

State of Florida Department of Environmental Regulation
Florida Power and Light Company
LAUDERDALE REPOWERING PROJECT
PA 89-26F

Conditions of Certification

Modified 07/24/06

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I. GENERAL

A. **Definitions** [Replaced by Section A. General Conditions, Condition IV. Definitions]

~~The meaning of the terms used herein shall be governed by the definitions contained in Chapters 403, 378, 373, 372, 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 statute or regulations, such dispute shall be resolved by reference to the most relevant definitions 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. As used herein:~~

~~1. "Application" shall mean the Site Certification Application for the Lauderdale Repowering Project, as supplemented.~~

~~2. "DEP" or "Department" shall mean the Florida Department of Environmental Protection.~~

~~3. "DHR" shall mean the Florida Department of State, Division of Historical Resources.~~

~~4. "DNR" shall mean the Florida Department of Natural Resources.~~

~~5. "Emergency condition" shall mean urgent circumstances involving potential adverse consequences to human life or property as a result of weather conditions or other calamity, and necessitating new or replacement gas pipeline, transmission lines, or access facilities.~~

~~6. "Feasible" or "practicable" shall mean reasonably achievable considering a balance of land use impacts, environmental impacts, engineering constraints, and costs.~~

~~7. "FWCC" shall mean the Florida Fish and Wildlife Conservation Commission.~~

~~8. "Licensee" shall mean Florida Power and Light Company (FPL).~~

~~9. "Port Everglades" shall mean the FPL Port Everglades Plant in Broward County, Florida.~~

~~10. "Power plant" shall mean the electric power generating equipment and appurtenances to be constructed on the Lauderdale site in Broward~~

County, as generally depicted in the Application.

~~11. "Project" shall mean the Lauderdale Repowering Project (LRP) and all associated facilities, including: the power plant and related facilities and the cooling reservoir and related facilities.~~

~~12. "SFWMD" shall mean the South Florida Water Management District.~~

~~13. "ISO" shall mean International Organization for Standardization, ISO 3977-1978(E) standard conditions for gas turbines = 14.7 psia, 15°C, relative humidity 60%.~~

B. Applicable Rules [Replaced by Section A. General Conditions, Condition II. Applicable Department Rules]

~~The construction and operation of the LPS shall be in accordance with all applicable provisions of at least the following regulations of DEP: Chapters 62-4, 62-17, 62-25, 62-814, 62-256, 62-296, 62-297, 62-301, 62-302, 62-531, 62-532, 62-550, 62-610, 62-620, 62-621, 62-650, 62-699, 62-660, 62-701, 62-769, 62-770, and 62-814, Florida Administrative Code (F.A.C.), or their successors as they are renumbered.~~

II. AIR [Replaced by Section A. General Conditions, Condition V. Department Permits Under Federal Programs, Paragraph A. Air]

~~The construction and operation of LRP shall be in accordance with all applicable provisions of Chapters 62-210, 62-212, 62-213, 62-296, and 62-297, F.A.C. including all requirements of the approved Title V permit program where applicable. The current Title V Air Operation Permit (0110037-004-AV) is incorporated by reference herein as part of this Certification attached as Appendix 2. The provisions of the Title V Air Operation Permit shall be conditions of this certification. The licensee shall comply with the substantive provisions and limitations set forth in the Title V Air Operation Permit as part of these Conditions of Certification, and as those provisions may be modified, amended, or renewed in the future by the Department. Such provisions shall be fully enforceable as conditions of this certification. Any violation of such provisions shall be a violation of these Conditions of Certification~~

III. SURFACE WATER DISCHARGES [Replaced by Section A. General Conditions, Condition V. Department Permits Under Federal Programs, Paragraph B. Water and Condition XXXIII. Water Discharges, Paragraph A. Discharges]

~~Discharges into surface waters of the state during construction and operation~~

~~of the project shall be in accordance with applicable provisions of Chapter 62-302, F.A.C., and any subsequent amendments, unless excepted by variance and NPDES Permit FL0001503 and the following Conditions of Certification:~~

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

~~For discharges made from the LRP the following conditions shall apply:~~

~~1. Receiving Body of Water (RBW) The receiving bodies of water have been determined by the DEP to be those waters of the South Fork New River and the Dania Cut-off Canal which are considered to be waters of the state within the definition of Chapter 403, Florida Statutes.~~

~~2. Point of Discharge (POD) The point of discharge has been determined by DEP to be where the effluent physically enters the waters of the state in the Dania Cut-off Canal from the storm water runoff collection system or the South Fork New River for discharge from the cooling pond.~~

IV. SOUTH FLORIDA WATER MANAGEMENT DISTRICT [Moved to Section B. Specific Conditions, Condition II. South Florida Water Management District]

A. Applicable General Agency Standards

1. General Conditions

a. Professional Engineer Certificate. The operational phases of the surface water management system authorized under this certification shall not become operational until an engineer practicing in the State of Florida in compliance with Section 471.003(2)(d), Florida Statutes, and with the appropriate experience in surface water management design, certifies, upon completion of each phase, that these facilities have been constructed in accordance with the design approved by the South Florida Water Management District (SFWMD). Within 30 days after completion of construction of each phase of the surface water management system, the Licensee shall submit the engineer's certification and notify the SFWMD that the facilities are ready for inspection and determination of compliance with this certification and applicable SFWMD non-procedural criteria.

b. Minimum Standards. This certification is predicated on Licensee's submitted information to SFWMD which reasonably demonstrates that adverse off-site water resource related impacts will not be caused by the authorized activities. The plans, drawings, and design specifications submitted shall be considered minimum standards for compliance.

c. Post-certification Information Submittals. Information submitted SFWMD subsequent to certification, in compliance with the conditions of this certification, shall be for the purpose of SFWMD determining the Licensee's compliance with the conditions of certification and the non-procedural, criteria contained in Chapters 40E-2 (Consumptive Use), ~~40E-3 (Water Wells)~~, 40E-4 (Surface Water Management), and 40E-6 (Utilization of District Works), Florida Administrative Code, as applicable, prior to the commencement of the subject construction, operation and/or maintenance activity, covered thereunder.

d. Liability. The Licensee shall hold and save SFWMD harmless from any and all damages, claims, or liabilities which may arise by reason of the construction, operation, maintenance and/or use of any facility authorized by this certification, to the extent allowed under Florida law.

