

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION

IN RE: FLORIDA POWER & LIGHT COMPANY)	
LAUDERDALE REPOWERING PROJECT,)	DER CASE NO. PA 89-26
MODIFICATIONS OF CONDITIONS OF)	
CERTIFICATION, BROWARD COUNTY,)	OGC CASE NO. 91-0207
FLORIDA)	
_____ /	

FINAL ORDER MODIFYING
CONDITIONS OF CERTIFICATION

On January 18, 1991, the Governor and Cabinet, sitting as the Siting Board, issued a final order approving certification for Florida Power & Light Company's Lauderdale Repowering Project. That certification order approved the construction and operation of a 750 MW, gas-fired, combined cycle power plant and associated facilities located in Broward County, Florida.

On December 1, 1995, Florida Power & Light (FPL) filed a request to amend the conditions of certification pursuant to Section 403.516(1)(b), Florida Statutes. FPL requested that the conditions be modified to allow automatic modification of conditions of certification concerning water discharges whenever the Department or EPA were to approve modifications of the federally delegated National Pollutant Discharge Elimination System (NPDES) Permit for the facility.

Copies of FPL's proposed modification were made available for public review in January, 1996. On January 26, 1996, a Proposed Modification of Power Plant Certification was published in the Florida Administrative Weekly. As of January 26, 1996, all parties to the original proceeding had received copies of the intent to modify. The notice specified that a hearing would be held if a party to the original certification hearing objects within 45 days from receipt of the proposed modification or if a person whose substantial interests will be affected objects in writing within 30

days after issuance of the public notice. No written objection to the proposed modifications was received by the Department.

Accordingly, in the absence of any timely objection,

IT IS ORDERED:

The proposed changes to the Florida Power & Light Company's Lauderdale Power Plant as described in their December 1, 1995, request for modification are APPROVED. Pursuant to Section 403.516(1)(b), F.S., the conditions of certification for the Lauderdale Repowering Project, are MODIFIED as follows:

XXI. MODIFICATION OF CONDITIONS

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

A. No change

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 certification proceedings (at the party's last known address as shown in the record of such proceeding) notice of requests 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 standards, 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.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY this 24th day of April, 1996, that a true and correct copy of the foregoing has been sent by U.S. Mail to the following listed persons:

James S. Alves, Esquire
Hopping Boyd Green & Sams
P.O. Box 6526
Tallahassee, FL 32314

Karen Brodeen, Esquire
Department of Community Affairs
2740 Centerview Drive
Tallahassee, FL 32399-2100

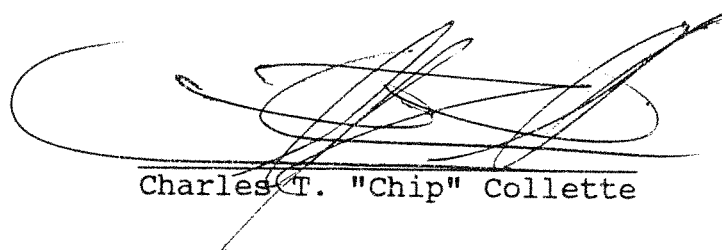
Sara Nall, Esquire
Susan Coughanour
South Florida Water
Management District
P.O. Box 24680
3301 Gun Club Road
West Palm Beach, FL 33416-4680

Noel M. Pfeffer, Esquire
Deputy County Attorney
Broward County
114 South Andrews Avenue
Suite 423
Fort Lauderdale, FL 33301

Bob Elias, Esquire
Division of Legal Services
Florida Public Service Commission
2540 Shumard Oak Blvd.
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James Antista, Esquire
General Counsel
FL Game and Fresh Water Fish Comm.
Bryant Bldg.
620 S. Meridian Street
Tallahassee, FL 32399-1600

William Roberts, Esquire
Assistant General Counsel
Department of Transportation
Haydon Burns Building
605 Suwannee Street, M.S. #58
Tallahassee, FL 32399



Charles T. "Chip" Collette

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

Any party to this Notice has the right to seek judicial review of the Order Pursuant to Section 120.68, Florida Statutes, by the filing of Notice of Appeal pursuant to Rule 9.110, Florida Rules of Appellate Procedure, with the clerk of the Department of Environmental Protection in the Office of General, 3900 Commonwealth Boulevard, 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 30 days from the date that the Final Order is filed with the Department of Environmental Protection.

DONE AND ENTERED this 2nd day of April, 1996 in Tallahassee,

Florida.

FILING AND ACKNOWLEDGEMENT
FILED, on this date, pursuant to S120.52
Florida Statutes, with the designated
Department Clerk, receipt of which
is hereby acknowledged.

Rebecca B. 4/24/96
Clerk Date

**STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION**

Virginia B. Wetherell
for VIRGINIA B. WETHERELL
SECRETARY
3900 Commonwealth Boulevard
Tallahassee, FL 32399-3000