there is a discharge from Outfall D-001, except during spillway testing. Internal monitoring (see i below) is required whether or not a discharge occurs.~~

~~h. There shall be no discharge of floating debris, scum, oil or other matter in such amounts as to form nuisances or produce color, odor, taste, turbidity or other conditions to such degree as to create a nuisance or otherwise interfere with the beneficial use of the receiving waters in accordance with F.A.C. 62-302.500(1)(a) and 62-302.530(500)(b). Any such discharges to waters of the state shall be reported to the Department when submitting DMR's.~~

~~i. The facility will sample at least once a year and/or prior to, but not more than two weeks before, releasing cooling pond water during a spillway gate test. This data shall be provided to the Southeast District Office upon request for review and will be reported on a DMR to be submitted in January following the discharge(s). The cooling pond shall be sampled near the spillway at mid-depth for all parameters listed in part V.A.7.a. above. If any of the above parameters, excluding pH and temperature, reach 90% of the Class III fresh water criteria contained in Chapter 62-302 of the Florida Administrative Code the Licensee shall operate the cooling pond intake pumps in such a manner to maximize recycling of the discharged water back to the cooling pond.~~

~~j. If any of the above parameters, excluding pH and temperature, reach 80% of the Class III fresh water criteria contained in Chapter 62-302 of the Florida Administrative Code the Licensee shall notify the Department within 60 days of the sampling event and submit a letter within 120 days documenting the facility's ability to comply with water quality standards.~~

~~k. The cooling pond discharge shall comply with the following requirements at the edge of the approved 400 meter mixing zone. Discharge temperature shall not be more than 5.0 °F higher than the ambient temperature in the St. Lucie Canal and shall not exceed 92.0 °F. At all times and under all conditions of stream flow, the discharge temperature shall be controlled so that at least two-thirds (2/3) of the width of the discharge canal's surface remains at ambient temperature. Further, no more than one-quarter (1/4) of the cross-section of the discharge canal at a traverse perpendicular to the flow shall be heated by the discharge. All thermal limits shall apply at the edge of the approved mixing zone. The Licensee shall operate in accordance with the thermal monitoring plan submitted to the EPA on November 23, 1993. A copy of the plan should be kept on site for inspection by the DEP.~~

~~l. Monitoring requirements for TRC are not applicable if chlorine has not been added to the non-contact cooling water systems of any electric generating unit or to the non-contact cooling water of any coal gasification facility during the previous 7 days.~~

~~8. Point Sources of Cooling Pond Seepage and Surface Runoff~~

~~The Licensee is authorized to discharge from Outfalls D-002 and D-003 Point Sources of Cooling Pond Seepage and Surface Runoff associated with industrial activity to the East Perimeter Ditch to the Plant Intake/Discharge Canal to St. Lucie Canal and to L-65 Canal respectively.~~

~~a. Such discharges shall be limited and monitored by the Licensee as specified below:~~

	DISCHARGE LIMITATIONS	MONITORING REQUIREMENTS

EFFLUENT CHARACTERISTIC	Daily Maximum	Monthly Average	Measurement Frequency	Sample Type	Sample Point
Flow, MGD	Report	Report	1/week	Totalizer	EFF-3, 4, 5
			1/year	Totalizer	EFF-6, 7
Temperature °F	92.0	N/A	2/Month	Grab	EFF-3, 4, 5
			1/Month	Grab	EFF-6, 7
Specific Conductance, μmhos/cm	1275	N/A	1/Month	Grab	EFF-3, 4, 5
			1/Year	Grab	EFF-6, 7
Dissolved Oxygen, mg/l	5.0 Minimum	N/A	1/Month	Grab	EFF-3, 4, 5
			1/Year	Grab	EFF-6, 7
pH, Standard Units	See b. below		1/Month	Grab	EFF-3, 4, 5, 6, 7
Total Phosphorous (as P), mg/l	Report	N/A	1/Month	Grab	EFF-3, 4, 5
			1/Year	Grab	EFF-6, 7
Ortho-phosphate (as P), mg/l	Report	N/A	1/Month	Grab	EFF-3, 4, 5
			1/Year	Grab	EFF-6, 7
Oil & Grease, mg/l	5.0	N/A	1/Month	Grab	EFF-3, 4, 5,
			1/Quarter	Grab	EFF-6, 7
Total Ammonia (as N), mg/l	Report	N/A	1/Month	Grab	EFF-3, 4, 5
			1/Quarter	Grab	EFF-6, 7
Un-ionized Ammonia, mg/l	0.02 See V.A.8.h.	N/A	1/Month	Grab	EFF-3, 4, 5
			1/Month	Grab	EFF-6, 7
Total Nitrogen (as N), mg/l	Report	N/A	1/Month	Grab	EFF-3, 4, 5
			1/Year	Grab	EFF-6, 7
Nitrite (as N), mg/l	Report	N/A	1/Month	Grab	EFF-3, 4, 5
			1/Year	Grab	EFF-6, 7
Nitrate (as N), mg/l	Report	N/A	1/Month	Grab	EFF-3, 4, 5
			1/Year	Grab	EFF-6, 7

Total Recoverable Arsenic, mg/l	0.05	N/A	1/Month	Grab	EFF-3, 4, 5
			1/6 Months	Grab	EFF-6, 7
Total Recoverable Cadmium, ug/l	See footnote below ¹	N/A	1/Month	Grab	EFF-3, 4, 5
			1/6 Months	Grab	EFF-6, 7
Total Recoverable Chromium, ug/l	See footnote below ¹	N/A	1/Month	Grab	EFF-3, 4, 5
			1/6 Months	Grab	EFF-6, 7
Total Recoverable Copper, ug/l	See footnote below ¹	N/A	1/Month	Grab	EFF-3, 4, 5
			1/6 Months	Grab	EFF-6, 7
Total Recoverable Mercury, ug/l	0.012	N/A	1/Month	Grab	EFF-3, 4, 5
			1/Year	Grab	EFF-6, 7
Total Recoverable Zinc, ug/l	See footnote below ¹	N/A	1/Month	Grab	EFF-3, 4, 5
			1/Year	Grab	EFF-6, 7
Total Recoverable Lead, ug/l	See footnote below ¹	N/A	1/Month	Grab	EFF-3, 4, 5
			1/Year	Grab	EFF-6, 7
Total Recoverable Iron, mg/l	4.8 1.0	N/A	1/Month	Grab	EFF-6
			1/Quarter	Grab	EFF-7
Total Recoverable Selenium, ug/l	5.0	N/A	1/Month	Grab	EFF-3, 4, 5
			1/Quarter	Grab	EFF-6, 7
Total Hardness, mg/l as CaCO ₃	Report	N/A	1/Month	Grab	EFF-3, 4, 5
			1/6 Months	Grab	EFF-6, 7
Chlorides, mg/l	Report	N/A	1/Month	Grab	EFF-3, 4, 5
			1/Year	Grab	EFF-6, 7
Sodium, mg/l	Report	N/A	1/Month	Grab	EFF-3, 4, 5
			1/Year	Grab	EFF-6, 7
Total Sulfate, mg/l	Report	N/A	1/Month	Grab	EFF-3, 4, 5
			1/Year	Grab	EFF-6, 7
Total Suspended Solids, mg/l	100.0	N/A	1/Month	Grab	EFF-3, 4, 5,

			1/6 Months	Grab	EFF-6, 7
Total Dissolved Solids, mg/l	Report	N/A	1/Month	Grab	EFF-3, 4, 5
			1/Year	Grab	EFF-6, 7
Turbidity, NTUs	Report	N/A	1/Month	Grab	EFF-3, 4, 5
			1/Year	Grab	EFF-6, 7

Notes: 1. Pursuant to 62-302.530, Florida Administrative Code all metals shall be reported as the total recoverable fraction. The maximum values are calculated based on the total hardness of the effluent.

