



Florida Department of Environmental Protection

Marjory Stoneman Douglas Building
3900 Commonwealth Boulevard
Tallahassee, Florida 32399-3000

Rick Scott
Governor

Jennifer Carroll
Lt. Governor

Herschel T. Vinyard, Jr.
Secretary

May 23, 2012

Sent by Electronic Mail – Received Receipt Request

Mr. Robert Yarborough
Senior Environmental Engineer
Seminole Electric Coop., Inc.
16313 North Dale Mabry Highway
Tampa, FL 33688-2000

RE: Seminole Generating Station (PA 78-10)
Amendment Request (AM12-022)
Extension of Rail Loop

Dear Mr. Yarborough:

On April 18, 2012, the Florida Department of Environmental Protection (Department), Siting Coordination Office received a request from Seminole Electric Cooperative, Inc. (SECI) for an amendment to the Seminole Generation Station (SGS) Site Certification Application (SCA). The amendment request is for the extension of the existing rail loop and the addition of two manual rail switches.

Based on a review of the information submitted on April 18, 2012, the Department has determined that this proposal is an amendment to SGS's SCA pursuant to subsection 62-17.205(1), Florida Administrative Code (F.A.C.). The Department has no objections to the above request provided that:

1. SECI shall continue to comply with all existing requirements of its Conditions of Certification.
2. Consistent with Conditions IV. Construction, A. Stormwater Runoff and XXVIII. Stormwater, and Rules 62-330, 62-343, 40C-4 and 40C-42, F.A.C., SECI will comply with the requirements of the attached Stormwater Management System Maintenance Requirements.

The Department also notes that in the near future it will be initiating a modification pursuant to Section 403.516(1)(c), F.S., to update SGS's existing Conditions to incorporate a uniform set of general conditions consistent with recent site certifications. The above Stormwater Management System Plan will also be incorporated into the Conditions at that time. If you have any questions regarding this upcoming modification, please contact Ann Seiler at (850) 245-2143.

The Department's order shall become final unless a timely petition for an administrative hearing is filed under Sections 120.569 and 120.57, Florida Statutes (F.S.), within **21** days of receipt of this order. The procedures for petitioning for a hearing are set forth below.

Persons affected by this order have the following options:

If you choose to accept the above decision by the Department concerning the postcertification amendment you do not have to do anything. This order is final and effective as of the date on the top of the first page of this order.

If you disagree with the decision, you may do one of the following:

1. File a petition for administrative hearing with the Department's Office of General Counsel within **21** days of receipt of this order; or
2. File a request for an extension of time to file a petition for hearing with the Department's Office of General Counsel within **21** days of receipt of this order. Such a request should be made if you wish to meet with the Department in an attempt to informally resolve any disputes without first filing a petition for hearing.

Please be advised that mediation of this decision pursuant to Section 120.573, F.S., is not available.

How to Request an Extension of Time to File a Petition for Hearing

For good cause shown, pursuant to subsection 62-110.106(4), F.A.C., the Department may grant a request for an extension of time to file a petition for hearing. Such a request must be filed (received) in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, MS 35, Tallahassee, Florida, 32399-3000, within **21** days of receipt of this order. Petitioner, if different from the addressee, shall mail a copy of the request to the addressee at the time of filing. Timely filing a request for an extension of time tolls the time period within which a petition for administrative hearing must be made.

How to File a Petition for Administrative Hearing

A person whose substantial interests are affected by this order may petition for an administrative proceeding (hearing) under Sections 120.569 and 120.57, F.S. The petition must contain the information set forth below and must be filed (received) in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, MS 35, Tallahassee, Florida, 32399-3000, within **21** days of receipt of this order. Petitioner, if different from the addressee, shall mail a copy of the petition to the addressee at the time of filing. Failure to file a petition within this time period shall waive the right of anyone who may request an administrative hearing under Sections 120.569 and 120.57, F.S.

Pursuant to Sections 120.54(5)(b)4 and 120.569(2), F.S. and Rule 28-106.201, F.A.C., a petition for administrative hearing shall contain the following information:

- a) The name, address, and telephone number of each petitioner, the name, address, and telephone number of the petitioner's representative, if any, the site owner's name and address, if different from the petitioner, the DEP certification number for the facility, and the name and address of the facility;
- b) A statement of how and when each petitioner received notice of the Department's action or proposed action;
- c) An explanation of how each petitioner's substantial interests are or will be affected by the Department's action or proposed action;
- d) A statement of the material facts disputed by the petitioner, or a statement that there are no disputed facts;
- e) A statement of the ultimate facts alleged, including a statement of the specific facts the petitioner contends warrant reversal or modification of the Department's action or proposed action;
- f) A statement of the specific rules or statutes the petitioner contends requires reversal or modification of the Department's action or proposed action; and

- g) A statement of the relief sought by the petitioner, stating precisely the action petitioner wishes the Department to take with respect to the Department's action or proposed action.

