

**STATE OF FLORIDA
DEPARTMENT OF
ENVIRONMENTAL PROTECTION**



**Seminole Electric Cooperative, Inc.
Seminole Units 1, 2 & 3
PA 78-10L**

CONDITIONS OF CERTIFICATION

Modified 3/2/10

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[Figure 2 Groundwater Monitoring Plan Units 1 and 2](#)

[Figure 3 FGD/Sludge Landfill Limits](#)

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LIST OF APPENDICES & ATTACHMENTS

APPENDIX I – PSD & Air Construction Permits

PSD-FL-018

PSD-FL-018A

Air Permit 1070025-004-AC

Air Permit 1070025-012-AC

Air Permit 1070025-014-AC

APPENDIX II –Title V Air Permit (1070025-013-AV)

APPENDIX III – NPDES Permit (FL0036498)

ATTACHMENT A – Ground Water Monitoring Well Report Form

I. AIR Replaced by Section A. Condition V. Department Permits under Federal Programs, A. Air

The construction of Units No. 1 and 2 at the Seminole steam electric power plant site shall be in accordance with all applicable requirements and limits of Chapters 62-210, 62-212, 62-213, 62-296, and 62-297, Florida Administrative Code, with PSD-FL-018, Air permit Nos. 1070025-004-AC, 1070025-012-AC and 1070025-014-AC, respectively, attached in Appendix I. The operation of Units 1-2 shall be in accordance with all applicable requirements pursuant to Chapter 62-213, F.A.C. as well as the most current Title V permit (Attached as Appendix II). Any final issuance, modifications, or amendments to such permits, are incorporated by reference herein, and are binding and enforceable Conditions of this Certification. The Licensee is subject to and shall comply with the conditions, requirements, limitations, and restrictions set forth in Appendices I and II and any final issuance modification or amendment thereto. A violation of the conditions, requirements, limitations, and restrictions in Appendices I and II are a violation of these Conditions of Certification.

II. WATER DISCHARGES Replaced by Section A. XXXI. Water Discharges

A. Units 1 and 2

Any discharges into waters of the State during construction and operation of Units No. 1 & 2 shall be in accordance with all applicable provisions of Chapters 62-302 and 62-520, Florida Administrative Code, and 40 C.F.R. 423 *Effluent Guidelines and Standards for Steam Electric Power Generating Point Source Category* except as provided herein. Also the licensee shall comply with the following conditions of certification:

1. Plant Effluents and Receiving Body of Water

For discharges made from the power plant the following conditions shall apply.

a. Receiving Body of Water (RBW)

The receiving body of water has been determined by the Department to be those waters of the St. Johns River and any other water affected which are considered to be waters of the State within the definition of Chapter 403, Florida Statutes.

b. Point of Discharge (POD)

The point of discharge will be determined by the Department to be where the effluent physically enters the waters of the State.

c. Chemical Wastes and Boiler Blowdown

All discharges of low volume wastes (demineralizer regeneration, floor drainage, lab drains and similar wastes), shall comply with Chapter 62-302. If violations of Chapter 62-302 occur, corrective action shall be taken. These wastewaters shall be discharged to an adequately sized and constructed treatment facility. Preoperational cleaning wastes shall be treated to comply with 40 CFR Part 423 and Chapter 62-302, F.A.C., prior to discharge. Boiler blowdown, boiler fireside wash, air preheater wash, and stack wash shall be disposed of in an adequately sized percolation pond; provided, however, that boiler blowdown from either unit may also be recycled to the Unit 1 and 2 cooling towers.

d. Coal Pile and Limestone Pile **Moved to Section B. Condition I. Department of Environmental Protection I.**

Coal pile runoff and Limestone Pile runoff from less than 10-year 24-hour rainfall shall be treated as required to limit the suspended solids to 50 mg/l and to prevent increases in turbidity to less than 29 NTU above background in waters of the State beyond a distance of 150 meters from the POD.

B. Unit 3 ~~Delete~~

1. ~~—A percolation pond closure plan must be submitted 90 days prior to eliminating the wastewater discharge to the three percolation ponds.~~

C. Industrial Wastewater Permit ~~Replaced by Section A. Condition V. Department Permits under Federal Programs, B. Water~~

1. In addition to the Conditions of Certification set forth in this subsection, Water Discharges, the operation of Units 1, 2 and 3 at the Seminole steam electric power plant site also shall be in accordance with the separate Industrial Wastewater Facility Permit No. FL0036498, issued to Seminole by the Department on January 7, 2000, and all revisions approved by the Department. The provisions of the Industrial Wastewater Facility Permit No. FL0036498 which is attached as Appendix III, is hereby incorporated as part of these Conditions of Certification for the SECI Seminole Power Plant. Seminole shall comply with the substantive conditions and limitations set forth in that Permit as part of the Conditions of Certification, and as those conditions may be revised in the future by the Department. The substantive requirements of Industrial Wastewater Facility Permit No. FL0036498-Major are hereby incorporated as Conditions of this Certification, are fully enforceable as Conditions of Certification for this facility, and are subject to the provisions of §403.516, F.S., and Chapter 62-17.211, F.A.C.

2. Any renewed or revised Industrial Wastewater Facility Permit for the plant shall be made a part of this certification in accordance with the Department's rules for modifications of certification in accordance with the Department's rules for modifications of certification in Chapter 62-17.211(4), Florida Administrative Code. If that Permit is subsequently renewed or modified in the future, Seminole shall comply with the more stringent of the substantive conditions and limitations contained in these Conditions of Certification or in the separate Industrial Wastewater Facility Permit until the certification is modified to reflect any renewed or modified Industrial wastewater Facility Permit.

III. GROUNDWATER ~~Moved to Section B. Condition III. St. Johns River Water Management District~~

A. General

The use of groundwater from two wells for plant service water for Units 1, 2 and 3 shall be minimized to the greatest extent practicable, but in no case shall exceed 3.9 mgd on a maximum daily basis or 0.55 mgd on an average annual basis. If, in the future, the demand for groundwater use is expected to increase above this amount, Seminole shall submit necessary and appropriate information to the department and to the St. Johns River Water Management District (SJRWMD) to demonstrate that the increased water use complies with the applicable substantive consumptive use permitting criteria. The Department, in consultation with the SJRWMD, may

authorize such increase in writing. Seminole shall then operate the plant in compliance with that approval and these conditions of certification.

[Chapter 40C-2, F.A.C.; Paragraphs 10.2(a)(b)(c)(d)(h)(i)(j)(k)(l)(r); 10.3(a)(b)(c)(g), A.H.]

B. Well Criteria

The submission of well logs and test results and location, design and construction of wells to provide plant service water must be in accordance with applicable rules of the Department of Environmental Protection and the St. Johns River Water Management District (SJRWMD). Total water use per month must be reported quarterly to SJRWMD commencing with the start of construction.

C. Water Use Restriction

Groundwater is restricted to uses other than main steam condensing. Any change in the use of said water will require a modification of this condition.

D. Emergency Shortages

In the event an emergency water shortage should be declared pursuant to Section 373.175 or 373.246, F.S., by St. Johns River Water Management District for an area including the location of these withdrawal points, the Department, pursuant to Section 403.516, F.S., may alter, modify, or declare to be inactive, all or parts of Condition III. A.- F. An authorized Water Management District Representative, at any reasonable time, may enter the property to inspect the facilities (please see Condition XVIII.A).

~~E. Monitoring and Reporting~~ Replaced by Section B. Condition I. Department of Environmental Protection G and H.

~~Seminole shall implement the following groundwater monitoring program:~~

~~1. Static groundwater levels must be monitored prior to purging the wells for sample collection. All measurements must be referenced to NGVD at a precision of ± 0.01 foot. The results must be logged for each monitor approved by the DEP and the St. Johns River Management District, in accordance with the schedule shown in Tables 1 and 2 at the wells shown in Figures 2 and 4. Chemical analyses must be made on samples from all monitored wells identified in this condition. The location, frequency and selected chemical analyses shall be as given in Condition III.E.4.~~

~~2. The chemical analyses must be in accord with the latest edition of *Standard Methods for the Analysis of Water and Wastewater*.~~

~~3. Seminole must operate flow meters in compliance with SJRWMD specifications on all production wells.~~

~~4. After consultation with the DEP and SJRWMD, Seminole must install a monitoring well system as generally shown in Figures 2 and 4 to monitor groundwater quality in the top 40 feet of surficial aquifer. One well must be installed to a depth greater than 40 feet but less than 100 to monitor vertical dispersion or groundwater contaminants. Monitoring well locations and designs must be submitted to the Department and SJRWMD for review. Approval or disapproval of the locations and design will be issued within 60 days. The water samples collected from each of the monitor wells must be collected in accordance with the Department's~~

most current Standard Operating Procedures Manual for Field Sampling, and the Quality Assurance Rule 62-160, Florida Administrative Code. The water quality analyses must be performed monthly during the year prior to commercial operation and two years after operation and quarterly or annually thereafter in accordance with the schedule shown in Tables 1 and 2. Monthly sampling prior to operation of Unit 3 is not required. The Coal Pile and Percolation Pond well results must be submitted to the Department's Northeast District Ground Water Section and the SJRWMD, and the FGD well results must be submitted to the Department's Northeast District Solid Waste Section and SJRWMD as specified in Condition III.E.9. Monitoring for the wells and constituents listed in Tables 1 and 2 below is required.