a. The allowable daily maximum limit for cadmium shall be calculated as follows:

$$Cd \leq e^{(-0.7852[\ln H] - 3.49)} \mu g/l.$$

b. The allowable daily maximum limit for copper shall be calculated as follows:

$$Cu \leq e^{(0.8545[\ln H] - 1.465)} \mu g/l.$$

c. The allowable daily maximum limit for lead shall be calculated as follows:

$$Pb \leq e^{(1.273[\ln H] - 4.705)} \mu g/l.$$

d. The allowable daily maximum limit for zinc shall be calculated as follows:

$$Zn \leq e^{(0.8473[\ln H] + 0.7614)} \mu g/l.$$

e. The allowable daily maximum limit for chromium shall be calculated as follows:

$$Cr < e^{(0.819[\ln H] + 1.561)} \mu g/l.$$

b. The pH shall not be less than 6.0 nor greater than 8.5 Standard Units.

c. There shall be no discharge of floating debris, scum, oil or other matter in such amounts as to form nuisances or produce color, odor, taste, turbidity or other conditions to such degree as to create a nuisance or otherwise interfere with the beneficial use of the receiving waters in accordance with 62-302.500(1)(a) and 62-302.530(500)(b), F.A.C. Any such discharges to waters of the state shall be reported to the Department when submitting DMR's.

d. Monitoring of discharges to Barley Barber Swamp and the Northwest Mitigation Area will consist of representative monitoring points (sumps) as indicated below:

e. For Outfall D-002, flow shall be the cumulative flows from weirs at Outfalls D-02B, D-02C, D-02D; and pH shall be a summary of individual values from Outfalls D-02B, C and D.

f. For Outfall D-003, flow shall be a weekly totalized value from sumps 15 through 20 and 24 through 26. Temperature and pH shall be a summary of individual values from D-03D (sump 18 only), and D-03E (sump 25 only) when discharging to the Northwest Mitigation area. Additional monitoring shall be at sumps 18 and 25 with the exception of iron which will be monitored at sump 17 (when discharging) and sump 25. If sump 17 is not discharging sump 18 and 25 will be monitored. Flow data from each sump also shall be maintained in a form so that cumulative flow to D-03D (sum of sumps 15 through 20), and D-03E (sum of sumps 24 through 26) can be reported individually (monthly, quarterly, and annual basis), if so requested.

g. Should Total Suspended Solids exceed 50 mg/l, the Licensee shall document the source of the exceedance.

~~h. Effluent samples for pH and temperature (grab) shall be taken simultaneously with each total ammonia grab sample. Un-ionized ammonia shall be calculated in accordance with Table I (attached). All measured values for pH, temperature, and total ammonia used to calculate an un-ionized ammonia value shall be reported as an attachment to the Discharge Monitoring Report (DMR). All calculated un-ionized ammonia values shall be reported on the attachment. The daily maximum value for un-ionized ammonia for each reporting period shall be reported on the DMR.~~

~~i. At the request of the Licensee any of the above test site parameters may be reduced after a period of two years from the permit issuance date, with prior approval of the Department.~~

Sample Point	Description of Monitoring Location
EFF-3	At Outfall from Weir "a" (D-02B)
EFF-4	At Outfall from Weir "b" (D-02C)
EFF-5	At Outfall from Weir "c" (D-02D)
EFF-6	At Outfall from Sumps 15-20 (D-03D), Sump 18 (for iron sampling, sump 17 if discharging)
EFF-7	At Outfall from Sumps 24-26 (D-03E), Sump 25

~~9. Units 1 and 2 Wastewater Treatment System Effluent~~

~~The Licensee is authorized to discharge from Internal Outfall I-004 Units 1 and 2 Wastewater Treatment System Effluent (includes low volume wastes and nonchemical metal cleaning waste) to cooling Pond.~~

~~a. Such discharges shall be limited and monitored by the Licensee as specified below:~~

	DISCHARGE LIMITATIONS		MONITORING REQUIREMENTS		
EFFLUENT CHARACTERISTIC	Daily Maximum	Monthly Average	Measurement Frequency	Sample Type	Sample Point
Flow, MGD	Report	Report	1/Month	Calculation	INT-8
Oil & Grease, mg/l	20.0	15.0	1/Month	Grab	INT-8
Total Suspended Solids, mg/l	100.0	30.0	1/6 Months	8-hour Composite	INT-8
pH, Standard Units	See item b. below.		1/Month	Grab	INT-8

~~b. The pH shall not be less than 6.0 nor greater than 9.0 Standard Units.~~

~~c. Discharge of hydrazine in boiler blowdown and in plant lay-up waters is authorized without limitations or monitoring requirements.~~

~~d. In order to provide continued assurance that the Plant Waste Treatment System (PWTS), in conjunction with further treatment in the cooling pond, is providing equivalent treatment for total iron, total copper, and other pollutants in Nonchemical Metal Cleaning Waste (NCMCW), the Licensee shall annually evaluate the treatment provided by the PWTS during a typical NCMCW treatment period. Each analysis shall be representative of one or more of the various NCMCW components (i.e. economizer hopper wash, dust collector wash, boiler fireside wash air preheater wash, or stack wash). Analyses shall include soluble and total copper, manganese, iron and zinc in the final effluent and the total quantity and average concentration of each of the above metals (both soluble and total). Sampling, analysis and evaluation at internal points in the treatment process may be included at the Licensee's discretion. Results shall be submitted annually, no later than December 31st of each year. In the event that the Department finds that the data do not support continuation of the equivalency determination, the Department may require additional testing or appropriately modify the appropriate conditions in accordance with Condition XXIII.~~

Sample Point	Description of Monitoring Location
INT-8	Wastewater treatment system discharge prior to combination with any other waste stream or to the cooling pond.

10. Site Runoff

~~The Licensee is authorized to discharge from Outfall D-005 Site Runoff during construction and operation D-05A (runoff from Units 1 and 2); D-05E (Ponds D1, E, F and G); D-05B (Ponds 5B1 and 5B2); D-05C (Runoff from undeveloped areas) D-05D (Pond D2) to East Perimeter Ditch thence to the St. Lucie Canal.~~

~~a. Such discharges shall be limited and monitored by the Licensee as specified below:~~

EFFLUENT CHARACTERISTIC	DISCHARGE LIMITATIONS		MONITORING REQUIREMENTS		
	Daily Maximum	Monthly Average	Measurement Frequency	Sample Type	Sample Point
Flow, MGD	Report	N/A	1/Week	Calculation	EFF-9, 10, 11, 12
Oil & Grease, mg/l	No visible sheen		1/6 Months	Grab	EFF-9, 10, 11, 12
Total Suspended Solids, mg/l	50.0	N/A	1/6 Months	Grab	EFF-9, 10, 11, 12

Turbidity, NTUs	Report	N/A	1/6 Month	Grab	EFF- 9, 10, 11, 12
pH, Standard Units	See item b. below.		1/Month	Grab	EFF- 9, 10, 11, 12

~~b. The pH shall not be less than 6.0 nor greater than 8.5 Standard Units.~~

~~c. Runoff from Outfall D-05C which is uncontaminated by the construction activities or wastes or runoff associated with plant processes is permitted without monitoring requirements.~~

Sample Point	Description of Monitoring Location
EFF- 9, 10, 11, 12	Point of discharge from D-05A, D-05E, D-05B, and D-05D respectively prior to any mixing with any other waste stream or the East Perimeter Ditch prior to mixing with any other waste stream or the St. Lucie Canal.