e. Access. SFWMD representatives shall be allowed reasonable escorted access to the power plant site to inspect and observe any activities associated with the repowering project construction and/or the operation and/or maintenance of the ~~on-site wells~~, surface water withdrawal pumps and/or surface water management system in order to determine compliance with the conditions of this certification. The Licensee shall not refuse immediate entry or access, under reasonable notice, to any SFWMD representative who requests entry for purposes of the above noted inspection and presents appropriate credentials.

f. Water Quality Monitoring. If water quality monitoring data is required by this certification for any water discharged from the project site or into surface waters of the state, it shall be submitted to SFWMD and the DEP. Parameters to be monitored may include those listed in Chapter 62-302, Florida Administrative Code. The Licensee shall provide such data to SFWMD as volumes of water discharged, including total volume discharged during periods of sampling and total discharges from the property or into waters of the state.

g. Construction, Operation, and Maintenance Responsibilities. The Licensee shall be responsible for the construction, operation, and maintenance of the surface water management system installed for the repowering project. All structures on SFWMD works or lands constructed by the Licensee shall remain the property of the Licensee, who shall be solely responsible for ensuring that such structures and other uses remain in good and safe condition and comply with all applicable federal, state and local safety standards. The SFWMD assumes no duty with regard to ensuring that such uses are so maintained and assumes no liability with regard to injuries caused others by any such failure. The SFWMD further assumes no duty to ensure that the permitted use complies with the safety standards of other governmental entities. The SFWMD is not responsible for any damages to installations located within its rights-of-way. The Licensee shall be responsible for the repair and/or replacement of existing facilities located within the SFWMD's rights-of-way. Canal right-of-way disturbed during construction, installation or maintenance of the authorized

facility shall be restored to original or better condition.

h. Non-interference with District Operations. Except as may be authorized by this certification, the Licensee shall not engage in any activity regarding the authorized use which interferes with the construction, alteration, maintenance or operation of the works of the SFWMD, including, but not limited to:

- (1) discharging pollutants, debris or aquatic weeds into SFWMD works;
- (2) causing erosion or shoaling within SFWMD works;
- (3) planting trees or shrubs or erecting structures which limit or prohibit access by SFWMD equipment and vehicles.

The Licensee shall be responsible for any costs incurred by the SFWMD resulting from any such interference.

i. Water Shortage Compliance. In the event of a declared water shortage, the Licensee must comply with any water withdrawal reductions ordered by the SFWMD in accordance with the Water Shortage Plan, Chapter 4 E-21, Florida Administrative Code.

j. Enforcement. The 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 the proposed action. SFWMD shall seek modification of this certification for any change in any activity resulting from the SFWMD's enforcement of this certification which change will have a duration longer than 60 days.

2. Construction, Operation and Maintenance Conditions

a. The Licensee shall prosecute the work authorized under this certification in a manner so as to minimize any adverse impacts of the authorized works on fish, wildlife, natural environment values, and water quality. The Licensee shall institute necessary measures during the construction period, including necessary compaction of any fill materials placed around newly installed structures, to reduce erosion, turbidity, nutrient loading and sedimentation in the receiving waters.

b. Any off-site discharges during construction and development of the repowering project shall be made only through the discharge facilities authorized by this certification.

c. The Licensee shall be responsible for the correction of any sedimentation, turbidity, erosion, shoaling and/or other water quality problems that result from the construction, operation, and/or maintenance of the works authorized

under this certification.

d. The Licensee may be required to incorporate additional water quality treatment methods into the surface water management system if such measures are shown to be necessary.

e. It is the responsibility of the Licensee to ensure that adverse off-site water resource related impacts do not occur during construction.

f. The Licensee shall be responsible for mitigating any adverse impacts on existing legal uses caused by the ~~ground and/or~~ surface water withdrawals authorized by this certification. If adverse impacts occur, or are imminent, the SFWMD reserves the right to curtail withdrawal rates. The adverse impacts can include:

(1) A reduction in well water levels that impairs the ability of an adjacent well to produce water (an adjacent well may be a domestic well, lawn irrigation well, public water supply well, etc.);

(2) A significant reduction in water levels in an adjacent water body such as a lake, pond, wetland, or canal system;

(3) Saline water intrusion or induction of pollutants into the water supply of an adjacent water user, resulting in a significant reduction in water quality; and/or

(4) A change in water quality that causes impairment or loss of use of a well or water body.

g. The Licensee shall be responsible for mitigating any adverse impacts on existing off-site land uses as a consequence of the ~~groundwater and/or~~ surface water withdrawals authorized by this certification. If increased withdrawals cause an adverse impact on existing land uses, the SFWMD reserves the right to curtail future withdrawal rates. Adverse impacts can include:

(1) a significant reduction in water levels in an adjacent water body such as a lake, pond, wetland, or canal system;

(2) Land collapse or subsidence caused by a reduction in water levels;

(3) Damage to crops and other vegetation, causing financial harm to the landowner; and/or

(4) Damage to the habitat of rare, endangered or threatened species.

~~h. At any time, if there is an indication that the well casing, valves, or controls associated with an on-site well system leak or have become inoperative, the Licensee shall be responsible for making the necessary repairs or replacement to restore the well system to an operating condition acceptable to the SFWMD. Failure to make such repairs shall be cause for requiring that the well be filled and abandoned in accordance with the procedures outlined in Chapter 40E-3 (Water Wells), Florida Administrative Code.~~

~~ih. This project must be constructed in compliance with and meet all applicable non-procedural requirements set forth in Chapter 373, Florida Statutes, and Chapters 40E-2, 40E-3, 40E-4, and 40E-6, Florida Administrative Code.~~

B. Site Specific Standards.

1. Design Requirements

a. Surface Water Management

(1) The Licensee shall avoid impacting wetlands within the power plant site wherever practicable.

(2) Except is otherwise authorized by this certification and other permits issued for this project, no fill materials shall be obtained from excavated wetlands within the project site, unless in accordance with a mitigation plan submitted in compliance with the conditions of the certification.

(3) Discharge structures, where appropriate, shall include a baffle, skimmer or other mechanism suitable for preventing oil, grease, or other floatable materials from discharging to and/or from retention / detention areas.

b. Water Use

(1) This certification authorizes ~~a maximum daily withdrawal of 8.64 MGD from the Biscayne Aquifer and~~ a maximum daily withdrawal of 368.64 MGD from the Dania Cut-off Canal for an industrial use.

(2) This Certification authorizes ~~a maximum annual Withdrawal of 1,581.12 MG from the Biscayne Aquifer and~~ a maximum annual withdrawal of 134,922.2 MG from the Dania Cut-off Canal for an industrial use.