Table 1. Groundwater Monitoring Frequency—Units 1 and 2						
	FGD Disposal Area Wells MW-3, MW-5, MW- MW-7C, MW-18, MW-19, MW-20, MW-202, MW-203, MW-204, MW-205, MW-206, MW-207, and MW-208		Coal Pile Area Wells MWI-8R, MWC-9, MWI-10, MWI-12, MWC-13A		Perc Pond Area Wells MWI-14A, MWI-14CR, MWC-16R2, MWC-17C	
	Monthly	Quarterly	Monthly	Yearly	Monthly	Quarterly
Arsenic	X	X		X	X	X
Barium		X		X		X
Beryllium		X		X		X
Cadmium		X		X		X
Chloride	X	X		X	X	X
Chromium		X		X		X
Copper		X		X		X
Gross Alpha		X		X		X
Iron	X	X	X	X	X	X
Lead		X		X		X
Mercury	X	X		X	X	X
Nickel		X		X		X
Nitrite+Nitrate				X		X
pH	X	X		X	X	X
Selenium	X	X		X	X	X
Silver		X		X		X
Specific Conductance	X	X	X	X	X	X
Sulfate	X	X		X	X	X
TOC				X		X
TOH				X		X
Turbidity				X		X
Vanadium				X		X

Table 1. Groundwater Monitoring Frequency—Units 1 and 2						
	FGD Disposal Area Wells MW-3, MW-5, MW-7C, MW-18, MW-19, MW-20, MW-202, MW-203, MW-204, MW-205, MW-206, MW-207, and MW-208		Coal Pile Area Wells MWI-8R, MWC-9, MWI-10, MWI-12, MWC-13A		Perc Pond Area Wells MWI-14A, MWI-14CR, MWC-16R2, MWC-17C	
	Monthly	Quarterly	Monthly	Yearly	Monthly	Quarterly
Zinc	X	X		X	X	X

MW = SOLID WASTE AREA WELL, MWI = INTERMEDIATE WELL, MWC = COMPLIANCE WELL

Table 2. Groundwater Monitoring Frequency—Unit 3						
	*TBD		Coal Pile Area Wells MWI-8R, MWC-9, MWI-10, MWI-12, MWC-13A**		Perc Pond Area Wells MWI-14A, MWI-14CR, MWC-16R2, MWC-17C**	
	Monthly	Quarterly	Monthly	Yearly	Monthly	Quarterly
Arsenic				X	X	X
Barium				X		X
Beryllium				X		X
Cadmium				X		X
Chloride				X	X	X
Chromium				X		X
Copper				X		X
Gross Alpha				X		X
Iron			X	X	X	X
Lead				X		X
Mercury				X	X	X
Nickel				X		X
Nitrite+Nitrate				X		X
pH				X	X	X
Selenium				X	X	X
Silver				X		X
Specific Conductance			X	X	X	X
Sulfate				X	X	X
TOC				X		X
TOH				X		X
Turbidity				X		X
Vanadium				X		X
Zinc				X	X	X

~~*TBD – TO BE DETERMINED – AN UPDATED GROUND WATER MONITORING PLAN MUST BE SUBMITTED AND APPROVED PRIOR TO THE OPERATION OF UNIT 3~~

~~**MWI – INTERMEDIATE WELL, MWC – COMPLIANCE WELL~~

5. — The licensee must give at least 72 hours notice to the Department's Northeast District Office, prior to the installation of any new monitoring wells.

6. — A scaled drawing must be submitted which depicts the location of monitor wells in relation to property lines, facility structures, roads, etc. The drawing must include the identity of each monitor well, along with the latitude, longitude and top of casing elevation. The drawing must be revised within 45 days of any new monitor well construction.

7. — New monitor wells constructed after January 1, 1995, must be installed by a Florida licensed water well contractor. Well design, installation, and development must be in accordance with A.S.T.M. standard D-5092 "Standard Practice for Design and Installation of Monitoring Wells in Aquifers", or other prior approved Department procedures. All monitor wells are to be permanently labeled as to identity and top of casing elevation.

8. — Within 30 days of any new monitor well installation, a Monitor Well Completion Report, DEP Form 62-522.900(3) (Attachment A) must be completed and submitted.

9. — In the event that a monitor well is damaged, a written report describing both the damage and proposed corrective measures must be submitted to the DEP within 7 days. Approval must be obtained from the Department prior to repair or replacement of any monitor well.

10. — Ground water sampling and analytical reporting must be in accordance with the following schedule:

Sample Periods	Report Due
1st Quarter (January – March)	April 28th
2nd Quarter (April – June)	July 28th
3rd Quarter (July – September)	October 28th
4th Quarter (October – December)	January 28th
Annual (January – December)	January 28th

11. — Coal Pile and Percolation Pond well analytical results must be reported on DEP Form 62-620.910(10), or a facsimile thereof. FGD well analytical results must be reported on DEP Form 62-522.900(2), or a facsimile thereof. A copy of the laboratory analysis report is to accompany the completed monitoring report form.

12. — Commencing with the first quarter of 1995, Seminole is authorized to discontinue monitoring of compliance wells 2 and 15. However, SECI must monitor data collected at intermediate wells 7C and 14A to determine if a trend or trends exist indicating that maximum contaminant levels in 62-550, F.A.C., for the parameters listed in Condition III.E.4. may be exceeded at the boundary of the zone of discharge. DEP may require resumption of quarterly monitoring at either well 2 or 15, as appropriate, upon determining that such maximum contaminant level trends are occurring for specific parameters in wells 7C or 14A.

13. — An analysis must be conducted once every 5 years on each of the separate effluent(s) which are discharged to ground water via the percolation ponds. The analysis must be run on proportioned representative grab samples for the priority pollutants (excluding pesticides).

14. ~~After the second year of monitoring and periodically thereafter, the Department will, and the applicant must, review the results of the monitoring program and determine the necessity for modifying or continuing the program.~~

F. Leachate ~~Moved to Section B. Condition I. Department of Environmental Protection F.~~

1. Zone of Discharge

Leachate from the FGD/sludge landfill, coal storage pile, bottom ash sump, percolation and FGD emergency pond must not contaminate waters of the State (including both surface and groundwaters) in excess of the limitations of Chapter 62-520, F.A.C., beyond the boundary of the site.

2. Corrective Action

When the groundwater monitoring system show a violation of the groundwater water quality standards of Chapter 62-520, the appropriate ponds, FGD landfill, or coal pile must be sealed, relocated or closed, or the operation of the affected facility must be altered in such a manner as to assure the Department that no violation of the groundwater standards will occur beyond the boundary of the site.

G. Disposal Area ~~Replaced by Section B. Condition I. Department of Environmental Protection G.~~

1. Prior to the onsite disposal of any waste, from Unit 3 the facility must provide for Department review, in conjunction with any requested additional information, and obtain Department approval of a revised groundwater monitoring plan to address potential discharges from the landfill. The groundwater monitoring plan must be of sufficient detail to show how the landfill will be monitored and to provide technical justification for the monitoring locations, parameters and frequency. The facility must conduct initial sampling prior to the acceptance of waste in accordance with the approved groundwater monitoring program.

2. The groundwater monitoring plan must comply with the portions of 62-522 and 62-701, including, 62-522.600(3), 62-522.600(6), 62-701.410(1), 62-701.510(2), 62-701.510(6), 62-701.510(7), 62-701.510(9).

IV. CONTROL MEASURES DURING CONSTRUCTION

A. ~~Stormwater Runoff Deleted – Covered under Section A. Condition V. Department Permits under Federal Programs, B.~~

~~During construction and plant operation, necessary measures must be used to settle, filter, treat or absorb silt containing or pollutant laden stormwater runoff to limit the suspended solids to 50 mg/l or less at the POD during rainfall periods less than the 10 year, 24 hour rainfall, and to prevent an increase in turbidity of more than 29 nephelometric Turbidity Units above background in waters of the state beyond 150 meters from the POD.~~

~~Control measures must consist at the minimum, of filters, sediment traps, barriers, berms or vegetative planting. Exposed or disturbed soil must be protected as soon as possible to minimize silt and sediment laden runoff. The pH must be kept within the range of 6.0 to 8.5 at the POD.~~

B. Sanitary Wastes *Moved to Section B. Condition I. Department of Environmental Protection, A.*

Disposal of sanitary wastes from construction toilet facilities must be in accordance with applicable regulations of the Department and appropriate local health agency. The sewage treatment plant must be operated in accordance with Chapters 62-302, 62-601, and 17-602, F.A.C. Plans and specifications for the sewage treatment plant shall be submitted to the Department's St. Johns River District Office for review and approval prior to installation.

C. Environmental Control Program *deleted*

~~An environmental control program must be established under the supervision of a qualified person to assure that all construction activities conform to good environmental practices and the applicable conditions of certification.~~

~~The licensee must notify the Department if unexpected harmful effects or evidence of irreversible environmental damage are detected during construction, must immediately report to the Department and must within two weeks provide an analysis of the problem and a plan to eliminate or significantly reduce the harmful effects or damage, and to prevent reoccurrence.~~

V. SOLID WASTES

A. Units 1 and 2 Landfill *Partially replaced by Section A. Condition XXXII. Solid and Hazardous Waste, A.*

Solid Wastes resulting from construction or operation must be disposed of in accordance with the applicable regulations of Chapter 62-701, F.A.C. The licensee must submit a program for approval outlining the methods to be used in handling and disposal of solid wastes indicating at least methods for erosion control, covering, vegetation, and quality control.