11. Domestic Waste Treatment Plant Effluents

~~The Licensee is authorized to discharge from internal outfalls I-06A and I-06B domestic waste treatment plant effluents to the Cooling Pond from Units 1 and 2, Units 3-6, and Unit 8, respectively.~~

~~a. Such discharges shall be limited and monitored by the Licensee as specified below:~~

	DISCHARGE LIMITATIONS		MONITORING REQUIREMENTS		
EFFLUENT CHARACTERISTIC	Average	Single Sample	Measurement Frequency	Sample Type	Sample Point
Flow (MGD)	0.01 Annual Avg.	N/A	5 days/ week	Flow meters	INT-13
	0.005 Annual Avg.				INT-14

5-Day Carbonaceous Biochemical Oxygen Demand, 20°C, (CBOD5), mg/l	20 Annual Avg. 25 Monthly Avg. 40 Weekly Avg.	60 Max	Monthly	Grab	INT- 13, 14
Total Suspended Solids, mg/l	20 Annual Avg. 30 Monthly Avg. 45 Weekly Avg.	60 Max	Monthly	Grab	INT- 13, 14
Fecal Coliform Bacteria	See condition e. below		Monthly	Grab	INT- 13, 14
Total Residual Chlorine (TRC), mg/l	N/A	0.5 Min	5 days/ week	Grab	INT- 13, 14
pH, Standard Units	See condition c below		5 days/ week	Grab	INT- 13, 14

_____ b. Additionally the influent to the sewage plant shall be monitored as specified below:

	DISCHARGE LIMITATIONS		MONITORING REQUIREMENTS		
EFFLUENT CHARACTERISTIC	Annual Average	Monthly Average	Measurement Frequency	Sample Type	Sample Point
Flow (MGD)	0.01	N/A	5 days/week	Elapsed time meter or pumps	INF- 1
5-Day Carbonaceous Biochemical Oxygen Demand, 20°C (CBOD5), mg/l	N/A	Report	Monthly	Grab	INF- 1, 2
Total Suspended Solids, mg/l	N/A	Report	Monthly	Grab	INF- 1, 2

Sample Point	Description of Monitoring Location
INF-1	Influent to sewage plant (For Units 1 and 2). The influent pump station of the newly constructed treatment plant.
INF-2	Influent to sewage plant (For Units 3, 4 and 8). The influent pump station of the treatment plant.
INT-13	Effluent holding tank after filtration in the treatment plan (for units 1 and 2).
INT-14	Effluent pipe to the cooling pond exiting from the existing treatment plant (for Units 3, 4 and 8).

~~c. The pH shall not be less than 6.0 nor greater than 9.0 Standard Units.~~

~~d. A flow meter or elapsed time meters on pumps shall be used to measure flow and calibrated at least annually [62-601.200 (17) and .500(6), 12/24/96] [for both influent and effluent].~~

~~e. The arithmetic mean of the monthly fecal coliform values collected during an annual period shall not exceed 200 per 100 ml of effluent sample. The geometric mean of the fecal coliform values for a minimum of 10 samples of effluent, each collected on a separate day during a period of 30 consecutive days (monthly), shall not exceed 200 per 100 ml of sample. When 10 or more samples are taken, no more than 10 percent of the samples collected during a period of 30 consecutive days shall exceed 400 fecal coliform values per 100 ml of sample. Any one sample shall not exceed 800 fecal coliform values per 100 ml of sample. [62-600.440(4)(c), 12/24/96].~~

~~f. A minimum of 0.5 mg/l total residual chlorine must be maintained for a minimum contact time of 15 minutes based on peak hourly flow. [62-600.440(40)(b), 12, 24-96]~~

~~g. Influent samples shall be collected so that they do not contain digester supernatant or return activated sludge, or any other plant process recycled waters. [62-601.500(4), 12-24-96]~~

~~h. During the period of operation authorized by these Conditions, the domestic wastewater facilities shall be operated under the supervision of an operator(s) certified in accordance with Chapter 61E12-41, F.A.C. In accordance with Chapter 62-699, F.A.C., this facility is a Category III Class D facility and, at a minimum, operators with appropriate certification must be on site as follows:~~

~~A Class D or higher operator for 3 nonconsecutive visits/week. The lead operator must be a Class D operator, or higher. [62-620.630(3), 12-24-96] [62-699.310, 5-20-92] [62-610.462, 1-9-96]~~

~~i. A certified operator shall be on call during periods the plant is unattended. Daily checks of the plant shall be performed by the Licensee or the Licensee's representative or agent 5 days per week. On those days when the facility is not staffed by a certified operator, the Licensee shall ensure that Flow, in conduit or through treatment plant, pH, Total Chlorine Residual (For Disinfection) are monitored in accordance with part I.A.5 of these Conditions. [62-699.311(1), 5-20-92]~~

~~j. The application to renew the domestic wastewater portion of these Conditions shall include an updated capacity analysis report prepared in accordance with Rule 62-600.405, F.A.C. [62-600.405(5) 12-24-96]~~

~~k. The application to renew the domestic wastewater portion of the Industrial Wastewater permit shall include a detailed operation and maintenance performance report prepared in accordance with Rule 62-600.735, F.A.C. [62-600.735(1), 12-24-96]~~

~~12. Combined Cycle Wastewater Treatment System Effluent~~

~~The Licensee is authorized to discharge from Internal Outfall I-007 Combined Cycle Wastewater Treatment System Effluent (includes combined cycle process wastewater and equipment area stormwater from Units 3, 4 and Unit 8) to the Cooling Pond.~~

~~a. Such discharges shall be limited and monitored by the Licensee as specified below:~~

	DISCHARGE LIMITATIONS		MONITORING REQUIREMENTS		
EFFLUENT CHARACTERISTIC	Daily Maximum	Monthly Average	Measurement Frequency	Sample Type	Sample Point
Flow, MGD	Report	Report	1/Month	Recorder	INT-15
Oil & Grease, mg/l	20.0	15.0	1/Month	Grab	INT-15
Total Suspended Solids, mg/l	100.0	30.0	1/6Months	8-hour Composite	INT-15
pH, Standard. Units	See item b. below.		1/Month	Grab	INT-15

~~b. The pH shall not be less than 6.0 nor greater than 9.0 Standard Units.~~

~~c. During any period in which demineralizer regeneration waste is discharged from the neutralization tank directly to monitoring point I-007 without further treatment, samples for total suspended solids analysis shall be taken at the neutralization tank effluent and /or after combination with the wastewater treatment system effluent of not less than one representative grab sample during each day of such discharge to demonstrate compliance with limitations in Part V.A.12.a.~~

~~d. Discharge of hydrazine in Heat Recovery Steam Generator (HRSG) blowdown and in plant lay-up waters is authorized without limitations or monitoring requirements.~~

~~e. There shall be no discharge of wastes from the coal gasification facilities via this outfall.~~

Sample Point	Description of Monitoring Location
INT-15	Wastewater treatment system effluent discharge prior to combination with any other waste stream discharge to the cooling pond.

13. Metal Cleaning Waste Pretreatment Facility

~~The Licensee is authorized to discharge from Internal Outfall I-008 — Metal Cleaning Waste Pretreatment Facility (Units 3-6 and 8) effluent to the Cooling Pond via Internal Outfall I-007.~~

~~a. Such discharges shall be limited and monitored by the Licensee as specified below:~~

	DISCHARGE LIMITATIONS			MONITORING REQUIREMENTS		
EFFLUENT CHARACTERISTIC	Monthly Total	Monthly Average	Daily Maximum	Measurement Frequency	Sample Type	Sample Point
Flow, MGD	Report	Report	N/A	Continuous	Recorder	INT-16
Oil & Grease, mg/l	N/A	15.0	20.0	1/Day	Composite	INT-16
Total Suspended Solids, mg/l	N/A	30.0	100.0	1/Day	Composite	INT-16
Total Recoverable Copper, mg/l	N/A	1.0	1.0	1/Day	Composite	INT-16
Total Recoverable Iron, mg/l	N/A	1.0	1.0	1/Day	Composite	INT-16
Batches	Report	N/A	Report	1/Batch	Logs	INT-16

~~b. Metal cleaning wastes shall mean any waste water resulting from cleaning (with or without the use of chemical cleaning compounds) any metal process equipment including, but not limited to, boiler tube cleaning, boiler fireside cleaning, air preheater cleaning and stack cleaning and preoperational cleaning and rinse waters where chemical cleaning agents are used (does not include preoperational cleaning wastes where only water is used)~~

~~c. There shall be no combination of waste streams for co-treatment in this outfall unless all such waste streams meet the requirements of part V.A.13.b.~~

~~d. Any metal cleaning wastes disposed of off site shall be disposed of in an environmentally acceptable manner and in compliance with all applicable Federal and State Regulations. Details of such disposal shall be provided to the Department not less than 30 days prior to any proposed metal cleaning waste disposal off site.~~