(3) Authorized withdrawal facilities are:

~~2- 20" X 60' X 3,000 GPM wells cased to 40'~~

4 - 300 HP X 12,000 GPM surface water pumps with an intake elevation of -5.0' NGVD

4 - 450 HP X 58,000 GPM surface water pumps with an intake elevation of -14.0' NGVD

2 - 60 HP X 600 GPM surface water pumps with an intake elevation of -10.5 ft. NGVD

2 - 100 HP X 3,000 GPM surface water pumps with an intake elevation of -10.5 ft. NGVD.

(4) Within five years after the commencement of plant operation, or by December 31, 1997, whichever occurs first, and every five years thereafter unless extended by mutual agreement between the Licensee and SFWMD, the Licensee shall submit to the SFWMD a report on the Project's consumptive water use which contains the information required by Chapter 40E-2, Florida Administrative Code, as in effect at that time. ~~Within 90 days after receipt of the report, SFWMD shall evaluate the information and issue a written notification to the Department and the Licensee as to whether the maximum annual withdrawals of groundwater for consumptive use authorized by this certification remain in compliance with the Provisions of Chapter 373, Florida Statutes, and Chapter 40E-2, Florida Administrative Code, as in effect at that time. If the notification indicates that the withdrawals are not in compliance with those provisions, it shall recommend possible alternative for bringing the withdrawals into compliance or otherwise meeting the minimum consumptive water use needs of the certified project. If mutual agreement cannot be reached within 90 days after issuance of the written notification on whether the maximum annual withdrawals of groundwater for consumptive use remain in compliance, then the written notification shall be immediately referred to the Division of Administrative Hearings (DOAH) for resolution in accordance with the procedural provisions of Section 403.516(l)(c) and 120.57, Florida Statutes (1989). In any proceeding conducted pursuant to this condition of certification the SFWMD shall demonstrate that the authorized water uses are no longer consistent with SFWMD's non-procedural criteria. The Licensee shall then demonstrate its entitlement to maintaining the authorized water uses by showing that the authorized water use is consistent with the non-procedural criteria of SFWMD, for such water uses or that a variance or other relief is warranted. The hearing officer shall submit a recommended order to the Siting Board on whether the authorized water uses should be modified. The Siting Board shall then enter a final order on the matter, which order will constitute final agency action. This condition applies only to the maximum annual withdrawals of groundwater for consumptive use authorized by this certification.~~

(5) SFWMD retains the right to petition for a modification of the maximum annual withdrawal of surface water for consumptive use authorized by this certification, in accordance with the provisions of Section 403.516, Florida Statutes (1989). Any request for an increase in water withdrawals shall be made pursuant to the provisions of Section 403.516, Florida Statutes.

2. Informational Requests

a. General

(1) At least ninety (90) days prior to the commencement of construction of any portion of the repowering project, the Licensee shall submit to SFWMD staff, for a completeness and sufficiency review, any pertinent additional information required under the SFWMD's site specific standards and 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 will be presumed to be complete and sufficient.

(2) Within thirty (30) days of the determination by SFWMD staff that the additional information is complete and sufficient, the SFWMD shall determine and notify the Licensee in writing whether the proposed activities conform to SFWMD criteria, as required by Chapters 40E-2, ~~40E-3~~, 40E-4, and 40E-6, Florida Administrative Code, and the conditions of the certification. If necessary, the SFWMD shall identify what items remain to be addressed. Construction activities which have surface water management impacts shall not begin until the SFWMD has determined either in writing, or by failure to notify the Licensee in writing, that the activities are in compliance with the applicable SFWMD criteria.

(3) Since this certification is the only form of permit required from any agency, it is understood that the Licensee and the SFWMD shall strive to resolve disputes by mutual agreement.

(4) If mutual agreement cannot be reached, then the matter shall be immediately referred to the Division of Administrative Hearing (DOAH) for disposition in accordance with the provisions of Chapter 120, Florida Statutes.

(5) Subsequent modifications to the drawings and supporting calculations submitted to the SFWMD which may alter the quantity and/or quality of waters discharged off-site shall be made pursuant to Section 403.516, Florida Statutes, and Rule 62-17.211, Florida Administrative Code. They shall also be submitted to the SFWMD for a determination that the modifications are in compliance with Chapters 40E-2, ~~40E-3~~, 40E-4, and 40E-6, Florida Administrative Code, prior to the commencement of construction.

(6) The SFWMD and the Licensee may jointly agree to vary the informational requirements.

b. Water Use

(1) Prior to the commencement of construction of those

portions of the repowering project involving dewatering, a detailed plan for the proposed dewatering operations must be reviewed by the SFWMD for a determination of compliance with Chapter 40E-2, ~~40E-3~~, and 40E-4, Florida Administrative Code. The following information must be submitted unless the dewatering activities meet the requirements for a no-notice short term dewatering activity under Rule 40E-20, Florida Administrative Code:

- (a) A detailed site plan which show the location(s) of the proposed dewatering area(s);
 - (b) The method(s) of dewatering operations;
 - (c) The maximum depth for each dewatering operation;
 - (d) The location and specification for all proposed wells and/or pumps associated with each dewatering operation;
 - (e) The duration of each dewatering operation;
 - (f) The discharge method, route, and location of receiving waters generated by each dewatering operation;
 - (g) An analysis of the impacts of the proposed dewatering operations on any existing on and/or off-site legal users or wetlands.
- (2) ~~Both ground and s~~Surface water withdrawal quantities, separated by source, as authorized by this certification for the reappearing project shall be submitted to the SFWMD on a monthly basis beginning with the month following issuance of this certification.
- (3) Within six months of issuance of this certification, the Licensee shall develop and implement a saline intrusion monitoring program (SALT). A preliminary proposal shall be submitted to the SFWMD for review for compliance with the requirements specified in Chapter 40E-2, Florida Administrative Code, within three months of issuance of this certification. In developing the "SALT" program, the Licensee shall consider ~~well and~~ surface, water monitoring station localities, depth and method of well construction, types of well screens, method of chloride analysis, and frequency of data collection.
- (4) Within six months of issuance of this certification, the Licensee shall submit to the SFWMD for review and concurrence a study regarding the feasibility of rerouting a portion or all of the water from the on-site cooling pond back into the Dania Cut-off Canal, rather than the current discharge route down the South Fork of the New River. This analysis should also address any potential impacts to the cooling pond, power plant operations, and surface water management system for the

site.