Open burning in connection with land clearing must be in accordance with Chapter 62-256, F.A.C. No additional permits shall be required, but the Division of Forestry must be notified prior to burning. Open burning must not occur if the Division of Forestry has issued a ban on burning due to fire hazard conditions. *Replaced by Condition IX. Construction Practices, B.*

B. Unit 3 Landfill *Replaced by Section B. Condition I. Department of Environmental Protection D.*

1. General Requirements

At least 90 days prior to the initial start up of Unit 3, SECI shall submit sufficiently detailed information that shows how a new landfill for Units 1, 2 and 3 will be constructed, operated, monitored, and closed (including how a new or expanded landfill will be constructed while continuing to operate the existing landfill) in compliance with the following provisions of Chapter 62-701, F.A.C.:

62-701.220(4);
62-701.300;
62-701.320(6), (7)(b & d through i) and (15)
62-701.330(3)(c through j);
62-701.340(1) and (4)

62-701.400(1), (2), (3)(a & c through f), (4), (6), (7), (9) through (11);
62-701.410;
62-701.430;
62-701.500(1) through (5) and (7) through (13);
62-701.510;
62-701.520(3) and (4);
62-701.530, and;
62-701.630.

Nothing herein shall preclude SECI from applying for approval of alternate procedures and requirements in accordance with Rule 62-701.310, F.A.C.

2. Construction Requirements

At least 90 days prior to the initial start up of Unit 3, SECI shall submit detailed design and construction drawings showing how the landfill and all appurtenances will be built. Construction of the proposed landfill must not begin until the Solid Waste Section of the Department's Northeast District reviews and approves, in writing, these design and construction submittals. The design of the landfill shall include at least a double or composite liner system, with a leachate collection and removal system that complies with the requirements of Rule 62-701.400, F.A.C., for a Class I landfill.

3. Operation Requirements

At least 90 days prior to the initial start up of Unit 3, SECI shall submit a detailed operation plan showing how the facility will be operated in compliance with the above-noted requirements of Chapter 62-701, F.A.C. If the operation plan indicates that no putrescible wastes will be accepted at the landfill, some of these requirements may not be applicable. Operations at the landfill must not commence until the Solid Waste Section of the Department's Northeast District reviews and approves, in writing, the operation plan.

No solid waste from Unit 3 may be disposed on site prior to the proposed new landfill areas having been constructed in accordance with this certification and the Department having accepted, in writing, a certification of construction completion signed and sealed by a Professional Engineer licensed in Florida indicating that the landfill has been constructed in substantial conformance with the requirements of this certification.

4. Landfill Closure Requirements

At the time of closure, the Facility must meet the Class I landfill requirements (except for submitting and receiving a permit and/or a permit application) contained in the following Rules:

62-701.600(1)(b), (2)(a), and (3) through (7);
62-701.610(2) through (4), (7) and (8), and;
62-701.620(1), (5) through (7), (9) and (10), and;

5. Miscellaneous Provisions

a. Information Format.

Although a permit and/or a permit application are not required, information for the construction, operation and closure of the proposed landfill must be submitted in the format required for a permit.

b. Leachate Recirculation

Leachate must not be recirculated.

c. Annual Notice of Compliance.

By January 15 of each year and within 60 days of the promulgation of new

Solid Waste Rules, the Facility must provide written certification to the Solid Waste Section of the Department's Northeast District that it is either in compliance with all Solid Waste Rules and certification conditions or must list the Rules and/or conditions that it is not in compliance with and the actions that have been or will be taken to bring it back into compliance. The certification must also indicate which new Solid Waste Rules apply to the Facility and what is being done to come into compliance with them.

d. Document Storage

A copy of the Department approved engineering drawings, plans, reports, operation and contingency plans, all revisions and supporting information, as well as a copy of this certification must be kept onsite at the Facility office at all times for reference and inspections.

e. Other Regulatory Requirements

If any other regulatory agency should require revisions or modification to any portion of the site certified project directly or indirectly related to the proposed landfill, the Solid Waste Section of the Department's Northeast District office is to be notified of the revisions so that a determination can be made as to whether modification of the certification conditions is required.

f. Notification in Case of Emergency

The Licensee must immediately notify the Department by telephone whenever a serious problem occurs at the facility, including a fire or other emergency that poses an unanticipated threat to the public health or the environment. During regular business hours, notification must be made to the Solid Waste Section of the Department's Northeast District at (904) 807-3300. If an emergency occurs outside regular business hours, the Licensee must telephone the 24-hour emergency phone number (800) 320-0519. This number is for emergencies only. Within seven (7) days of any emergency, the Facility must submit to the Solid Waste Section of the Department's Northeast District, a written report explaining the extent of the problem, the cause and what actions have been or will be taken to correct the problem and prevent its recurrence.

g. Provisions for Potable Water Sources

The Facility must provide a temporary source of potable water within seven (7) days and a permanent safe drinking water supply within 180 days of discovery of contamination to replace any potable water well that is shown by chemical and hydrogeologic analysis to be contaminated by the facility. This water must meet all drinking water standards set forth in F.A.C. Chapter 62-550 and must be provided at the Facility's expense.

h. Liner Trench Maintenance and Waste Limits

The facility must post and maintain markers to note the edge of the liner and anchor trench for the proposed landfill and the limits of waste. The facility must place the markers at a minimum frequency of every 100 feet and must provide them during construction of the proposed landfill. The facility must maintain the anchor trenches and slopes to prevent erosion, rutting, or other conditions that may cause damage to the liner. In maintaining the area, the facility must conduct maintenance and grading activities in a manner that will not impact the liner's integrity.

i. Inspections

The Licensee is responsible for the operation and maintenance of the leachate collection and removal system and must, each day the facility receives waste, perform inspections of the leak detection and collection systems for the proposed landfill. Any

discrepancies observed during the inspection must be repaired as soon as possible, but not to exceed within seven days of detection. These inspections must be documented and kept on file at the Facility's onsite office.

j. Quantitative Records of Leachate

Quantitative records of leachate collected, in gallons per day, at the proposed landfill's collection and detection systems, and leachate sent off-site for treatment and/or disposal, must be compiled monthly. This information must be maintained at the landfill office and shall be made available to the Department at the Department's request, including during a routine inspection. This information must indicate the daily volume of leachate flow and must be sent to the Solid Waste Section of the Department's Northeast District by January 15 of each year, at the request of the department, and as otherwise indicated in other certification conditions.

k. Leachate System Cleaning and Inspection

The facility's leachate collection systems must be water pressure cleaned, or inspected by video recording at a minimum frequency of once every five years, beginning on the date of construction certification. Results of the respective leachate collection system inspections and/or cleanings must be provided to the Solid Waste Section of the Department's Northeast District within 30 days, and at the Department's request. The facility must in an appropriate manner clean out the leachate collection system if and when obvious signs of obstruction(s) are exhibited, and must notify the Solid Waste Section of the Department's Northeast District, in writing, of the event within 14 days of discovery and must provide the results at the Department's request.

l. Backup Pumps and Power

The facility must provide and maintain a generator onsite to be utilized in the event of a power failure at the proposed landfill to prevent leachate from backing up in the system. The facility shall also have backup pumps available at the facility that will be able to be placed in service in lieu of a pump that is taken out of service for repair and/or maintenance.

m. Ash Storage and Transport

Prior to transport to the landfill, ash must be stored in an enclosed building on an impervious surface. Final disposal of the ash must be into the proposed landfill or other method approved by the Solid Waste Section of the Department's Northeast District. Any leachate generated from within the building must be collected and disposed of by a method approved by the Solid Waste Section of the Department's Northeast District.

n. Prohibition of Hazardous Wastes

Unless approved by the Department with subsequent modification of conditions, this facility must not accept materials defined by applicable Federal, State or local statutes, rules, regulations or ordinances as "Hazardous Wastes."

o. Ash Sampling

A representative composite ash sample must be gathered within 30 days after commencement of disposal in the proposed landfill and prepared for analysis by total digestion, using EPA Method 3050 Acid Digestion of Sediments, Sludges and Soils, "Test Methods of Evaluating Solid Waste Physical/Chemical Methods," EPA Publication SW-848 (3rd edition as amended by Update 1/12/87). Ash samples must be collected and analyzed by the methods listed in the Quality Assurance/Quality Control plan as required under F.A.C. 62-702 and as approved by the Solid Waste Section of the Department's Northeast District.

p. Submittal of Ash Sampling Results

Results of the ash analysis must be submitted to the Solid Waste Section of the Department's Northeast District within 30 days of receipt. Results will be used by the Solid Waste Section of the Department's Northeast District to establish a baseline of levels of metals concentrations in the ash as compared to other facilities in the state. Results of these analyses may also be used for correlation with groundwater monitoring information or ash leachate as discussed in F.A.C. 62-702 and in any subsequent modification of conditions.

VI. OPERATION SAFEGUARDS Replaced by Section A. Condition XV. Regulatory Compliance

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

VII. SCREENING Moved to Section B. Condition VII. Putnam County

The licensee must provide screening of the site through the use of aesthetically acceptable structures, vegetated earthen walls and/or existing or planted vegetation.