~~e. Notwithstanding the requirements in part V.A.13.b. above, at such time as the Licensee has demonstrated that certain chemical metal cleaning~~

~~compounds from Units 1 and 2 can be burned in the operating boilers of Units 1 and/or 2 in a manner that will assure compliance with the limitations in part V.A.13.a above. The Licensee may request that burning of the same wastes from Units 3-6 and Unit 8 be allowed in the boilers of Unit 1 and/or 2. Such burning shall not be allowed except if specifically authorized by air permits.~~

~~f. Except for chemical cleaning operations in which CITRO-SOLV, EDTA or an equivalent cleaner is used and the Chemical Metal Cleaning Waste (CMCW) is burned in an operating unit, there shall be no discharge of CMCW to any waste stream which ultimately discharges to waters of the State.~~

~~After the initial use of each cleaning product (including CITRO-SOLV), the Licensee shall determine the flow of CMCW produced and monitor the effluent for a range of heavy metals, including total and dissolved iron, copper, nickel, and zinc, prior to and during discharge. Samples shall be taken after final treatment but prior to mixing with any other waste stream. This is to assure that metals are not being discharged in excess of the guideline limitations and the previous equivalency determination.~~

~~This assessment shall occur once during the term of the Industrial Wastewater permit. Results shall be submitted with the next DMR following the month in which the analysis was conducted.~~

~~g. There shall be no discharge of wastes from the coal gasification facilities via this outfall.~~

Sample Point	Description of Monitoring Location
INT-16	Metal Cleaning Waste Treatment Facility effluent prior to mixing with any other waste stream or discharge to the Cooling Pond. Batches shall be reported only if wastes are treated in discrete batches.

14. Coal, Limestone and Sulfur Handling Area and Slag Handling Storage Area Runoff

~~The Licensee is authorized to discharge from Internal Outfall I-009 Coal, Limestone and Sulfur Handling Area Runoff and Outfall I-010 Slag Handling Storage Area Runoff (includes; Outfall I-011 Slag Test Cell Leachate; and Outfall I-012 Slag Test Cell Runoff) to the Cooling Pond.~~

~~a. Such discharges shall be limited and monitored by the Licensee as specified below:~~

	DISCHARGE LIMITATIONS		MONITORING REQUIREMENTS		
EFFLUENT CHARACTERISTIC	Daily Maximum	Monthly Average	Measurement Frequency	Sample Type	Sample Point
Flow, MGD	Report	N/A	1/Week	Recorder or calculation	INT-17, 18
Oil & Grease, mg/l	Report	N/A	1/Month	Grab	INT-17, 18

Total Suspended Solids, mg/l	50.0 ¹	N/A	1/Week	Grab	INT-17, 18
pH, Std. Units	See item b. below.		1/Week	Grab	INT-17, 18

¹ Applicable to any discharge up to the flow resulting from a 24 hr. rainfall event with a probable recurrence interval of once in ten years (10Y24H). However, this exclusion for rainfall in excess of the 10Y24H is applicable only if the individual pond (1) has no low-level discharge point which allows discharge during filling, and (2) volume is adequate to contain the total quantity of rainfall water equal to the 10Y24H on the total area (including the area of the pond itself) tributary to the pond using a run-off coefficient of 1.0 plus all accumulated silt. Records to demonstrate compliance with these requirements shall be maintained on site. Rainfall data shall be reported for any period(s) of discharge in excess of the 10Y24H if the exclusion is invoked.

b. The pH shall not be less than 6.0 nor greater than 9.0 Standard Units.

c. Monitoring of all batch discharges which bypass the treatment facility shall be monitored once per batch.

d. Not less than two years prior to the expected first receipt of coal on site or the last reapplication for the Industrial Wastewater permit prior to expected first receipt of coal on site, whichever is earlier, the Licensee shall submit a revised estimate of effluent characteristics for all rainfall related runoff and leachate sources included in part V.A.14., based on most recent information relating to specific coal gasification technology and coal supply planned for use at this site. Expected changes to cooling pond and seepage water (D-001, D-002 and D-003) characteristics from those presently estimated shall also be provided. Additional or revised limitations and/or monitoring requirements may be imposed for each runoff related waste source, treatment facility discharges, and/or Outfalls D-001, D-002, and/or D-003, subsequent to this submittal.

e. Except for non-contact cooling water and as specifically authorized for outfalls I-009 through I-012, there shall be no discharge of pollutants from the coal gasification facilities to any waste stream which is routed to the cooling pond or to the waters of the state.

Sample Point	Description of Monitoring Location
INT-17, 18	Point of discharge from each discharge/treatment system (Outfall I-009 and I-010 respectively) prior to mixing with any other waste stream or discharge to the Cooling Pond

15. Construction Dewatering Water Discharged to Cooling Pond

The Licensee is authorized to discharge from Internal Outfall I-013 - Construction Dewatering Water Discharged to Cooling Pond.

a. Such discharges shall be limited and monitored by the Licensee as specified below:

	DISCHARGE LIMITATIONS	MONITORING REQUIREMENTS

EFFLUENT CHARACTERISTIC	Daily Maximum	Monthly Average	Measurement Frequency	Sample Type	Sample Point
Flow, MGD	Report	N/A	1/Day	Totalizer or Calculation	INT-19
Total Suspended Solids, mg/l	50.0	N/A	1/Week	Grab	INT-19
Turbidity, NTUs	Report	N/A	1/Week	Grab	INT-19
pH, Standard. Units	See item b. below.		1/Week	Grab	INT-19

~~_____ b. The pH shall not be less than 6.0 nor greater than 9.0 Standard Units.~~

Sample Point	Description of Monitoring Location
INT-19	Point of discharge prior to mixing with any other waste stream or discharge to the Cooling Pond.

16. Water Quality Monitoring Requirements

~~_____ The water quality monitoring requirements above may be modified by DEP to resolve any conflicts with water quality monitoring requirements of the final Industrial Wastewater permit.~~

~~B.A.~~ Exemptions and Mixing Zones

1. Exemptions

Pursuant to Rule 62-520(8), F.A.C., the existing Martin cooling pond is exempt from secondary drinking water standards for chloride, sulfate and total dissolved solids.

~~2. Mixing Zones~~

~~_____ A zone of mixing has been determined under the provisions of Rule 62-4.244, F.A.C., for the parameters arsenic, copper, lead, mercury, zinc, iron and temperature. Upon commencement of operation of Unit 3, the zone of mixing shall commence at OSN 001 and extend a distance of 400 meters in the discharge canal. The named water quality parameters shall meet their appropriate criteria contained in Chapter 62-302, F.A.C., at the boundary of the mixing zone.~~

~~Appropriate monitoring shall be conducted during periods of discharge and calculations submitted to DEP to ensure that parameters exceeding standards at the boundary of the mixing zone due to background conditions do not cause or contribute to new violations of standards in violation of Rule 62-302.300(5), F.A.C.~~

~~G.B.~~ Ground Water

1. Ground Water Monitoring Plan

Within six months of issuance of the certification of the applicable phase (Phase I or Phase IV), the Licensee shall develop and implement a new ground water monitoring plan: a) acceptable to DEP; b) detailed according to the criteria of Rule 62-522.600, F.A.C., and c) specifically addressing seepage from the cooling pond, the area expected to be affected by seepage, and leachate from the byproduct test cell and storage area. A zone of discharge is granted within the applicant's property

2. ~~Sodium Exemption~~

~~Upon demonstration via the approved monitoring program that relief for sodium is needed outside the permitted zone of discharge, FPL may obtain such relief upon a demonstration of compliance with all criteria of Rule 62-520.500, F.A.C.~~

3. ~~Test Cell/Ground Water Leachate Study~~

~~Within six months of issuance of the certification of the applicable phase, the Licensee shall develop a separate detailed ground water monitoring study acceptable to the Department that will definitively show, upon implementation, that the proposed slag management program (see pages 77-79 of the DEP Staff Analysis Report dated September 27, 1990) at the solid waste test cell area will or will not constitute a source of ground water pollution.~~