~~(5) If in the future any of the existing on-site wells require repair, replacement and/or abandonment, as defined in Chapter 373, Part III, Florida Statutes, the Licensee shall submit the information described in Chapter 40E-3, Florida Administrative Code, for review by the SFWMD prior to initiating such activities.~~

~~(6) If any new wells are required to replace the existing on-site wells, and the proposed well location(s) are different from the location of the previously authorized well, the Licensee shall submit to the SFWMD for review an evaluation of the impacts of pumpage from the proposed well location on adjacent existing legal users, pollution sources, environmental features, the saline water interface, and water bodies.~~

~~(7) In the event the Licensee proposes to replace existing on-site wells with new, deeper wells, either on-site or off-site, then the Licensee shall submit to SFWMD for review and approval the information required in Condition IV.B.2.b and such other information SFWMD deems necessary for SFWMD to determine any replacement wells comply with the nonprocedural standards in Chapter 40E-3, F.A.C.~~

c. Surface Water Management

(1) Prior to the commencement of construction of any portion of the repowering project which affects the movement of surface waters, all construction activities for that portion of the repowering project which may obstruct, divert, control, impound or cross waters of the state must be reviewed by the SFWMD for a determination of compliance with the nonprocedural requirements of Chapters 40E-2 and 40E-4, Florida Administrative Code. FPL has submitted detailed design information on the surface water management system for the project which SFWMD has reviewed and found acceptable except for the following information which must be provided and reviewed prior to the commencement of construction:

(a) Final paving, grading and drainage plans for the proposed project, including the relocated control structure in Sub-basin 4, which have been signed and sealed by a Florida Registered Professional Engineer;

(b) Final cross-sections for the proposed control structure in Sub-basin 4 which demonstrate that the structure will include a baffle, skimmer or other mechanism suitable for preventing oil, grease or other floatable material from discharging from the detention area;

(c) Clarification of the mechanism that will be used to control erosion that may be caused by high velocity runoff entering the dry detention area in Sub-basin 4;

(d) Final cross-sections for the proposed internal drainage structure in Sub-basin 1 which clearly identify the baffle system for the structure;

(e) Revised stage-storage and other applicable calculations for all affected basins which do not include roof areas for storage.

~~(2) Within three months of issuance of this certification, the Licensee shall submit for review by the SFWMD a surface water quality monitoring program which monitors all discharges from the surface water management system through discharge structures authorized by this certification into the on-site cooling pond, the Dania Cut-off Canal, and any other off-site water bodies.~~

~~(a) This plan shall include the following parameters and monitoring schedule:~~

MONITOR TYPE & SCHEDULE	PARAMETERS
A. General (every other month)	Dissolved oxygen, ph, turbidity, specific conductance, chemical oxygen demand, total suspended solids, and alkalinity.
B. Organic (semi-annual)	Total organic carbon grease, detergents EPA methods 601 and 602
C. Metals (semi-annual)	Aluminum, antimony, beryllium, cadmium, copper, cyanide, iron, lead, mercury, nickel, selenium, silver, and zinc.

~~(b) Water quality samples shall be taken at the above noted locations in accordance with the above defined schedule during periods of discharge. A laboratory certified by the State of Florida shall be responsible for all water quality sampling and analyses undertaken under B. and C. in (a) above. Reports shall be submitted to the SFWMD on a semi-annual basis. Initial sampling results from discharge facilities authorized by this certification shall be reported to the SFWMD no later than six months following the issuance of this certification.~~

~~(c) The SFWMD shall evaluate monitoring requirements following two years of data collection and make a determination as to whether the discharge degrades receiving waters and conforms to State water quality standards as defined in Chapter 62-3, Florida Administrative Code. If the water quality analyses show little or no charge, and it is determined that there is minimal contaminant potential, the monitoring program may be modified upon written notification to the Licensee from SFWMD to reduce the sampling schedule and/or parameters. If water quality problems develop, the SFWMD reserves the right to seek a modification of this certification to require more frequent sampling and more thorough analyses in order to provide assurances that discharges will not cause additional off-site water quality impacts.~~

~~(3) Upon amendment of the Plan, the Licensee shall submit for review by the SFWMD for consistency with the nonprocedural requirements of Chapter 40E-4, Florida Administrative Code, a copy of the Comprehensive Oil, Hazardous Materials and Hazardous Waste Management Plan for the Ft. Lauderdale Power Plant. The plan shall provide an adequate level of detail for early warning and detection of hazardous materials within the shallow groundwater following any on-site release of hazardous materials that may reach shallow groundwater.~~

(42) In undertaking any modification to the site certification, the Licensee shall comply with the provisions of condition IV.B.2.c. concerning the surface water management system. Any alteration to the previously approved surface water management system for the project shall be reviewed and approved by SFWMD prior to commencement of those alterations.

d. Wetlands

(1) Prior to the commencement of construction of that portion of the repowering project located in the southeast portion of the power plant site, a detailed site plan shall be provided for SFWMD review of those construction activities proposed in the vicinity of that wetland, which shall be avoided and protected during construction, including the staked and roped boundaries approved in the field by SFWMD and other agency staff.

e. SFWMD Lands

(1) The Licensee shall undertake any activities associated with the repowering project, the approvals of which are granted by this certification, which use, connect to or cross the properties or works of SFWMD in accordance with SFWMD Right-of-Way Permit No. 9234, issued September 13, 1990. At least 30 days prior to commencement of construction of any authorized works or activities of the repowering project on the SFWMD's right-of-way, the Licensee shall provide the following information for review by the SFWMD for a determination of compliance with Chapter 40E-6, Florida Administrative Code:

(a) Proposed method of backfilling of the existing culvert connection to the South New River Canal;

(b) Detailed construction drawings and cross-section which demonstrate that the backfilled areas will be returned to the same bank slope and berm line and grade as the adjacent bank and berm.

(2) This certification does not affect the Licensee's obligation to obtain, modify or otherwise receive approvals from SFWMD for activities at the FPL Lauderdale Plant Site which are not associated with the repowering project which use, connect to or cross properties and works of the SFWMD.