VIII. POTABLE WATER SUPPLY SYSTEM Moved to Section B. Condition I. Department of Environmental Protection, J.

The potable water supply system must be designed and operated in conformance with Chapters 62-550, 62-551, and 62-560, F.A.C. Information as required in Chapters 62-550, 62-551, 62-555, and 62-560, F.A.C., must be submitted to the Department prior to construction and operation. The operation of the potable water supply system must be certified in accordance with Chapters 62-602 and 62-699, F.A.C.

IX. TRANSFORMER AND ELECTRIC SWITCHING GEAR Moved to Section B. Condition I. Department of Environmental Protection, L.

The foundations for transformers, capacitors, and switching gear necessary for Seminole Units 1, 2 and 3 to connect with the existing transmission/distribution system must be constructed of an impervious material and must be constructed in such a manner to allow complete collection and recovery of any spills or leakage of oily, toxic, or hazardous substances.

X. TOXIC, DELETERIOUS, OR HAZARDOUS MATERIALS Replaced by Section A. Condition XXXII. Solid and Hazardous Waste

The spill of any toxic, deleterious, or hazardous materials must be reported in the manner specified by Condition XV.

XI. CONSTRUCTION AND EMERGENCY MAINTENANCE ACTIVITIES IN WATERS OF THE STATE **Replaced with Section A. Condition XVII. Use of State Lands**

A. No construction on sovereignty submerged lands may commence without obtaining lease or title from the Trustees of the Internal Improvement Trust Fund.

B. Construction and maintenance of intake and discharge structures should be done in a manner to minimize turbidity. Turbidity screens should be used to prevent turbidity in excess of 29 NTU above background beyond 150 meters from the dredging, pile driving or construction site.

C. Dredging of the intake channel and discharge pipe trench should be performed by hydraulic dredge (small "mudcat" type is suitable): clamshell or other excavating equipment is satisfactory behind cofferdams or other turbidity control devices.

D. All spoil shall be piped hydraulically or trucked to an upland disposal site of sufficient capacity to retain all material. The discharge pipe trench should be refilled with clean sand sized material.

E. Effective stabilization of submerged bottom sediments at the discharge pipe exits should be achieved and maintained during the period of operation by the placement of riprap or other suitable material.

XII. FGD/SLUDGE LANDFILL AND COAL PILE **Replaced by Section B. Condition I. Department of Environmental Protection, D and I.**

SECI is authorized, pursuant to Section 62-701.320(1), F.A.C., to utilize flyash from the Seminole Power Plant and from other coal fired electric generating facilities in the on-site FGD sludge stabilization process.

Adequate geophysical testing of landfill increments 1 and 2 and any subsequent increments must be conducted in accordance with Chapter 62-701, F.A.C.

The existing and proposed FGD sludge landfill areas must be monitored and studied pursuant to a detailed groundwater testing and monitoring program as defined in Condition III.E.

The results of the program will be used by the Department in determining whether Seminole has affirmatively demonstrated that Florida Water Quality Standards (62-520, F.A.C.) will not be violated beyond the site boundary.

If the Department determines that Seminole has failed to affirmatively demonstrate that Florida Water Quality Standards (Chapter 62-520, F.A.C.) will not be violated, Seminole must present to the Department, within 90 days of such determination, a plan of correction, (which may include, if appropriate, an impermeable liner) for review and approval by the Department, and for timely implementation by Seminole.

SECI is granted the authority to dispose of FGD wastes by implementation of microencapsulation and/or macroencapsulation methods as described below:

A. Microencapsulation or fixation of unoxidized FGD waste must be accomplished by following good engineering practices and applicable environmental standards. The fixated material must achieve an ultimate permeability of no greater than 7×10^{-7} cm/sec.

B. Macroencapsulation of physically stabilized unoxidized FGD waste must be accomplished by following good engineering practices and applicable environmental standards. The macroencapsulation cells must be constructed on an initial bed of fixated material measuring a minimum of 8.0 feet thick and having an ultimate permeability of 7×10^{-7} cm/sec. An open cell design configuration with a gradually sloped bottom must be constructed to allow the stabilized FGD material to drain and minimize the potential of developing a hydraulic head. The cell walls and cap must be constructed of fixated material having an ultimate permeability no greater than 7×10^{-7} cm/sec. The cells must be filled with physically stabilized FGD material to the full vertical extent and must be capped with 5.0 feet of fixated material as the cells develop.

C. A quality control program must ensure that the permeability of the fixated FGD material does not exceed prescribed levels. Perimeter berms and/or swales constructed of fixated FGD material may be used to capture and route all runoff from the landfill area to the closed FGD scrubber/wastewater recycling system.

SECI is authorized to continue FGD/Sludge disposal activities in the areas designated as Landfill Increment 1 and Landfill Increment 2 as shown in attached Figure 3, provided:

D. SECI must provide three sets of the final landfill construction drawings and retention pond design calculations to the Florida Department of Environmental Protection, Siting Coordination Office, for review prior to construction of landfill Increments 1 & 2 shown in attached Figure 4.

E. Prior to finalizing the construction plans for Landfill Increments 1 & 2, SECI must apply for and receive a binding jurisdictional determination from the Department, which delineates the boundaries of any wetlands adjacent to landfill increments. SECI must notify the Siting Coordination Office of the submittal of the application for the binding determination and when the determination is granted. **Replaced by Section A. Condition XXVII. Environmental Resources**

F. If the binding jurisdictional determination required above shows that the proposed construction will occur in wetlands, SECI must provide the Siting Coordination Office with complete postcertification information regarding the wetland impacts, including a joint application form and detailed drawings of the proposed work. The Department will, within 30 days, review the information for sufficiency and request additional information as needed. If the Department determines that it is necessary, SECI must provide mitigation to offset the wetland impacts of the project. Once the information is sufficient, the Department will issue a determination of compliance of the project within 90 days. **Replaced by Section A. Condition XXVII. Environmental Resources**

G. With regard to the existing FGD/Sludge landfill and Increments 1 & 2, Seminole may construct the landfill and appurtenant facilities and may dispose of solid waste within 200 feet of any natural or artificial body of water, including wetlands within the jurisdiction of the Department, pursuant to Rule 62-701.300(2)(g).

XIII. TRANSMISSION LINES Moved to Section B. Condition I. Department of Environmental Protection K.

Directly associated transmission lines must be constructed and maintained in a manner to minimize environmental impacts in accordance with Chapter 403, F.S.

A. Construction

1. Filling and construction in waters of the State must be minimized to the extent practicable. No such activities may take place without obtaining lease or title from the Trustees of the Internal Improvement Trust Fund.
2. Placement of fill in wetland areas must be minimized by spanning such areas with the maximum transmission lines span practicable.
3. Construction and access roads should avoid wetlands and be located in surrounding uplands. Any fill required in wetlands for construction but not required for maintenance purposes must be removed and the ground restored to its original contours after transmission line placement.
4. Keyhole fills from upland areas are preferable to a single road and should be oriented as nearly parallel to surface water flow lines as possible.
5. Sufficient culverts must be placed through fill causeways to maintain sheet flow. The number and locations of such culverts will be determined in the field by consultation with DEP field inspectors.
6. Maintenance roads must be planted with native species to prevent erosion and subsequent water quality degradation.
7. Construction activities should proceed as much as possible during the dry season.
8. Turbidity control measures, where needed, must be employed to prevent violation of water quality standards.
9. Good environmental practices as described in *Environmental Criteria for Electric Transmission Systems* as published by the U.S. Department of Interior and the U.S. Department of Agriculture should be followed.
10. Any archaeological sites discovered during construction of the transmission lines must be disturbed as little as possible and such discovery must be communicated to the Department of State, Division of Archives, History and Records Management. Replaced by Section B. Condition V. Department of State- Division of Historical Resources

B. Maintenance

1. Vegetative removal for maintenance should be carried out in the following manner:

Vegetative clearing operations to be carried out within the corridor should follow the general standards for clearing rights-of-way for overhead transmission lines and follow good environmental practices as described in *Environmental Criteria for Electric Transmission Systems*, as published by the U.S. Department of the Interior and the U.S. Department of Agriculture, thus preserving immature tree species along the peripheries of the right-of-way. These standards define the zone that shall be cleared of all tree growth as the area between structures 10 ft. to either side of the outside conductor. The remainder of the right-of-way from

the cleared area to the right-of-way limit shall be screened. This translates to mean that only trees in excess of 10 ft. in height would be removed from the outer zone except where location of the access roads necessitates complete clearing.

2. Approved Chemicals or herbicides may be used for vegetation control along the transmission line without prior approval of the Department. **Replaced by Section B. Condition VI. Department of Agriculture and Consumer Services.**

XIV. CHANGE IN DISCHARGE **Replaced by Section A. Condition XIII. Enforcement**

All discharges or emission authorized herein 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 the 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 a new or supplemental application pursuant to Chapter 403, Florida Statutes.

XV. NONCOMPLIANCE NOTIFICATION **Replaced by Section A. 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 Director of District Management for the Northeast District of the Department by telephone during the working day during which licensee becomes aware of said noncompliance and shall confirm this situation in writing within seventy-two (72) hours of first becoming aware of such conditions, 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 take to reduce, eliminate and prevent recurrence of the noncomplying event.