4. ~~Surface Water Monitoring~~

~~The surface water monitoring program in Condition V.A.8 will include monitoring in the cooling pond for parameters discussed under secondary drinking water standards. This monitoring will satisfy the water quality characterization requirements under Rule 62-520.520(8), F.A.C.~~

D. ~~Other Limitations and Monitoring and Reporting Requirements~~

1. ~~The sample collection, analytical test methods and method detection limits (MDLs) applicable to these Conditions shall be in accordance with Rule 62-4.246, Chapters 62-160 and 62-601, F.A.C., and 40 CFR 136, as appropriate. The list of Department established analytical methods, and corresponding MDLs (method detection limits) and PQLs (practical quantification limits), which is titled "Florida Department of Environmental Protection Table as Required By Rule 62-4.246(4) Testing Methods for Discharges to Surface Water" dated June 21, 1996, is available from the Department on request. The MDLs and PQLs as described in this list shall constitute the minimum acceptable MDL/PQL values and the Department shall not accept results for which the laboratory's MDLs or PQLs are greater than those described above unless alternate MDLs and/or PQLs have been specifically approved by the Department for these Conditions. Any method included in the list may be used for reporting as long as it meets the following requirements:~~

~~_____ a. The laboratory's reported MDL and PQL values for the particular method must be equal or less than the corresponding method values specified in the Department's approved MDL and PQL list;~~

~~_____ b. The laboratory reported PQL for the specific parameter is less than or equal to the permit limit or the applicable water quality criteria, if any, stated in Chapter 62-302, F.A.C. Parameters that are listed as "report only" in the permit shall use methods that provide a PQL, which is equal to or less than the applicable water quality criteria stated in 62-302 FAC; and~~

~~_____ c. If the PQLs for all methods available in the approved list are above the stated permit limit or applicable water quality criteria for that parameter, then the method with the lowest stated PQL shall be used.~~

~~Where the analytical results are below method detection or practical quantification limits, the permittee shall report the actual laboratory MDL and/or PQL values for the analyses that were performed following the instructions on the applicable discharge monitoring report. Approval of alternate laboratory MDLs or PQLs are not necessary if the laboratory reported MDLs and PQLs are less than or equal to the permit limit or the applicable water quality criteria, if any, stated in Chapter 62-302, F.A.C. However, where necessary, the permittee may request approval for alternative methods or for alternative MDLs and PQLs for any approved analytical method, in accordance with the criteria of Rules 62-160.520 and 62-160.530, F.A.C.~~

~~2. Monitoring results obtained for each calendar month shall be summarized for that month and reported on a Discharge Monitoring Report (DMR), Form 62-620.910(10), postmarked no later than the 28th day of the month following the completed calendar month. For example, data for January shall be submitted by February 28. Signed copies of the DMR shall be submitted to the address specified below:~~

~~Florida Department of Environmental Protection
Mail Station 3551
Twin Towers Office Building
2600 Blair Stone Road
Tallahassee, Florida 32399-2400~~

~~If no discharge occurs during the reporting period, sampling requirements of these Conditions do not apply. The statement "No discharge" shall be written on the DMR form. If, during the term period of these Conditions, the facility ceases to discharge, the Department shall be notified immediately upon cessation of discharge. Such notification shall be in writing.~~

~~Monitoring results obtained for Outfalls D-003, I-004, I-06A, I-06B and I-007 shall be reported monthly on the DMR.~~

~~Monitoring results obtained for Outfalls D-001, D-002 shall be reported quarterly on the DMR for the month following the completed quarter.~~

~~Monitoring results obtained for Outfalls D-05A, D-05B, D-05D, D-05E, I-008, I-009, I-010, I-011, I-012 and I-013 shall be reported annually on the DMR in the month following the completed calendar year.~~

~~3. Unless specified otherwise in these Conditions, all other reports and notifications required by these Conditions, including twenty-four hour notifications, shall be submitted to or reported to, as appropriate, the Department's Southeast District Branch Office at the address specified below:~~

~~Florida Department of Environmental Protection
Southeast District Branch Office
1801 SE Hillmoor Dr. Suite C-204
Port St. Lucie, FL 34952
Phone Number (561) 398-2806~~

~~4. There shall be no discharge of polychlorinated biphenyl compounds such as those commonly used for transformer fluid.~~

~~5. The permittee shall report all visible discharges of floating materials, such as ash or oil sheen, to the Department when submitting DMR's. Field data sheets shall have appropriate blank(s) to report observations.~~

~~6. Discharge of any product registered under the Federal Insecticide, Fungicide, and Rodenticide Act to any waste stream which ultimately may be released to lakes, rivers, or other waters of the State is prohibited unless specifically authorized elsewhere in these Conditions. This requirement is not applicable to products used for lawn and agricultural purposes or to the use of herbicides if used in accordance with labeled instructions and any applicable State permit. Discharge of chlorine from the use of chlorine gas, sodium hypochlorite or other similar chlorine compounds for disinfection in plant potable and service water systems, sewage treatment and once-through cooling water is authorized. In addition discharge of Continum AEC 3108, Continum AEC 3145, Inhibitor OP8413 and Inhibitor AZ8104, Sulfuric acid, Sodium hypochlorite and biocides such as Spectrus NX 1100 and spectrus CT1300 from the use in the cooling tower is authorized.~~

~~An approval from the Department shall be required prior to the use of any biocide or chemical additive used in the cooling system or any other portion of the treatment system which may be toxic to aquatic life. The request for approval shall include:~~

- ~~a. Name and general composition of biocide or chemical~~
- ~~b. Frequencies of use~~
- ~~c. Quantities to be used~~
- ~~d. Proposed effluent concentrations~~

~~e. Acute and/or chronic toxicity data (laboratory reports shall be prepared according to Section 12 of EPA document no. EPA/600/4-90/027 entitled, Methods for Measuring the Acute Toxicity of Effluents and Receiving Waters for Freshwater and Marine Organisms, or most current addition.)~~

~~f. Product data sheet~~

~~g. Product label~~

~~The Department shall review the above information to determine if a major or minor permit revision is necessary. Discharge associated with the use of such biocide or chemical is not authorized without a permit revision by the Department. Permit revisions shall be processed in accordance with the requirements of Chapter 62-620, F.A.C.~~

~~7. The monitoring requirements of Condition V.A will become effective on the first day of the month following the issuance date of DEP Permit No FL 0030988-005.~~

~~8. Discharge of any waste resulting from the combustion of toxic, hazardous, or metal cleaning wastes to any waste stream which ultimately discharges to waters of the State is prohibited, unless specifically authorized elsewhere in these Conditions.~~

~~9. The permittee shall not store coal, soil, or other similar erodible materials in a manner in which runoff is uncontrolled, or conduct construction activities in a manner which produces uncontrolled runoff.~~

~~10. Unless otherwise specifically permitted in these Conditions, there shall be no point source discharges of any wastes to waters of the State, or to any waste stream which enters such waters. These wastes include but are not limited to, low volume wastes (including, but not limited to, boiler blowdown, wet scrubber air pollution control systems, ion exchange water treatment systems, water treatment evaporator blowdown, laboratory and sampling streams, floor drains, cooling tower basin cleaning wastes, and blowdown from recirculating house service water systems) chemical or non-chemical metal cleaning wastes (cleaning compounds, rinse waters, or any waterborne residues derived from cleaning any metal process equipment including, but not limited to, boiler tube cleaning, boiler fireside cleaning and air preheater cleaning; and specifically including such waste wash operations as hosing down boiler fireside surfaces), contaminated area runoff, sanitary wastes, and water softener regeneration wastewater.~~

~~11. The permittee shall operate and maintain loading and unloading facilities in such a manner in order to preclude spillage of coal, chemicals, etc., used at the facility, and shall take all actions necessary to clean up and control any such spill which may occur.~~

~~12. The permittee is authorized to discharge storm water from the diked petroleum storage or handling areas, provided the following conditions are met:~~

~~_____ a. The facility shall have a valid Spill Prevention Control and Countermeasure (SPCC) plan pursuant to 40 CFR Part 112.~~

~~_____ b. In draining the diked area, a portable oil skimmer or similar device or absorbent material shall be used to remove oil and grease (as indicated by the presence of a sheen) immediately prior to draining.~~