(3) If, in the future, the Licensee proposes modifications and/or additions to any existing facilities associated with the repowering project that are located within the SFWMD's rights-of-way that were not anticipated in the Site Certification Application submitted, complete drawings showing the proposed and/or modified facility(ies) shall be submitted for review by the SFWMD for a determination of compliance with Chapter 40E-6, Florida Administrative Code, prior to the commencement of construction of any facilities which will cross over, on, under, or otherwise use the SFWMD's right-of-way. These drawings shall depict the proposed use in both plan and profile views and shall show, as a minimum:

(a) For aerial electrical transmission/distribution crossings:

1. The canal right-of-way lines;
2. The top of the canal bank and its elevation;
3. The centerline of the levee and its elevation;
4. The canal maintenance berm and its elevation at its highest point;
5. The location at of any poles towers, access roads, pipelines, etc., located with the SFWMD's right-of-way;
6. The location of any anchor downguys or spanguys within the SFWMD's right-of-way;
7. The elevation of the lowest line, wire, or cable crossing over the SFWMD's right-of-way, given at the lowest point of sag in the span within the SFWMD's right-of-way;
8. The location and elevation of any buried facilities;
9. The location of the facilities in relation to a section line, major road, or other prominent well known landmark by which the facilities have been located in the field.

(b) For bridges and other pile supported crossings and arch, free span and subaqueous crossings (such as gas, fuel oil, water, sewage, communications lines, etc.)

1. The canal right-of-way lines;

- elevation;
2. The top of the canal bank and its
- levees;
3. The width and elevation of any berms or
4. The existing cross section of the canal taken at the centerline of the point of crossing plus one cross section each taken 50' upstream and 50 ' downstream of the faces of the proposed crossing. The cross sections will be taken at 10' intervals from top of bank to top of bank and shall be plotted on standards 10 x 10 cross section paper to the same horizontal and vertical scale using NGVD datum, if applicable, the ultimate design section for the canal shall also be plotted on the cross sections submitted;
5. If applicable, the locations at which the crossing shall enter and emerge from the banks or berms.
6. If applicable, the pile spacings measured center to center for any and all approach spans and measured face to face for the pile bents of the center span.
7. If applicable, the burial depth below the bank, berm and bottom elevation;
8. If applicable, the elevation of the bottom and top of any pipe, conduit or casing;
9. If applicable, the wall thickness or "schedule" of the pipe;
10. If applicable, any appurtenances such as fences, guardrails, security enclosures, paving, meters, valves, blow-off line, cathodic protection systems (whether buried or exposed), etc.;
11. The location of the proposed facilities in relation to a section line, major road or other prominent well-known landmark by which the facilities have been located in the field;
12. If applicable, the locations of any existing facilities located within the SFWMD's right-of-way at proposed project site;
13. If applicable, the manner in which the SFWMD will be provided access to bridge approaches, including drop curbing, reinforced sidewalk section, guardrail openings, stabilized berm ramps having minimum top width of 15 feet with a maximum slope of 1 vertical to 10 horizontal.

(c) For general short-term construction activities on SFWMD right-of-way or where the use of the right-of-way is proposed for short or long-term access to the site:

1. If applicable, any work areas, spoil disposal or drying areas, materials storage areas, temporary construction or office trailer sites;

2. If applicable, any temporary or permanent ingress/egress routes to the work site;

3. The location of the proposed facilities in relation to a section line, major road or other prominent well-known landmark by which the facilities have been located in the field.

V. CONTROL MEASURES DURING CONSTRUCTION

A. Sanitary Wastes [Moved to Section B. Specific Conditions, Condition I. Department of Environmental Protection, Paragraph D. Sanitary Wastes]

Disposal of sanitary wastes from construction toilet facilities shall be in accordance with applicable regulations of the DEP and Broward County Health Department.

B. Environmental Control Program [Moved to Section B. Specific Conditions, Condition I. Department of Environmental Protection, Paragraph A. Environmental Control Program]

1. The Licensee shall establish an environmental control program under the supervision of a qualified person to assure that all construction activities conform to good environmental practices and the applicable conditions of certification. A written plan for controlling pollution during construction shall be submitted to DEP within sixty days of issuance of the certification. The plan shall identify and describe all pollutants and waste generated during construction and the methods for control, treatment and disposal. Licensee shall notify DEP's Southeast District Office by telephone within 24 hours, if possible, if unexpected harmful effects or evidence of irreversible environmental damage are detected by it during construction, shall immediately report in writing to DEP, and shall within two weeks provide an analysis of the problem and a plan to eliminate or significantly reduce the harmful effects of damage and a plan to prevent reoccurrence.

2. Such program shall be undertaken as part of any modification of

site certification which entails construction at the project site.

C. Construction Dewatering Effluent [Replaced by Section A. General Conditions, Condition V. Department Permits Under Federal Programs, Paragraph B. Water, Subparagraph 4, Condition XXIX. Environmental Resources, Paragraph B. Surface Water Management, Subparagraph 10, and Condition XXXIII. Water Discharges]

~~Should the Licensee's dewatering operation create shoaling in adjacent water bodies, the Licensee is responsible for removing such shoaling.~~

~~_____ All off-site discharges resulting from dewatering activities must be in compliance with water quality standards required by DEP Chapters 62-4, and 62-302, F.A.C. or such standards as issued through a variance by DEP.~~

D. Traffic [Moved to Section B. Specific Conditions, Condition VI. Broward County, Paragraph F]

In the event congestion becomes a problem, FPL should cooperate with local traffic control personnel to keep traffic flowing.

VI. SAFETY [Replaced by Section A. General Conditions, Condition XV. Regulatory Compliance and Condition XXXI. Facility Operation]

~~The overall design, layout, and operation of the facilities shall be such as to minimize hazards to humans and the environment. Security control measures shall be utilized to prevent exposure of the public to hazardous conditions. The Federal Occupational Safety and Health Standards will be complied with during construction and operation. The Safety Standards specified under Section 440.56, Florida Statutes, by the Industrial Safety Section of the Florida Department of Commerce will also be complied with.~~

VII. SCREENING [Moved to Section B. Specific Conditions, Condition VI. Broward County, Paragraph G]

The Licensee shall provide screening of the site to the extent feasible through the use of aesthetically acceptable structures, vegetated earthen walls and/or existing or planted vegetation.

VIII. TOXIC, DELETERIOUS OR HAZARDOUS MATERIALS [Replaced by Section A. General Conditions, Condition VII. Notification and Condition XXXIV. Solid and

Hazardous Waste, Paragraph C. Hazardous Substance Release Notification]

~~The spill of any toxic, deleterious, or hazardous materials shall be reported in the manner specified by Condition XI, Noncompliance Notification.~~

IX. SOLID WASTE STORAGE AND DISPOSAL [Moved to Section B. Specific Conditions, Condition I. Department of Environmental Protection, Paragraph C. Solid Waste Storage and Disposal]

Solid waste produced by the operation of the LRP shall be removed from site and disposed of in a permitted disposal facility.