XVI. FACILITIES OPERATION **Replaced by Section A. Condition XXIX. Facility Operation**

The licensee shall at all times maintain in good working order and operate as efficiently as possible all 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 department approval, except, during periods of when light oil is used for ignition, the FGD system may be bypassed.

XVII. ADVERSE IMPACT **Replaced by Section A. Condition XXIX. 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 non-complying event.

XVIII. RIGHT OF ENTRY Replaced by Section A. Condition X. Right of Entry

The licensee shall allow the Secretary of the Florida Department of Environmental Protection and/or authorized representatives, upon the presentation of credentials:

- A. To enter upon the licensee's premises where an effluent source is located or in which records are required to be kept under the terms and conditions of this permit; and
- B. To have access to and copy all records required to be kept under the conditions of this certification; and
- C. To inspect and test any monitoring equipment or monitoring method required in this certification and to sample any discharge or pollutants, and
- D. To assess any damage to the environment or violation of ambient standards.

XIX. REVOCATION OR SUSPENSION Replaced by Section A. 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 or certification.

XX. CIVIL AND CRIMINAL LIABILITY Replaced by Section A. 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 regulations of the Department, 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 Statutes or regulations.

XXI. PROPERTY RIGHTS Replaced by Section A. Condition XVII. Use of State Lands

The issuance of this certification does not 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 applicant must obtain title, lease or right of use from the State of Florida to any sovereign submerged lands occupied by the plant, transmission line structures, or appurtenant facilities.

XXII. SEVERABILITY Moved to Section A. 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.

XXIII. DEFINITIONS Replaced by Section A. 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 (F.S.), and any regulation adopted pursuant thereto and the applicable statutes and regulations of any agency with jurisdiction over the Facility. 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 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.

**XXIV. REVIEW OF SITE CERTIFICATION Replaced by Section A. 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 issuance of this certification or any National Pollutant Discharge Elimination System Permit issued pursuant to the Federal Water Pollution Control Act Amendments of 1972, for the plant units, the Department will review all monitoring data that has been submitted to it during the preceding five-year period for the purposes of determining the extent of the licensee's compliance with the conditions of this certification of the environmental impact of this facility. The Department shall submit the results of its review and recommendations to the licensee. Such review will be repeated at least every five years thereafter.

**XXV. MODIFICATION OF CONDITIONS Replaced by Section A. Condition XXIII.
Modification of Certification**

All modifications shall be made in accordance with Section 403.516, Florida Statutes.

**XXVI. RAIL CAR MAINTENANCE FACILITY Moved to Section B. Condition I.
Department of Environmental Protection, C.**

The rail car maintenance and surface coating facility must be designed, constructed and operated in conformance with Chapters 62-296, 62-25, and 62-302, F.A.C., and the following limitations:

- A. Visible Emissions - must not exceed 20% opacity.
- B. VOC Emissions - must not exceed 38.75 lbs/hr or 11.84 T/year.
- C. Particulate Emissions - Unconfined particulate emissions from abrasive blasting must be controlled as required by Section 62-296.310(3)(c), F.A.C., using the following precautions:
 - 1. The cover and the partial enclosure of the shelter will act as a windbreak to minimize the amount of residual particulate that becomes airborne.
 - 2. Containment screens must be installed on the northern and southern ends of the shelter.
- D. Stormwater Runoff - must be collected in existing runoff ditches and routed to percolation/evaporation areas on site.
- E. Wastewater - There must be no discharge of wastewater from the maintenance facility site.
- F. Sanitary Waste - Must be disposed of in accordance with the applicable substantive requirements of Chapter 10D-6, F.A.C.
- G. Water - The associated drinking water system must comply with the substantive requirements of Chapters 10D-4, 62-550, and 62-555, F.A.C. Consumptive use of groundwater shall be governed by the nonprocedural provisions of 40C-2.381, F.A.C., and Section 18.0.1, part III, "Applicants Handbook Consumptive Uses of Water."

H. Spent Blast Media - Spent blast media associated with the railcar maintenance facility must be containerized during storage and subsequently disposed of in the onsite FGD/sludge landfill.

**XXVII. GYPSUM AND FLYASH REUSE FACILITIES Replaced by Section B.
Condition I. Department of Environmental Protection, B.**

A. Seminole may modify its Flue Gas Desulfurization (FGD) system by introducing an oxidation system to convert sulfite and by installing a chloride bleed system to produce synthetic gypsum for reuse, as long as the emission limitations of condition I.A. are not exceeded. Flyash may be processed for reuse or sale as well.

B. If any wallboard manufacturing facility or other operation that reuses gypsum is to be located within the property currently comprising Seminole's certified site, Seminole must file a revised site map and legal description excluding from the certified site that area conveyed to the manufacturer or related operation. The revised site map must also include a depiction of any easements that Seminole conveys to any manufacturer or other operation for that portion of the site which is not conveyed to the manufacturer. Any parcels conveyed for gypsum reuse must be located within that area generally identified for that purpose in Seminole's April 8, 1999 request. The revised site map shall become effective upon written acknowledgment of receipt by the Department. The owner or operator of any wallboard plant or related facility shall be responsible for applying for obtaining and complying with all appropriate permits and for complying with all regulations applicable to its separate activities, including the wallboard plant, and any conveyor used to deliver gypsum from the Seminole plant to the wallboard or other gypsum reuse facility. Those separate facilities and their operations shall not be subject to this Certification and its conditions unless otherwise expressly stated in this Certification.

C. If construction of new facilities occurs within jurisdictional wetlands within Seminole's revised site, Seminole must submit information to the Department in accordance with the wetland-related provisions of Condition XII above. If the Department determines that it is necessary based upon review of the information submitted, Seminole must provide mitigation to offset the wetland impacts of those facilities. After the information is submitted, the Department will issue a determination of compliance of the project with these conditions and applicable regulations within 90 days.

D. Off-specification gypsum, ash by products, FGD system wastes, and other miscellaneous wastes may continue to be disposed in encapsulation cells at the onsite landfill after conversion of the FGD system is completed, in accordance with Condition XII above. However, by no later than three months before the date on which Seminole expects to commence the production of calcium sulfate (gypsum), Seminole must submit to the Department a report assessing the required landfill capacity needed for prospective on-site disposal of solid wastes, the manner and location for such disposal, and existing and proposed procedures and actions associated with modifying or terminating usage of existing or future landfill areas. Seminole must commence implementation of all action items set forth in that report upon written approval by the Department.

E. Seminole has applied to the Department to modify the Plant's separate NPDES permit for approval of the purge stream treatment system associated with the gypsum conversion project in accordance with Section 403.0885, Florida Statutes and Chapter 62-620, F.A.C. All additional effluent limitations, monitoring requirements and other substantive conditions which

will be required in the Chapter 62-620, F.A.C., permit shall become new Conditions of Certification pursuant to Condition XXV. The Department will issue any orders needed to revise these conditions to conform to the new or revised conditions of the NPDES permit.

F. If a wallboard manufacturing plant or other gypsum reuse facility is constructed adjacent to the Seminole plant, water may be withdrawn from Seminole's onsite water wells for those activities as authorized by a consumptive use permit issued by the St. Johns River Water Management District to the wallboard plant or other gypsum reuse facility. However, this water shall not be used for electric power production purposes.

XXVIII. STORMWATER Replaced by Section A. Condition XXVII. Environmental Resources, B.; Section A. Condition V. Department Permits under Federal Programs, B.

A. At least ninety days prior to the commencement of construction of any new facility, the Licensee shall provide all information necessary for a complete Environmental Resource Permit application including the engineering drawings and supporting documentation necessary to demonstrate that the stormwater runoff from the proposed project will be treated and attenuated in accordance with Rules 40C-4, 40C-41 and 40C-42, F.A.C. The drawings and documentation shall be signed, sealed and dated by a professional engineer registered in the State of Florida.

B. Prior to the commencement of construction, the Department will conduct a review of the submitted information and request the correction of any errors and omissions and any additional information necessary to complete the application. This shall be done in accordance with timeframes established in Chapter 120.60, F.S. and Rule 62-4.055, F.A.C.

C. The Department will notify the licensee in writing that the application is complete upon review of all requested information and the correction of any errors or omissions. Construction shall not begin until the Department has provided such written notification.

D. Turbidity and sediments must be controlled to prevent violations of water quality pursuant to Rule 62-302.500, 62-302.530(70) and 62-4.242 Florida Administrative Code (FAC). Best Management Practices, as specified in the Florida Stormwater, Erosion and Sedimentation Control Inspectors Manual, shall be installed and maintained at all locations where the possibility of transferring suspended solids into wetlands and/or surface waters due to the permitted activity. If site-specific conditions require additional measures, then the Applicant shall implement them as necessary to prevent adverse impacts to wetlands and/or surface waters.

E. The existing ambient water quality within Outstanding Florida Waters shall not be lowered as a result of the proposed activity, except as authorized by the FDEP under 62-4.242(2) FAC.

F. At least 90 days prior to start of construction on Unit 3 copies of the Notice of Intent (NOI) to Use Generic Permit (CGP) for Stormwater Discharge from Large and Small Construction Activities (DEP Form 62-621.300(4)9b) shall be submitted to DEP and a copy shall also be submitted to the Putnam County EPD and copied to the Putnam County EPD NPDES Administrator.