This order is final and effective as of the date on the top of the first page of this order. Timely filing a petition for administrative hearing postpones the date this order takes effect until the Department issues either a final order pursuant to an administrative hearing or an order responding to supplemental information provided to the Department pursuant to meetings with the Department.

Judicial Review

Any party to this order has the right to seek judicial review of it under Section 120.68, F.S., by filing a notice of appeal under Rule 9.110 of the Florida Rules of Appellate Procedure with the clerk of the Department in the Office of General Counsel, 3900 Commonwealth Boulevard, MS 35, Tallahassee, Florida 32399-3000, and by filing a copy of the notice of appeal accompanied by the applicable filing fees with the appropriate district court of appeal. The notice of appeal must be filed within thirty days after this order is filed with the clerk of the Department (see below).

Questions

Any questions regarding the Department's review of this amendment request should be directed to Ann Seiler at (850) 245-2143. Questions regarding legal issues should be referred to the Department's Office of General Counsel at (850) 245-2257. Contact with any of the above does not constitute a petition for administrative hearing or request for an extension of time to file a petition for administrative hearing.

Sincerely,



Cindy Mulkey
Administrator,
Siting Coordination Office

CC by email:

Greg Strong, FDEP: greg.strong@dep.state.fl.us

Khalid AlNahdy, FDEP: khalid.alnahdy@dep.state.fl.us

Jim Maher, FDEP: jim.maher@dep.state.fl.us

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

5/23/12

Service List: CC by email (return receipt requested)

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Stormwater Management System Maintenance Requirements

1. The following operational maintenance activities shall be performed on all approved systems on a regular basis or as needed:
 - a. Removal of trash and debris at inlets.
 - b. Inspection of inlets and outlets, as well as cleanout structures at the exfiltration trench and underdrain.
 - c. Observation and monitoring of how quickly the trench and underdrain recover following a storm event and fill with sediment.
 - d. Removal of sediments when the storage volume or conveyance capacity of the system is below design level or when the system is rendered ineffective on account of clogging/sedimentation of the trench bottom or underdrain pipe.
 - e. Stabilization and restoration of eroded areas to reduce sedimentation.
 - f. Removal of grass clippings to reduce clogging.
 - g. Aeration, tilling or replacement of soil beneath trench, if necessary, to restore percolation capability of the system.

The stormwater management system shall be inspected after each heavy rain, but at a minimum once per quarter.

2. Overflow structures and ditches must be inspected monthly, with the removal of trash, debris, silt and vegetation when necessary to insure proper drainage of stormwater ponds.
3. Oil and grease separators, skimmers or collection devices shall be provided, inspected and maintained on a regular basis by the Licensee to ensure that they are working properly and do not allow the discharge of oils or greases.
4. The operation and maintenance entity is required to provide for periodic inspections of the stormwater management system to insure that the system is functioning as designed and approved. If specified below or by Licensee condition, the entity shall submit inspection reports to the Department, certifying that the stormwater management system is operating as designed. In addition, the entity will state in the report what operational maintenance has been performed on the system. The reports shall be submitted to the Department as follows:
 - a. Inspection reports for exfiltration and pumped systems, if there is one, shall be submitted one year after the completion of construction and every two years thereafter on Form Number 62-343.900(6), Inspection Certification. A registered professional must sign and seal the report certifying the exfiltration or pumped system is operating as designed.
 - b. Other Systems. Any other type of stormwater management system shall be inspected by the operation and maintenance entity once within two years after the completion of construction and every two years thereafter to insure that the system is functioning as designed and approved. If a required inspection reveals that the system is not functioning as designed and approved, then within 14 days of that inspection the entity shall submit an inspection report to the Department. The operation and maintenance entity must maintain a record of each required inspection, including the date of the

inspection, the name, address, and telephone number of the inspector, and whether the system was functioning as designed and approved, and make such record available for inspection upon request by the Department during normal business hours.

- c. Systems in sensitive karst areas, if there is one, must be inspected monthly for the occurrence of sinkholes and solution pipes. The inspection reports for these systems must be submitted to the Department annually on Form Number 62-343.900(6), Inspection Certification.
5. If the stormwater management system is not functioning as designed and approved, operational maintenance must be performed immediately to restore the system. If operational maintenance measures are insufficient to enable the system to meet the design standards, the Licensee must either replace the system or construct an alternative design. In this situation, the Licensee must submit the design of the replacement system within sixty (60) days of the date the system was determined to be design deficient.
6. The Licensee shall immediately notify the Department by telephone whenever a serious problem occurs at this facility. Notification shall be made to the Northeast District Office at (904) 256-1700. Within 7 days of telephone notification, the Licensee shall submit to the Department a written report explaining the extent of the problem, its cause, and what actions have been or will be taken to correct the problem.