X. CHANGE IN DISCHARGE [Replaced by Section A. General Conditions, Condition XIII. Enforcement and Condition XXIII. Modification of Certification]

~~All discharges or emissions authorized herein to LRP shall be consistent with the terms and conditions of this certification. The discharge of any pollutant not identified in the application or any discharge more frequent than, or at a level in excess of, that authorized herein shall constitute a violation of this certification. Any anticipated facility expansions, production increases, or process modification which will result in new, different or increased discharges or expansion in steam generating capacity will require a submission of new or supplemental application to DEP's Siting Coordination Office pursuant to Chapter 403, Florida Statutes.~~

XI. NONCOMPLIANCE NOTIFICATION [Replaced by Section A. General Conditions, Condition VII. Notification]

~~If, for any reason, the Licensee does not comply with or will be unable to comply with any limitation specified in this certification, the Licensee shall notify the Deputy Assistant Secretary of DEP's Southeast District Office by telephone as soon as possible but not later than the first DEP working day after the Licensee becomes aware of said noncompliance, and shall confirm the reported situation in writing within seventy-two (72) hours supplying the following information:~~

~~_____ A. _____ A description and cause of noncompliance; and~~

~~_____ B. _____ The period of noncompliance, including exact dates and times; or, if not corrected, the anticipated time the noncompliance is expected to continue, and steps being taken to reduce, eliminate, and prevent recurrence of the noncomplying event.~~

XII. FACILITIES OPERATION [Replaced by Section A. General Conditions, Condition XXXI. Facility Operation]

~~Unless granted an exception by a specific condition herein, the Licensee shall at all times maintain good working order and operate as efficiently as possible all of its treatment or control facilities or systems installed or used by the Licensee to achieve compliance with the terms and conditions of this certification. Such systems are not to be bypassed without prior notice to the DEP (Southeast District) and approval, except where otherwise authorized by applicable regulations.~~

XIII. ADVERSE IMPACT [Replaced by Section A. General Conditions, Condition XXXI. Facility Operation]

~~The Licensee shall take all reasonable steps to minimize any adverse impact resulting from noncompliance with any limitation specified in this certification, including, but not limited to, such accelerated or additional monitoring as necessary to determine the nature and impact of the noncomplying event.~~

XIV. RIGHT OF ENTRY [Replaced by Section A. General Conditions, Condition X. Right of Entry]

~~The Licensee shall allow DEP authorized representatives, upon the presentation of credentials:~~

~~_____ A. _____ To enter upon Licensee's premises where an effluent source is located or, during business hours, in which records are required to be kept under the terms and conditions of this Certification.~~

~~_____ B. _____ To have access to and to make copies of all records required to be kept under the conditions of this certification.~~

~~_____ C. _____ To inspect any monitoring equipment or monitoring method required in this certification and to sample any discharge or pollutants.~~

~~_____ D. _____ To assess any damage to the environment or violation of ambient standards.~~

~~_____ E. _____ SFWMD authorized staff, upon proper identification, will have permission to enter, inspect, and observe permitted and related transmission line facilities in order to determine compliance with the approved plans, specifications, and conditions of this certification.~~

~~_____ F. _____ Moreover, the Licensee shall allow authorized representatives of DEP and other appropriate agencies, acting within the scope of their jurisdiction and~~

~~authority, upon the presentation of credentials:~~

~~_____ 1. _____ To enter upon the project site or mitigation area, or during business hours to enter the Licensees' premises in which records are required to be kept under the terms and conditions of this certification; and~~

~~_____ 2. _____ To have access to and copy all records required to be kept under the conditions of this certification.~~

XV. REVOCATION OR SUSPENSION [Replaced by Section A. General Conditions, Condition XIV. Revocation or Suspension]

~~This certification may be suspended, or revoked pursuant to Section 403.512, Florida Statutes, or for violations of any condition of certification.~~

XVI. CIVIL AND CRIMINAL LIABILITY [Replaced by Section A. General Conditions, Condition XVI. Civil and Criminal Liability]

~~This certification does not relieve the Licensee from civil or criminal responsibility or liability for noncompliance with any conditions of this certification, applicable rules or regulation of DEP, or Chapter 403, Florida Statutes, or regulations thereunder.~~

~~_____ Subject to Section 403.511, Florida Statutes, this certification shall not preclude the institution of any legal action or relieve the Licensee from any responsibilities or penalties established pursuant to any other applicable state statute or regulations.~~

XVII. PROPERTY RIGHTS [Replaced by Section A. General Conditions, Condition XV. Regulatory Compliance and Condition XVII. Use of State Lands]

~~The issuance of this certification does not, unless noted otherwise, convey any property rights in either real or personal property, tangible or intangible, nor any exclusive privileges, nor does it authorize any injury to public or private property or any invasion of personal rights, nor any infringement of federal, state or local laws or regulations. The Licensee shall obtain title, lease or right of use to any sovereign submerged lands occupied by the plant, or appurtenant facilities from the State of Florida.~~

XVIII. SEVERABILITY [Replaced by Section A. General Conditions, Condition XII. Severability]

~~The provisions of this certification are severable, and, if any provision of this~~

~~certification or the application of any provision of this certification to any circumstances is held invalid, the application of such provision to other circumstances and the remainder of the certification shall not be affected thereby.~~

XIX. CERTIFIED SITE [Replaced by Section A. General Conditions, Condition I. Scope and Condition VI. Design and Performance Criteria]

~~The site of the certified power plant is generally depicted in the application.~~

XX. REVIEW OF SITE CERTIFICATION [Replaced by Section A. General Conditions, Condition V. Department Permits Under Federal Programs, Paragraph B. Water, and Condition XIV. Revocation OR Suspension]

~~The certification shall be final unless revised, revoked, or suspended pursuant to law. At least every five years from the date of issuances of this certification or any National Pollutant Discharge Elimination System Permit for the Project, DEP shall review all monitoring data, including groundwater quality monitoring data, that has been submitted to it or its agent(s) during the preceding five-year period for the purpose of determining the extent of the Licensee's compliance with the conditions of this certification and the environmental impact of this facility. DEP shall submit the results of its review and recommendations to the Licensee. Such review will be repeated at least every five years thereafter.~~