XXIX. ST. JOHNS RIVER WATER MANAGEMENT DISTRICT Revised and Moved to Section B. Condition III. St. Johns River Water Management District

A. St. Johns River Water Management District (SJRWMD) and DEP authorized

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

Chapter 40C-2, F.A.C.; Paragraphs 10.2(a)(b)(c)(e)(f)(g)(h)(i)(j)(m)(o)(p)(r); 10.3(a)-(h)(j) A.H.

B. Licensee must mitigate any adverse impact caused by the withdrawals permitted herein on legal uses of water existing at the time of application. The DEP has the right to curtail the permitted withdrawal rate or water allocations if the withdrawals of water cause an adverse impact on legal uses of water which existed at the time of application. Adverse impacts are exemplified by but not limited to:

1. Reduction of water levels in an adjacent surface water body resulting in a significant impairment of the use of water in that water body.
2. Saline water intrusion or introduction of pollutants into the water supply of an adjacent water use resulting in a significant reduction of water quality; and
3. Change in water quality resulting in either impairment or loss of use of a well or water body.

Chapter 40C-2, F.A.C.; Paragraphs 10.2(c)(e)(f)(g)(m)(o)(p)(r); 10.3(b)(d)(h)(j), A.H.

C. Licensee must mitigate any adverse impact caused by the withdrawals permitted herein on adjacent land uses that existed at the time of permit application. The DEP has the right to curtail the permitted withdrawal rates of water allocations if the withdrawals cause an adverse impact on adjacent land uses that existed at the time of application. Adverse impacts are exemplified by but not limited to:

1. Significant reduction in water levels in an adjacent surface water body;
2. Land collapse or subsidence caused by a reduction in water levels; and
3. Damage to crops and other types of vegetation.

Chapter 40C-2, F.A.C., Paragraphs 10.2(c)(e)(f)(g)(m)(o)(p)(r); 10.3(b)(d)(h)(j), A.H.

D. A SJRWMD-issued identification tag must be prominently displayed at each withdrawal site by permanently affixing such tag to the pump, headgate, valve, or other withdrawal facility as provided by Section 40C-2.401, F.A.C. Licensee must notify SJRWMD in the event that a replacement tag is needed.

Chapter 40C-2, F.A.C.; Paragraphs 10.2(b)(e)(f)(g)(h)(m)(o)(p)(r); 10.3(b)(d)(h)(j), A.H.

E. All submittals made to demonstrate compliance with the consumptive use conditions of this certification must have the certification number plainly labeled on the submittal.

Chapter 40C-2, F.A.C.; Paragraphs 10.2(a)(b)(c)(e)(f)(g)(h)(i)(j)(m)(o)(p), 10.3(a)-(h)(j), A.H.

F. The total annual allocation of surface water from the St. Johns River for the entire facility must not exceed: 15,783 MGY in 2012 and beyond.

Chapter 40C-2, F.A.C.; Paragraphs 10.2(a)(b)(c)(d)(h)(i)(j)(k)(l)(r); 10.3(a)(b)(c)(g), A.H.

G. Flow from the surface water pumps (River Pump 1, River Pump 2, River Pump 3, River Pump 4, and River Pump 5) as listed on the application must be monitored using an in-line totalizing flow meter installed in the common pipe carrying the total pumped flow prior to use. The totalizing flow meter must maintain 95% accuracy, be verifiable, and be installed according to manufacturer specifications. Documentation of proper installation of flow meter (e.g.

photograph) shall be submitted to the SJRWMD within 30 days of meter placement. A site visit by SJRWMD staff can also fulfill this documentation requirement.

Chapter 40C-2, F.A.C.; Paragraphs 10.2(a)(r); 10.3(a)(b), A.H.

H. Total withdrawal from River Pump nos. 1 through 5, as listed on the application, must be recorded continuously, totaled monthly, and reported to DEP and SJRWMD at least every six months using SJRWMD Form No. EN-50. The reporting dates each year will be as follows:

Reporting Period	Report Due Date
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January - June	July 31
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July - December	January 31
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Chapter 40C-2, F.A.C.; Paragraphs 10.2(a)(r); 10.3(a)(b), A.H.

I. The Licensee must maintain the meters. In case of failure or breakdown of any meter, DEP and SJRWMD must be notified in writing within 5 days of its discovery. A defective meter must be repaired or replaced within 30 days of its discovery.

Chapter 40C-2, F.A.C.; Paragraphs 10.2(a)(r); 10.3(a)(b), A.H.

J. The Licensee must have the flow meters calibrated once every 3 years within 30 days of the anniversary date of permit issuance, and recalibrated if the difference between the actual flow and the meter reading is greater than 5%. SJRWMD

Form No. EN-51 must be submitted to DEP and SJRWMD within 10 days of the inspection/calibration.

Chapter 40C-2, F.A.C.; Paragraphs 10.2(a)(r); 10.3(a)(b), A.H.

K. The licensee must prepare and submit a detailed Dewatering Plan for review and approval by the SJRWMD staff in accordance with the requirements of Section 10.3 of the SJRWMD Applicant's Handbook: Consumptive Uses of Water, prior to any dewatering activities at the site. This plan shall include at a minimum:

- a map showing the locations of dewatering activities with associated projected drawdowns. If projected drawdowns initially appear to cause adverse environmental impacts or interference to existing legal uses, mitigation measures must be proposed and included in the Dewatering Plan;

- a map delineating the portions of the property where dewatering activities will take place and the extent of the proposed excavations, both vertically and laterally. This map must include the locations and dimensions of any proposed ponds to receive dewatering discharges;

- procedures to ensure that dewatering will not cause or contribute to flood damage including the proposed rate and duration of water pumped for dewatering;

- a map providing the proposed locations and capacities (gpm) of proposed dewatering pump(s); and

- detailed description of turbidity treatment and erosion control measures at the discharge point(s).

Chapter 40C-2, F.A.C.; Paragraphs 10.3 (d)(i), A.H.

L. Beginning July 30, 2017, or by July 30th of the fifth year after commercial operation of Unit 3 begins, whichever occurs first, the Licensee must submit to the District, a

compliance report for the entire facility and subsequent compliance reports every 5 years thereafter. The report must, at a minimum, include all the information required by the SJRWMD's "Individual and Standard General Consumptive Use Permit Application Number 40C-2.1082- 1 " in existence at the time the SJRWMD agency report for Unit 3 was approved by the Governing Board. Additionally, the report must contain sufficient information to maintain reasonable assurances that the licensee's use of water will continue, for the remaining duration of the permit, to meet the conditions for permit issuance set forth in the SJRWMD rules as such rules existed at the time the SJRWMD agency report for Unit 3 was approved by the SJRWMD Governing Board. The compliance report must include:

1. Information documenting that allocations from all sources in the permit will continue to be needed for the remainder of the permit duration;
2. Documentation verifying that the sources are capable of supplying the needs authorized by this permit without causing harm to water and water-related resources;
3. Documentation verifying that use of water is efficient and that the licensee is implementing all feasible water conservation measures.

Chapter 40C-2, F.A.C.; Paragraphs 10.3(a)-(k),A.H.

XXX. FLORIDA FISH AND WILDLIFE CONSERVATION COMMISSION Replaced by Section B. Condition IV. Florida Fish and Wildlife Conservation Commission

The requirements of Article IV, Section 9 of the Florida Constitution and the rules thereto, as well as any statutes relating to protected species are applicable. The FWC must be contacted prior to taking any action related to those species.

XXXI. FLORIDA DEPARTMENT OF TRANSPORTATION Moved to Section B. Condition II. Department of Transportation

A. Request for Restricted Areas

No requests for restricted areas are necessary.

B. Post Certification Review Items

1. Traffic Study:

Prior to submitting any transportation and transportation related plans for approval, the applicant must revise and supplement the previously conducted traffic study (Appendix 10.7 of the SCA) to include at minimum the following:

a) Existing Conditions Analysis:

- Site location, boundaries, geometry, area of influence;
- Transportation Network (number of lanes, facility type, speed, area type);
- Planned and programmed improvements;
- Traffic data—Annual Average Daily Travel, traffic volumes, level of service and turning movements;
- Right of way (Geometry);
- Sidewalks, pedestrian/bike lanes;

b) Background Traffic:

- Department of Transportation Annual Average Daily Travel —daily, PM Peak, AM Peak;

- Growth rates based on historic trends; or
- Model analysis based on socio-economic data; or
- 72-hour machine traffic counts at the plant entrances.
- c) Trip generation:
 - ITE Trip generation 7th edition for all land uses by project phase; or
 - Information supplied from logs maintained by the applicant or its contractor at plant entry locations and projections developed by the applicant.
- d) Trip Distribution:
 - Manual and/or model (distribution map);
- e) Trip Assignment:
 - Distribute and assign trips to roadways by development phase (Map);
 - Calculate turning radii and movement volumes at each driveway;
- f) Future Conditions/ Future Analysis:
 - Level of Service analysis;
 - Florida Intrastate Highway System issues and discussion;
- g) Site Access, Geometry, traffic circulation and parking:
 - Access Management standards—spacing standards;
 - Median openings spacing and design;
 - Connection throat lengths/depth etc;
 - Right Turn/Left Turn lanes;

2. Access Management to the State Highway System:

Any access to the State Highway System is subject to the requirements of Rule Chapters 14-96, State Highway System Connection Permits, Administrative Process, and 14-97, State Highway System Access Management Classification System and Standards, Florida Administrative Code.