~~_____ c. Monitoring records shall be maintained in the form of a log and shall contain the following information, as a minimum.~~

~~_____ i. Date and time of discharge;~~

~~_____ ii. Estimated volume of discharge;~~

~~_____ iii. Initials of the person making visual inspection and authorizing discharge; and~~

~~_____ iv. Observed conditions of the storm water discharged.~~

~~_____ d. There shall be no discharge of floating solids or visible foam in other than trace amounts and no discharge of visible oil sheen at any time.~~

~~_____ 13. Any water drained from the fuel oil storage tanks or other water which meets the definition of "Petroleum Contact Water" as defined in F.A.C. Rule 62-740.030(1) shall be disposed of at a Department approved facility in accordance with F.A.C. Chapter 62-740.~~

~~_____ 14. The discharge of intake screen backwash water to the plant intake canal (and cooling pond) is authorized without limitations or monitoring requirements, except there shall be no discharge of a visible oil sheen.~~

~~_____ 15. These Conditions constitutes certification of compliance with State Water Quality Standards (Section 401, PL 92-800).~~

VI. SOUTH FLORIDA WATER MANAGEMENT DISTRICT

A. Legal/Administrative Conditions

1. General

a. – i. No change

j. ~~Enforcement. SFWMD may take any and all lawful actions to enforce any condition of this Certification that is based on the rules of that agency. Prior to initiating such action, SFWMD shall notify the Secretary of DEP of the proposed action. SFWMD shall seek modification of this Certification for any change in any activity resulting from SFWMD's enforcement of this Certification which change will have a duration longer than 60 days.~~

The SFWMD may confer with FDEP to request FDEP to take any and all lawful actions that are necessary to enforce any condition of this Certification based on the authorizing statutes and rules of the SFWMD.

k. ~~Post Certification Construction Notifications. At least 30 days prior to the commencement of construction of any phase of this project, the Licensee or Project Engineer shall notify SFWMD staff in the Martin/St. Lucie Service Center Environmental Resource Compliance Division (using the appropriate SFWMD form) of the actual or anticipated construction start date and the expected completion date/duration of construction. Annual construction status reports shall be submitted by the Licensee to the SFWMD Environmental Resource Compliance Division (using the appropriate SFWMD form) beginning one year after the initial construction date.~~

2. Processing of Informational Requests.

No Change

B. Water Use Conditions

1. General

No Change

2. Site Specific Standards Design Requirements

a. ~~Authorized Daily Withdrawals. This Certification authorizes a maximum daily withdrawal of 7.92 MGD from the Lake City Limestone Portion of the Lower Floridan Aquifer for processing and related industrial water demands, a maximum daily withdrawal of 0.067 MGD from the surficial aquifer for potable water demands, and a continued maximum daily withdrawal of 518.40 MGD from the St. Lucie Canal (C-44) as provided in the June 14, 1983, Revised Permit Agreement Between SFWMD and FPL to supplement evaporation, seepage and cooling losses from the on site cooling pond upon build out of Units 3, 4, 5, 6 and 8. This Certification also authorizes, on an interim basis, a maximum withdrawal of 2.9 9.6 MGD from the on-site cooling pond for the processing and related industrial water demands of Units 3, 4 and 8 until such time as Units 5 and 6 and any additional generating units are constructed and operational or the withdrawals authorized by this Certification are modified pursuant to Condition VI.B.2.e, whichever occurs first. If a cooling tower is constructed for Unit 8, an additional 6.7 MGD will be required for operation of the cooling tower for a maximum withdrawal of 9.6 MGD from the on-site cooling pond. These authorizations also include the daily applicable surface water demands of the existing Units 1 and 2.~~

b. ~~Authorized Annual Withdrawals. This Certification authorizes a maximum annual withdrawal of 1733.75 MGY from the Lake City Limestone Portion of the Lower Floridan Aquifer for processing and related industrial water demands, a maximum annual withdrawal of 10.22 MGY from the surficial aquifer, and a continued~~

maximum annual withdrawal of 26,808.50 MGY from the St. Lucie Canal (C-44) as provided in the June 14, 1983, Revised Permit Agreement Between SFWMD and FPL to supplement evaporation, seepage and cooling losses from the on site cooling pond upon buildout of Units 3, 4, ~~5, 6~~ and 8. These authorizations also include the applicable annual surface water demands of the existing Units 1 and 2. This Certification also authorizes, on an interim basis, a maximum annual withdrawal of ~~667.95~~ 2,911.74 MGY from the on site cooling pond for the processing and related industrial water demands of Units 3, 4 and 8 until such time as ~~Units 5 and 6~~ any additional generating units are constructed and operational or the withdrawals authorized by this Certification are modified pursuant to Condition VI.B.2.e. whichever occurs first. ~~If a cooling tower is constructed for Unit 8, an additional 2,243.79 MGY will be required for operation of the cooling tower for a maximum withdrawal of 2,911.74 MGY from the on-site cooling pond.~~

c. Authorized Withdrawal Facilities:

~~5 -- 14" X 1500' wells cased to 1250' withdrawing from the Lake City Limestone Portion of the Lower Floridan Aquifer with an estimated flowing capacity of 1400 GPM~~

1 -- 8" X 100' X 50 GPM well cased to 50' withdrawing from the surficial aquifer

4 -- 1000 HP X 90,000 GPM surface water pumps with an intake elevation of 8.00 ft. NGVD withdrawing from the C 44 canal

4 -- 50 HP X 550 GPM surface water pumps with an intake elevation of 7.50 ft. NGVD withdrawing from the C-44 canal (for screen wash purposes)

1 -- 3 HP X 200 GPM surface water pump with an intake elevation of 7.0 ft. NGVD withdrawing from the C-44 canal (for screen wash purposes)

2 -- 25 HP X 1500 GPM surface water pumps withdrawing from the on site cooling pond on a temporary basis to meet processing and related industrial water demands of Units 3 and 4, consistent with Conditions V.B.2.a, b, and e

2 -- 100 HP X 4000 GPM surface water pumps withdrawing from the on-site cooling pond ~~(to meet make-up water demands from the of Unit 8 cooling tower alternative).~~

2 -- 150 HP X 4000 GPM surface water pumps with an intake elevation of 7.0 ft. NGVD withdrawing from the C-44 Canal ~~(for emergency back-up for the Unit 8 cooling tower alternative).~~

d. Cooling Pond Maximum Elevation. In accordance with Amendment Two to the June 14, 1983, Revised Permit Agreement between SFWMD and FPL, FPL the Licensee is authorized to fill the cooling pond at the Martin Plant to surface water elevations of 33.67 NGVD during the period of October 16 through May 14 of each year ("dry season") and 32.83 feet NGVD during the period May 15 through October 15 of each year ("wet season"), provided that if rainfall events cause these dry and wet season water levels to be exceeded, FPL the Licensee shall refrain from adding make-up water to the cooling pond from the St. Lucie (C-44) Canal via the 90,000 GPM intake pumps until such time as seepage and evaporative losses or flood control releases have lowered the cooling pond elevation below these levels.

e. No change

3. Additional Information Requirements

- a. No change
- b. Monthly Reporting Requirements.
 - (1) No change

~~(2) Prior to the first day of the month, FPL shall notify SFWMD of its projected monthly withdrawal requirements and the date of any proposed withdrawals. FPL must receive prior approval from SFWMD for any withdrawals from the St. Lucie Canal (C-44). Subject to the enforcement provisions of Condition VI.A.1.j. and the water shortage compliance provisions of Condition VI.B.1.a. of these conditions, the SFWMD reserves the right to limit or terminate withdrawals by FPL from the St. Lucie Canal (C-44) depending upon water availability at the time of notification.~~

(2) Prior to the first day of the month, the Licensee shall notify SFWMD of its projected monthly withdrawal requirements and the date of any proposed withdrawals from the St. Lucie Canal (C-44). Copies of the monthly notification shall be provided to the Director of the Operations and Control Department, the Director of the Operations Control Division, the Director of the Water Supply Department, and the Director of the Water Use Regulation Division. The notification should include the current stage elevation of the cooling reservoir. The Licensee must receive prior approval from SFWMD for any withdrawals from the St. Lucie Canal (C-44). Subject to the enforcement provisions of Condition VI.A.1.j and the water shortage compliance provisions of Condition VI.B.1.a of these conditions, the SFWMD reserves the right to limit or terminate withdrawals by the Licensee from the St. Lucie Canal (C-44) depending upon water availability at the time of notification. In addition, during periods of declared water shortage, pursuant to the provisions of Condition VI.B.1.a of these conditions, the Licensee should coordinate with the Director of the Water Use Regulation Division to project the seasonal withdrawal requirements from the St. Lucie Canal (C-44) through the end of the restriction period.