XXI. MODIFICATION OF CONDITIONS [Replaced by Section A. General Conditions, Condition XXIII. Modification of Certification]

~~The conditions of this certification may be modified in the following manner:~~

~~_____ A. _____ The Siting Board pursuant to 403.516(1), Florida Statutes, hereby delegates to the Secretary of DEP the authority to modify, upon application by the Licensee and after notice and opportunity for hearing, any conditions pertaining to: monitoring; sampling; mixing zone; zone of discharge; surface water; groundwater; and air effluent or emission limitations; variances or exemptions to water quality standards.~~

~~_____ B. _____ This certification shall be automatically modified to conform to any subsequent amendments, modifications, or renewals made by DEP under a federally delegated or approved program to any separately issued Prevention of Significant Deterioration (PSD) permit, Title V Air Permit, or National Pollutant Discharge Elimination System (NPDES) permit for the certified facility FPL shall send each party to the original certifications proceeding (at the party's last known address as shown in the record of such proceeding) notice of request submitted by FPL for modifications or renewals of the above listed permits if the request involves a relief mechanism (e.g. mixing zone variance, etc) from state stands, a relaxation of conditions included in the~~

~~permit due to state permitting requirements, or the inclusion of less restrictive air emission limitations in the air permits DEP shall notify all parties to the certification proceeding of any intent to modify conditions under this section prior to taking final agency action.~~

~~_____ C. _____ All other modifications shall be made in accordance with Sections 403.516, Florida Statutes.~~

Replacement of any portion of the Project constructed under this certification necessitated by emergency conditions shall not be considered a modification. A verbal report of any such emergency shall be made to DEP as soon as possible. Within 14 calendar days after correction of an emergency which would require the Licensee to perform an activity not in accordance with the conditions of certification, a report to the DEP shall be made outlining the details of the emergency and the steps taken for its temporary relief. The report shall be a written description of all of the work performed and shall set forth any pollution control measures or mitigative measures which were utilized or are being utilized to prevent pollution of waters, harm to sensitive areas, or alteration of archaeological or historical resources. [Moved to Section A. General Conditions, General Condition VIII. Replacement for Restoration of System Integrity and Emergency Conditions]

XXII. FLOOD CONTROL PROTECTION [Moved to Section B. Specific Conditions, Condition VI. Broward County, Paragraph I]

The plant and associated facilities shall be constructed in such a manner as to comply with the Broward County flood protection requirements, either by floodproofing or by raising the elevation of the facilities above the 100 year flood level.

XXIII. EFFECT OF CERTIFICATION [Replaced by Section A. General Conditions, Condition VI. Design and Performance Criteria and Condition I. Scope, Paragraph C]

~~Certification and conditions of certification are predicated upon design and performance criteria indicated in the application and explained at the certification hearing. Thus, conformance to those criteria, unless specifically amended, modified or as DEP and parties are otherwise notified, is binding upon the Licensee in the preparation, construction, and maintenance of the certified project. In those instances where a conflict occurs between the application's design criteria and the conditions of certification the conditions shall prevail.~~

XXIV. NOISE [Moved to Section B. Specific Conditions, Condition VI. Broward County, Paragraph H]

To mitigate the effects of noise produced by the steam blowout of steam boiler tubes, the Licensee shall conduct public awareness campaigns prior to such activities

to forewarn the public of the estimated time and duration of the noise. Steam blowout shall be limited to the hours of 7:00 a.m. to 7:00 p.m. unless any steam blows conducted after 7:00 p.m. otherwise comply with these conditions of certification and the applicable Broward County noise regulations.

XXV. ENFORCEMENT [Replaced by Section A. General Conditions, Condition XIII. Enforcement]

~~A. The Secretary may take any and all lawful actions as he or she deems appropriate to enforce any condition of this certification.~~

~~B. Any participating agency (federal, state, local) may take any and all lawful action to enforce any condition of this certification that is based on the rules of that agency. Prior to initiating such action the agency head shall notify the Secretary of that agency's proposed action.~~

XXVI. DESIGN AND PERFORMANCE CRITERIA [Moved to Section B. Specific Conditions, Condition I. Department of Environmental Protection, Paragraph B. Design and Performance Criteria]

The power plant may be operated at up to 115% of the maximum electrical output at ISO conditions projected from design information without the need for modifying these conditions. Treatment or control facilities or systems installed or used to achieve compliance with the terms and conditions of this certification are not to be bypassed without prior DEP approval. ~~Moreover, the Licensee shall make all reasonable steps to minimize any adverse impacts resulting from noncompliance with any limitation specified in this certification, including, but not limited to, such accelerated or additional monitoring as necessary to determine the nature and impact of the noncomplying event.~~ [This portion replaced by Section A. General Conditions, Condition XXXI. Facility Operation]

XXVII. COMPLIANCE [Replaced by Section A. General Conditions, Condition XV. Regulatory Compliance and Condition XXIV. Incorporation of Existing State and Local Permits/Licenses]

~~Except as otherwise provided herein and in the certification order, and subject to Section 403.511(5), Florida Statutes, construction, maintenance, and operation of the permitted facility shall comply with the applicable nonprocedural rules of all agencies, unless a variance or waiver was obtained as part of the certification process.~~

XXVIII. DISPUTE RESOLUTION [Replaced by Section A. General Conditions, Condition XI. Dispute Resolution]

~~If a situation arises in which mutual agreement cannot be reached between the Licensee and an agency exercising its regulatory jurisdiction, then the matter shall be immediately referred to the Division of Administrative Hearings (DOAH) for disposition in accordance with the provisions of Chapter 120, Florida Statutes. A hearing under Section 120.57, Florida Statutes, shall be held within 30 days after its referral to DOAH. The hearing officer shall issue the decision 30 days after the termination of such hearing. All exceptions to the hearing officer's order shall be filed with the Governor and Cabinet within 10 days of the issuance of such order. The Governor and Cabinet shall issue a decision within 30 days of the filing of the exceptions.~~

XXIX. POST-CERTIFICATION SUBMITTALS [Replaced by Section A. General Conditions, Condition XX. Procedures for Post-Certification Submittals]

~~Conditions of certification which provide for the post-certification submittal of information to agencies by the Licensee are intended to allow the agencies to monitor the effects arising from the construction and maintenance of the permitted activities to thereby assure continued compliance with state water quality requirements, other agency nonprocedural rules and standards, and the conditions of certification, without any further government action.~~