3. Overweight or Overdimensional Loads:

Operation of overweight or overdimensional loads by the applicant on State transportation facilities during construction and operation of the utility facility will be subject to safety and permitting requirements as defined in Chapter 316, Florida Statutes, and Rule Chapter 14-26, Safety Regulations and Permit Fees for Overweight and Overdimensional Vehicles, Florida Administrative Code.

4. Use of State of Florida Right of Way or Transportation Facilities:

All usage and modification of State of Florida right of way or transportation facilities will be subject to Florida Department of Transportation's Roadway and Traffic Design Standards, Florida Department of Transportation Specifications for Road and Bridge Construction and pertinent sections of the Florida Department of Transportation's Project Development and Environmental Manual. Although there is no major widening of the facility segment planned in the foreseeable future, due to the status of this roadway as an emerging Strategic Intermodal System's (SIS) facility, the placement of the access road should take into consideration the possible widening of this facility. If future widening should be required, the cost of relocating or reconstructing the access road will be borne by the applicant unless the terms and conditions of Section 337.403, Florida Statutes, are met.

5. Standards:

The Manual on Uniform Traffic Control Devices, Florida Department of Transportation's Roadway and Traffic Design Standards; Florida Department of Transportation's Standard Specifications for Road and Bridge Construction; the Department's Utility Accommodation

Manual and pertinent sections of the Florida Department of Transportation's Project Development and Environmental Manual will be adhered to in all circumstances involving the State Highway System and other transportation facilities.

6. Drainage:

Any drainage onto State of Florida right of way and transportation facilities will be subject to the requirements of Rule Chapter 14-86, Drainage Connections, Florida Administrative Code, including the attainment of any permit required thereby. Any required treatment and storage of surface waters for the intersection improvements or other work on the State Transportation System by the applicant will occur in either a) the State right of way if sufficient capacity exists; b) on land donated by the applicant to the Department for such purposes; or c) by permanent provision, i.e. a recorded drainage easement, for such purposes in treatment facilities owned by the applicant. Treatment can occur within existing State right of way only if such right of way necessary for treatment is not planned to be used by the Department for improvements or expansion of the State Transportation System.

7. Use of Air Space:

Any structures proposed in the application which exceed 200 feet in height will be subject to an aeronautical study by the Federal Aviation Authority under the provisions of 14 CFR Part 77. If the aeronautical study finds an adverse effect on the safe and efficient use of navigable airspace, the project will require the issuance of a variance by state or local government.

8. Signalization:

Prior to any signalizations, a warrant study must be provided to the Florida Department of Transportation. The warrant study must meet the requirements of the Manual on Uniform Traffic Control Devices, incorporated in Rule 14-15.010, Florida Administrative Code and Section 316.0745, Florida Statutes.

C. Best Management Practices

Traffic control during plant construction and maintenance will be subject to the standards contained in the Manual on Uniform Traffic Control Devices; Rule Chapter 14-94, Statewide Minimum Level of Service Standards, Florida Administrative Code; Florida Department of Transportation's Roadway and Traffic Design Standards; Florida Department of Transportation's Standard Specifications for Road and Bridge Construction; and the Department's Utility Accommodation Manual, whichever is more stringent.

It is recommended that the applicant encourage transportation demand management techniques by doing the following:

- Placing a bulletin board on site for car pooling advertisements.
- Requiring that heavy construction vehicles remain onsite for the duration of construction to the extent practicable.

If the applicant uses contractors for the delivery of any overweight or overdimensional loads to the site during construction, the applicant should ensure that its contractors adhere to the necessary standards and receive the necessary permits required under Chapter 316, Florida Statutes, and Rule Chapter 14-26, Safety Regulations and Permit Fees for Overweight and Overdimensional Vehicles, Florida Administrative Code.

XXXI. COMPLIANCE Replaced by Section A. Condition II. Applicable Department Rules; Condition III. Revision to Department Statutes and Rules

A. The Licensee shall comply with all rules adopted by the Department subsequent to the issuance of this certification, which prescribe new or stricter criteria to the extent that the rules are applicable to electric power plants. Except where express variances have been granted, subsequently adopted rules that prescribe new or stricter criteria, which are applicable to electrical power plants, shall operate as a modification pursuant to Section 403.511(5)(a), F.S.

B. Pursuant to Section 403.511(5)(b), F.S., upon written notification to the Department's Siting Coordination Office, the Licensee may choose to operate in compliance with any rule subsequently adopted by the Department which prescribes criteria more lenient than the criteria required by the terms and conditions in this certification, so long as this operation causes no violation of standards or these Conditions of Certification.

XXXII. DISPUTE RESOLUTION Replaced by XI. Dispute Resolution

If a dispute situation arises between the Licensee and an Agency exercising its regulatory jurisdiction, the Department will act as mediator to resolve it. If, after mediation, a mutual agreement cannot be reached between the parties, then the matter will be immediately referred to the Division of Administrative Hearings (DOAH) for disposition in accordance with the provisions of Chapter 120, F.S.

XXXIII. POST-CERTIFICATION SUBMITTALS Replaced by Section A. Condition XX. Procedures for Post-Certification Submittals

A. Post-certification Submittals shall be handled pursuant to Rule 62-17.191, F.A.C.

B. Interagency Meetings: Within sixty (60) days of the filing of a complete post-certification submittal, DEP may conduct an interagency meeting with other agencies that received copies of the submittal. The purpose of such an interagency meeting shall be for the agencies with regulatory jurisdiction over the matters addressed in the post-certification submittal to discuss whether reasonable assurance of compliance with the conditions of certification has been provided. Failure of any agency to attend an interagency meeting shall not be grounds for DEP to withhold a determination of compliance with these Conditions of Certification nor to delay the time frames for review established by these Conditions of Certification.

History Notes Moved to History

Certification Issued (Units 1 & 2) 09/18/79; signed by Governor Graham

Modified 10/12/88; signed by Secretary Twachtman

Modified 03/26/91; signed by Secretary Browner

Modified 10/14/92; signed by Secretary Browner

Modified 11/25/92; signed by Secretary Browner

Modified 03/02/95; signed by Secretary Wetherell

Modified 05/12/97; signed by Secretary Wetherell

Modified 02/01/00; signed by Deputy Secretary Green

Modified 04/03/00; signed by Deputy Secretary Green

Modified 07/05/05; signed by Siting Administrator Owen

Modified 09/06/06; signed by Siting Administrator Owen

Certification Issued (Unit 3) 08/18/08, signed by Secretary Sole
Modified 11/30/09; signed by Siting Administrator Halpin
Modified 2/26/10; signed by Siting Administrator Halpin