~~c. Groundwater Monitoring Program. Within six months of issuance of the final Certification for any phase of this Project involving withdrawals from the Floridan Aquifer, the Licensee shall develop and implement a groundwater monitoring program. A preliminary proposal shall be submitted to SFWMD for review for compliance with the nonprocedural requirements specified in Chapter 40E-2, F.A.C., within three months of issuance of final Certification for that phase. In developing the groundwater monitoring program, the Licensee shall consider well and surface water monitoring well locations, depth and method of well construction, types of well screens, and frequency of data collection.~~

~~dc. Existing Well Repair, Replacement, Abandonment. If, in the future, any of the existing on site wells require repair, replacement and/or abandonment as defined by Chapter 373, Part II.E, F.S., the Licensee shall submit the information described in Chapter 40E-3, F.A.C., for review and approval by SFWMD prior to initiating such activities.~~

~~ed. New Well Construction. If any new wells are required to replace the existing on site wells, and the proposed well locations are different from the locations of the previously authorized wells, the Licensee shall submit to SFWMD for review and approval an evaluation of the impacts of pumpage from the proposed well~~

locations on adjacent existing legal users, pollution sources, environmental features, the saline water interface, and water bodies.

~~f. Restriction on Floridan Wells. The maximum installed capacity of any well withdrawing from the Floridan Aquifer shall be that capacity at which the wells are capable of flowing in a free flowing model relative to existing land elevation at the well site. Pumping equipment shall not be installed on any well as a means to regain or increase capacity.~~

g. Water Conservation Plan. By June 13, 2003, the Licensee shall submit a Water Conservation Plan, a 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. If found to be cost effective in the audit, the following measures shall be implemented within one year of completion of 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.

C. Surface Water Management Conditions

3. – 2.

No change

3. Additional Information Requirements

a. Water Table Monitoring Program. For the Unit 8 solar energy project, the Licensee shall submit, for review and approval by the SFWMD, a water table monitoring proposal based on the results of published sources of information, a site-specific geotechnical investigation, and soil profile examinations. Prior to a determination of sufficiency completeness for any supplemental application for any subsequent phase beyond Phase 4 the Unit 8 solar energy project, the Licensee shall undertake and complete a water table monitoring program for the proposed power plant expansion area located east of the Plant Road. The proposed program shall be submitted to SFWMD for review and approval 90 days prior to the implementation of such a program. In developing the water table monitoring program, the Licensee shall incorporate monitoring well locations which encompass the entire expansion area east of the Plant Road and regularly scheduled monitoring intervals throughout at least one normal wet season.

b. Expansion Area Construction Plans. Prior to the commencement of construction of any portion of the project within the expansion area which affects the movement of waters, all construction activities for that portion of the

proposed project which may obstruct, divert, control, impound or cross waters of the state must be reviewed by SFWMD for a determination of compliance with the nonprocedural requirements of Chapters 40E-2 and 40E-4, F.A.C., including the Basis of Review For Environmental Resource Permit Applications. For all construction activities, the following information shall be submitted:

(1) –(5) No change

(6) Documentation that the proposed ~~conveyance swale in the undeveloped area 2C basin adjacent to the coal storage area is required to maintain existing drainage flows in the expansion area and that it~~ surface water management system for the expansion area will not adversely impact any of the 75 acres of wetlands to be preserved on site in ~~Area 2C~~, unless additional mitigation is provided by the ~~applicant~~ Licensee for the wetland impacts which may result from its construction. Upon the provision of documentation that the 75 acres of wetlands will not be adversely impacted, the Licensee shall also submit a draft instrument in recordable form agreeing with the ~~District~~ SFWMD that, if any of the 75 acres are nonetheless adversely affected, FPL shall ~~conduct~~ provide additional mitigation ~~in the northwest parcel sufficient under the SFWMD's wetlands mitigation criteria then in effect~~, as directed by SFWMD, to mitigate for such adverse impacts. Upon SFWMD's approval, the Licensee shall execute and record the instrument within 90 days of receipt of SFWMD's approval.

c. Restoration Area Construction Plans. Prior to the commencement of construction and/or modification of any portion of the proposed and/or existing facilities associated with the restoration plan for the northwest mitigation/restoration area, all proposed activities must be reviewed by SFWMD for a determination of compliance with the nonprocedural requirements of Chapters 40E-2 and 40E-4, F.A.C., including the Basis of Review For Environmental Resource Permit Applications. The following information, to any extent it has not already been furnished to SFWMD, shall be provided:

(1) - (7) No change

d. Transmission Line and Fuel Pipeline Construction Plans for Phase I. Prior to the commencement of construction of any portion of the proposed transmission line or fuel pipeline, all construction activities for that portion of the transmission line or fuel pipeline which may obstruct, divert, control, impound or cross waters of the state either temporarily or permanently, must be reviewed by SFWMD for a determination of compliance with the nonprocedural requirements of Chapters 40E-2 and 40E-4, F.A.C., including the Basis of Review For Environmental Resource Permit Applications. "Construction activities" in this situation shall include the placement of structure pads, access/maintenance roads, culverts, and/or fill materials excavation activities, and related activities. For all such construction activities, the following information shall be submitted:

(1) - (11) No change

e. Surface Water Quality Sampling and Monitoring. Surface water quality sampling and monitoring data shall be collected and analyzed in accordance with applicable DEP and EPA criteria. ~~The monitoring results shall be~~

~~reported to the SFWMD at the intervals specified in the applicable DEP Conditions of Certification.~~

f. Hazardous Materials Management. Prior to the commencement of any phase of this Project, the Licensee shall submit for review by SFWMD for consistency with the requirements of Chapter 40E-4, F.A.C., a ~~copy of the revised~~ Comprehensive Oil, Hazardous Materials, and Hazardous Waste Management Program Plan for the Martin Expansion Project. The plan shall provide an adequate level of detail for early warning and detection of hazardous materials within the shallow groundwater. ~~For any phase of the project involving coal gasification facilities, this plan shall include, at a minimum, a groundwater monitoring network, including proposed up gradient and down gradient locations of monitoring wells, prepared by a hydrogeology consultant.~~

D. Environmental Conditions (Phase I)

1. General

a. – b. No change

c. Determination of Compliance with SFWMD Wetland Mitigation Requirements. Based on the wetland mitigation criteria of Chapter 40E-4, including ~~Appendix 7 of the Basis of Review for Surface Water Management Permit Application~~ Environmental Resource Permit Applications, SFWMD has determined that the Licensee's proposed restoration, preservation and enhancement program (Program), if its objectives are successfully achieved, would result in mitigation beyond that required by SFWMD's criteria. This extra mitigation may be employed to compensate, as necessary, for wetland impacts associated with the Project's associated linear facilities, pursuant to Condition VI.D.2.c; for additional wetland impacts of the Project; or to provide additional compensation to achieve the Program's success, as identified in Conditions VI.D.2.b.(8). and VI.D.2.c.(6).

d. No change

2. Additional Information Requirements

a. Expansion Area Wetlands Protection. Prior to the commencement of construction of any facilities located adjacent to the wetlands identified for preservation in ~~undeveloped area 2C of the expansion area, FPL the~~ Licensee shall stake and rope off the protected wetland areas to prevent encroachment during construction. Staking shall remain in place until all adjacent construction activities are completed. Verification by SFWMD staff shall be required prior to commencement and upon completion of any construction activities.