XXX. BROWARD COUNTY [Moved to Section B. Specific Conditions, Condition VI. Broward County]

~~A. The Licensee shall pay Broward County a road impact fee of \$1,713.00, pursuant to Chapter 5 of the Broward County Land Development Code. The Licensee shall pay this amount to Broward County within 30 days of the certification order becoming final.~~

[Deleted – N/A]

~~B. FPL shall limit its use of the Plant Access Road (commonly known as S.W. 42nd Avenue) and the bridge over the Dania Cut-off Canal to providing access to the Lauderdale Plant Site for employees, automobiles and occasional light delivery vehicles. The Plant Access Road shall not serve as the primary delivery access for the site, except as otherwise allowed by these conditions. At such time that FPL seeks to improve the bridge over the Dania Cut-off Canal so as to allow a more intense use of the bridge and the Plant Access Road, FPL shall seek review and approval by Broward County for that more intense use, in accordance with the Broward County Land Development Code.~~

[Deleted – N/A]

~~C. FPL shall stripe the Plant Access Road between the plant gate and~~

~~Griffin Road to provide safe and adequate access to the site. At such time as the Plant Access Road is resurfaced, either in whole or in substantial part, FPL shall obtain any appropriate local government permits and conform the road's width to then applicable local regulations.~~

~~[Deleted – N/A]~~

~~DA.~~ FPL shall comply with the nonprocedural provisions of Chapter ~~33-1/2~~27, Article XIV of the Broward County Code of Ordinances, as may be amended, regarding removal and protection of trees on the Repowering Project site.

~~EB.~~ The Licensee shall undertake the Lauderdale Repowering Project in accordance with the Final Site Plan as submitted to Broward County by the Licensee on August 30, 1990, (and as that plan may be lawfully amended in the future) and determined by Broward County to be in compliance with the Broward County Land Development and the nonprocedural requirements therein.

~~F.~~ FPL shall test the "low NOx" burners upon installation of those burners at the FPL Port Everglades Units 3 and 4.

~~[Deleted – N/A]~~

~~GC.~~ FPL shall provide to Broward County copies of the regularly scheduled annual compliance tests as submitted to DEP.

~~HD.~~ If in the opinion of Broward County, Broward County believes that the Conditions of Certification regarding NOx emissions are not being complied with as set forth in these conditions, Broward County shall have the right to seek a modification of the certification pursuant to Section 403.516, Florida Statutes (1986).

~~I.~~ The Licensee is granted a variance from the following Broward County Environmental Control Board noise regulation during construction of the Lauderdale Repowering project:

- ~~_____ (1) Section 27-200 (a)~~
- ~~_____ (2) Section 27-200 (b) (1) and (2)~~
- ~~_____ (3) Section 27-201 (c)~~

~~_____ Such variance is conditioned upon the Licensee's implementation of the following construction practices designed to minimize construction noise impacts to adjacent land uses:~~

~~_____ 1. Locating stationary equipment, such as compressors as far as practicable from residential areas;~~

~~_____ 2. Operation large construction machinery primarily during daytime hours;~~

~~_____ 3. Requesting contractors to use only well maintained equipment that incorporates the latest noise attenuation features;~~

~~_____ 4. Performing most land clearing and site preparation primarily during daytime hours;~~

~~_____ 5. Limiting nighttime construction activities generally to the use of a minimum of heavy equipment; and~~

~~_____ 6. Replacing, wherever practicable, internal combustion engine-driven equipment with quieter electrical motor-driven equipment.~~

~~[Deleted – N/A]~~

JE. FPL shall comply with the following conditions to implement the site alterations contained in the August 18, 1992 modification request and shall comply with the provisions of the Broward County staff memos attached to and incorporated herein:

1. The proposed alteration of the Administration Building shall not substantially increase the number of employees from the current level. However, if the future use of the Administration Building is changed in such a manner so as to substantially increase the number of permanent employees, FPL and County agree to meet in order to determine whether the change of use has created a material negative impact on S.W. 42nd Avenue. If FPL and the County cannot agree on whether S.W. 42nd Avenue has suffered such a negative impact, FPL shall conduct a traffic count in accordance with Broward County standard procedures. The traffic count shall be conducted at a location acceptable to FPL and the County and shall be conducted for a continuous seven day period. If the traffic count demonstrates that the FPL related traffic on S.W. 42nd Avenue is more than 10% in excess of 400 vehicles per day, based on the average of the seven day period, the County administration and FPL shall meet to determine appropriate and reasonable remedial measures to mitigate the negative impact. If the County administration and FPL are unable to agree as to the mitigation measures, FPL shall have the right to an administrative appeal to the County Commission. The County Commission may then require such mitigation measures which are appropriate and reasonable based upon the impacts on the road caused by FPL's increased usage and the Broward County Land Development Code.

~~2. Prior to any construction on S.W. 42nd Avenue, FPL shall provide documentation to the Broward County Engineering Division which evidences a drainage easement on the property east of S.W. 42nd Avenue from the Playland Substation to the north end of the existing cul-de-sac to meet prevailing drainage standards.~~

~~[Deleted – N/A]~~

~~3. Prior to any construction on S.W. 42nd Avenue, FPL agrees to submit plans for construction of the roadway to the Broward County Engineering Division for review and approval for determination that the detailed plans substantially conform to the attached diagram by FPL which access between S.W. 42nd Avenue and~~

S.W. 42nd Court.

[Deleted – N/A]

~~4. FPL agrees to install adequate protection (curb & gutter or guard rail) between the pavement and the existing power poles adjacent to the east side of S.W. 42nd Avenue. Details will be determined by the Engineering Division under construction plan review for S.W. 42nd Avenue.~~

[Deleted – N/A]

~~5. FPL also agrees to work with Broward County with respect to the comments contained in the Memorandum of September 1, 1992 from Don Stone, Senior Environmental Planner, Broward County, to Dave Danovitz, Senior Planner, Office of Planning, Broward County, attached hereto, and the substantive standards set forth in the attached Memorandum of September 14, 1992 from Joanne MacGregor-Hanifan.~~

[Deleted – N/A]

History

Certification issued 01/10/91; signed by Governor Chiles
Modified 11/25/92; signed by Secretary Browner
Modified 08/02/93; signed by Secretary Wetherell
Modified 09/14/94; signed by Secretary Wetherell
Modified 04/24/96; signed by Secretary Wetherell
Modified 03/18/05; signed by Siting Administrator Owen
Modified 07/24/06; signed by Siting Administrator Owen