Figure 1 **Location of Ambient Air Quality Monitoring Stations Deleted**

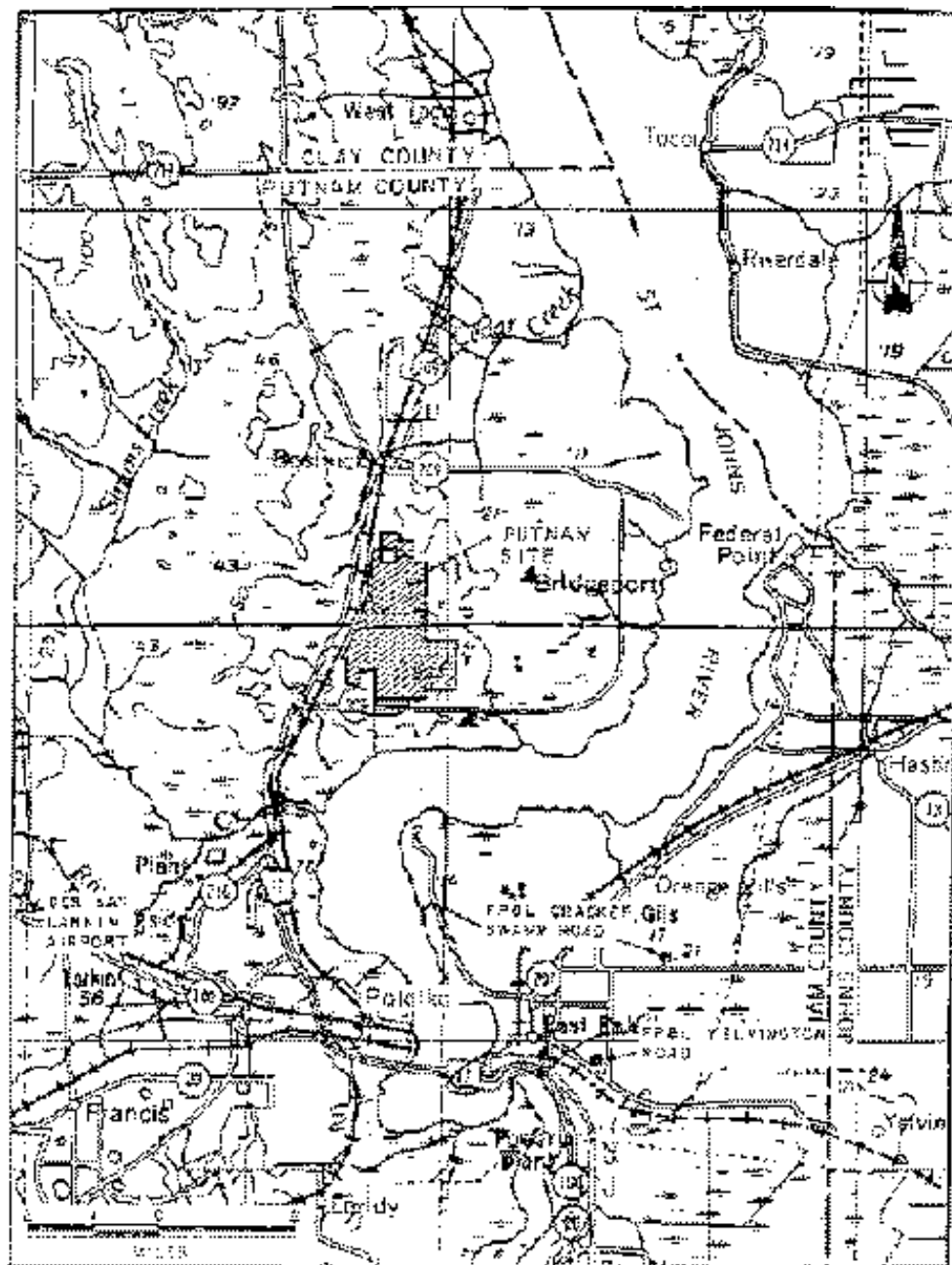


Figure 1. Location of Ambient Air Quality Monitoring Stations. ▲

Figure 2 Groundwater Monitoring Plan – Units 1 and 2 Deleted

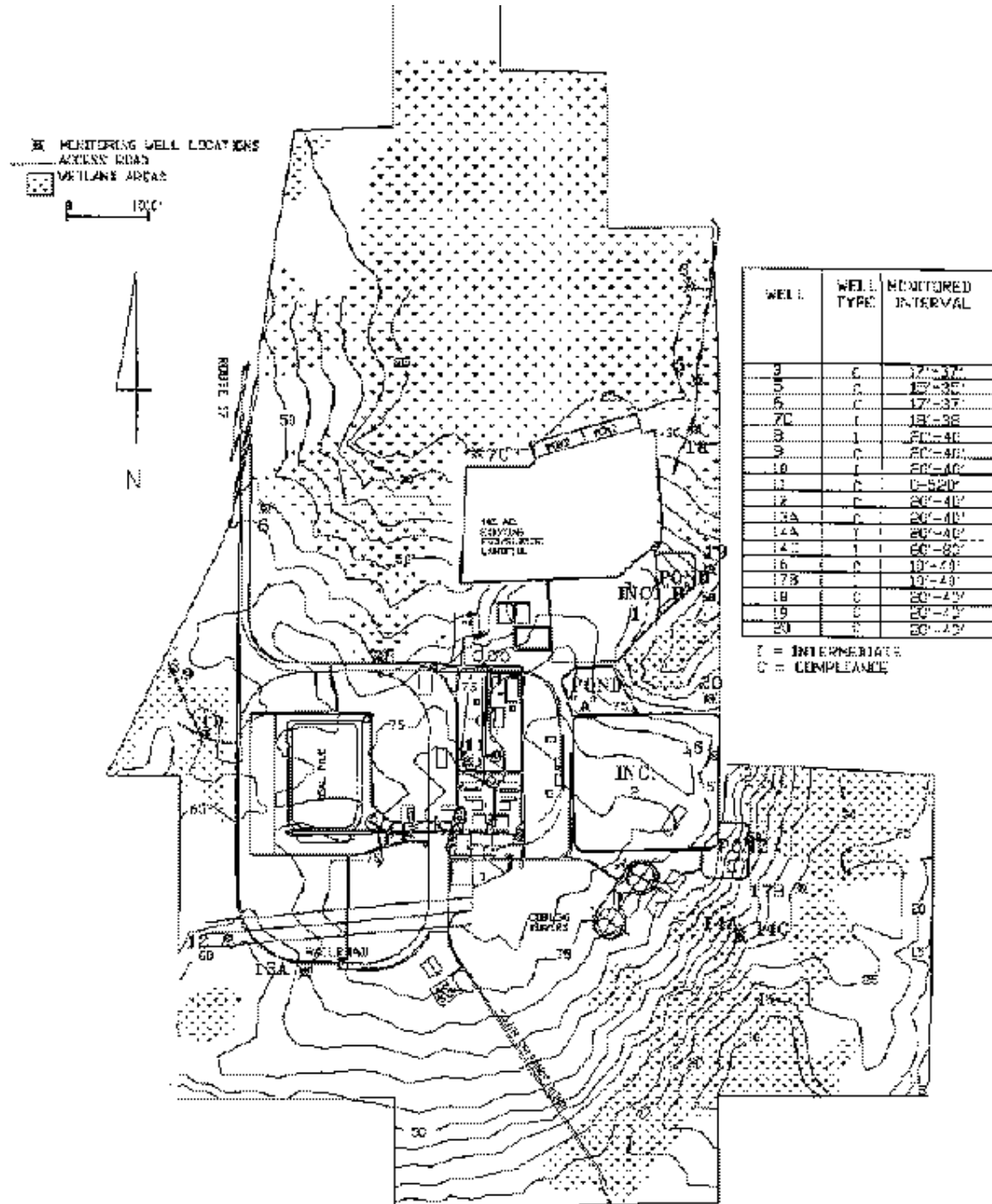


Figure 3 EGD/Sludge Landfill Limits **Now Figure 1**

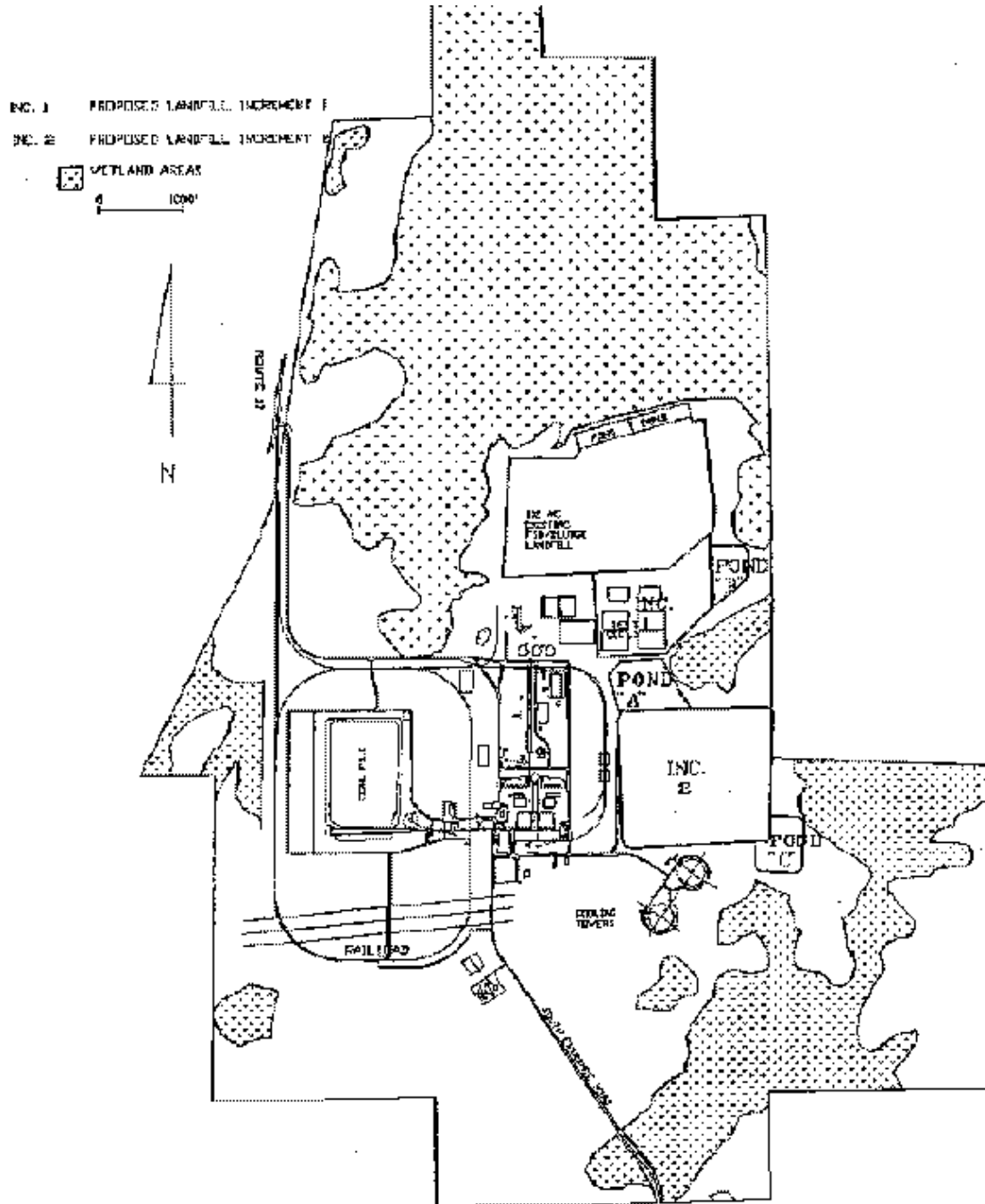


Figure 4 Monitor Well Location Map – Unit 3 Deleted