b. Northwest Restoration/Mitigation Area Plan. Prior to the commencement of construction of any portion of the restoration/mitigation areas for the proposed ~~power plant~~ expansion project, final details of the proposed restoration/mitigation plan must be submitted to SFWMD for a determination of compliance with the non procedural requirements of Chapters 40E-2 and 40E-4, F.A.C., including ~~Appendix 7 (Isolated Wetlands Rule) of the Basis of Review for Surface Water Management~~ Environmental Resource Permit Applications ~~within SFWMD~~. This plan shall include the following:

(1) - (8) No change

c. Transmission Line and Fuel Pipeline Mitigation Plan. Prior to the commencement of construction of any portion of the proposed transmission line and fuel pipeline, a mitigation plan to offset any wetland impacts associated with that portion of the transmission line or pipeline must be submitted to the SFWMD for a determination of compliance with the non-procedural requirements of Chapters 40E-2, 40E-4 and 40E-6, F.A.C., including Appendix 7 (Isolated Wetland Rule) of the Basis of Review for Surface Water Management Environmental Resource Permit Applications within SFWMD. This plan shall include the following:

(1) - (6) No change

d. Expansion Area Secondary Wetland Impacts. Prior to commencement of construction of any phase located adjacent to wetlands identified for preservation, the Licensee shall submit documentation to the SFWMD, pursuant to Chapter 40E-4, F.A.C., and the Basis of Review For Environmental Resource Permit Applications, demonstrating that no adverse secondary wetland impacts will occur. If the SFWMD determines that secondary impacts will occur to wetland functions or listed wildlife species, then the Licensee shall provide additional mitigation, as directed by the SFWMD, to mitigate such adverse impacts. Upon SFWMD's approval, the Licensee shall execute and record the instrument within 90 days of receipt of the SFWMD's approval.

E. SFWMD Lands
No change

XXVIII. ENDANGERED AND THREATENED SPECIES

A. ~~Prior to start of construction, the Licensee shall survey the Expansion Project site, including new transmission line right-of-ways, for endangered and threatened species of animal and plant life. Plant species listed as endangered or threatened by the federal government and plant species listed as endangered by the state shall be transplanted to an appropriate area if practicable. Gopher tortoises and any commensals on the rare or endangered species list shall be relocated after consultation with the FWC. A relocation program, as approved by the FWC, shall be followed.~~

Prior to clearing and construction activities on site including those related to the Solar Energy Farm, the Licensee shall complete species-specific surveys relative to the following species;

<u>Common Name</u>	<u>Scientific Name</u>	<u>Status*</u>
<u>Gopher frog</u>	<u><i>Rana capito</i></u>	<u>SSC</u>
<u>Gopher tortoise</u>	<u><i>Gopherus polyphemus</i></u>	<u>ST</u>
<u>Eastern indigo snake</u>	<u><i>Drymarchon corais couperi</i></u>	<u>ST; FT</u>
<u>Limpkin</u>	<u><i>Aramus quarana</i></u>	<u>SSC</u>
<u>Snowy egret</u>	<u><i>Egretta thula</i></u>	<u>SSC</u>
<u>White ibis</u>	<u><i>Eudocimus albus</i></u>	<u>SSC</u>
<u>Florida burrowing owl</u>	<u><i>Athene cunicularia floridana</i></u>	<u>SSC</u>
<u>Audubon's crested caracara</u>	<u><i>Polyborus plancus audubonii</i></u>	<u>ST; FT</u>
<u>Florida sandhill crane</u>	<u><i>Grus canadensis partensis</i></u>	<u>ST</u>

Wood stork	<i>Mycteria americana</i>	SE;FE
Sherman's fox squirrel	<i>Sciurus niger shermani</i>	SSC

* SSC – Species of Special Concern; ST – State Threatened; SE- State Endangered; FT – Federally Threatened; FE – Federally Endangered

1. Federal surveying and permitting protocols will apply to the Eastern indigo snake.

2. FWC's permitting guidelines for the gopher tortoise may be downloaded from http://myfwc.com/permits/Protected-Wildlife/policy/tortoise_relocation_guidelines.pdf

3. Surveys, for the other species listed shall be conducted in the nesting/breeding season immediately preceding all clearing or construction activities for each potentially effected species at appropriate locations. In the case of the gopher frog, as an alternative, the applicant may follow those procedures that the FWC finds acceptable for this species if gopher tortoises are observed onsite.

4. If impacts to these species cannot be avoided, then the Licensee must contact the FWC and obtain all required permits before taking any action that might result in an impact to those species.

5. The state's lists of protected wildlife species are found in Chapter 68A-27, F.A.C.

6. Available survey protocols may be downloaded from the Fish and Wildlife Research Institute webpage (<http://research.myfwc.com/publications/>) or available from FWC.

7. State of Florida surveying and permitting conditions apply to the Bald Eagle. The Bald Eagle management plan can be reviewed at: http://myfwc.com/imperiledspecies/plans/Eagle_Plan_April_2008.pdf

~~B. Prior to the start of construction, the Licensee must provide reasonable assurances that the activities will not cause adverse direct or secondary impacts to water resources and aquatic or wetland dependent fish and wildlife as the Department and the District are authorized to protect under Part IV, Chapter 373, F.S. Those aquatic or wetland dependent species which are listed as threatened, endangered or of special concern are particularly in need of protection. For those aquatic or wetland dependent listed animal species for which habitat management guidelines have been developed by the U.S. Fish and Wildlife Service (USFWS) or the FWC, compliance with these guidelines will provide reasonable assurance that the proposed system will not adversely impact upland and wetland habitat functions. For those aquatic or wetland dependent listed animal species for which habitat management guidelines have not been developed or in cases where an applicant does not propose to use USFWS or FWC habitat management guidelines, the applicant may propose measures to mitigate adverse impacts to upland and wetland habitat functions provided to aquatic or wetland dependent listed animal species.~~

~~C. Prior to start of any commencement of work in surface waters accessible by manatees, the Licensee shall comply with the standard manatee protection construction conditions listed in the FWC, Bureau of Protected Species, "Standard Manatee Construction Conditions, June 2001."~~

XXXVI. MARTIN COUNTY

A. Construction and operation of the Martin Expansion Project shall be undertaken in accordance with the first amendment to the planned unit development (industrial) agreement between the Licensee and Martin County, Florida, dated ~~August 8, 1989~~ June 3, 2008. Said agreement is incorporated into these Conditions of Certification by this reference and shall be complied with and enforced as if the provisions of that agreement were contained in these Conditions.

B. – E. No Change.

XXXVII. DEPARTMENT OF TRANSPORTATION

A. DOT has reviewed and approved the highway traffic analysis presented by FPL showing that there will be adequate highway capacity on State Road 710 for the implementation (construction and operation) of Phases I (consisting of Units 3 and 4), II (consisting of Martin Unit 8), and III (consisting of future Units 5 and 6) of the Project and the Martin Solar Energy Center, subject to Conditions B and C below.

B. FPL is required to reconstruct an extension to the left turn lane on State Road 710 at Plant Road, at its own expense, conforming to DOT design Standards, as approved by the District Traffic Operations Engineer. The Department agrees to process the permit application within 30 days of submittal.

C. If FPL onsite construction of Units 5 and 6 (Phase III) is accelerated, FPL shall develop and implement, at its own expense, ~~one or more of~~ the following traffic flow maintenance procedures, commensurate with traffic impact, as deemed necessary by DOT to mitigate impacts of traffic generated by FPL Phase III construction. These procedures shall be implemented during the period of overlap between FPL's Phase III construction and DOT's Project No. 89070-3517:

1. - 6. No change

D. – N. No change

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/Highlights/conditions.htm>. Copies of the Conditions of Certification and/or attachments may also be obtained by contacting Michael P. Halpin, P.E., Administrator, Siting Coordination Office, Department of Environmental Protection, 2600 Blair Stone Road, M.S. 48, Tallahassee, Florida 32399-2400, (850) 245-8002.

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 SWFWMD 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.



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.



Clerk



Date

Service list: CC by email (return receipt requested)

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