



Jeb Bush
Governor

Department of Environmental Protection

Twin Towers Office Building
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

Colleen M. Castille
Secretary

July 5, 2005

- CERTIFIED MAIL - RETURN RECEIPT REQUESTED -

Michael Opalinski
Seminole Electric Cooperative, Inc.
Post Office Box 272000
Tampa, Florida 33688-2000

**RE: Seminole Power Plant Units 1 & 2
Modification to Conditions of Certification
DEP Case Number PA78-10I
OGC Case Number 05-0843**

ORDER MODIFYING CONDITIONS OF CERTIFICATION

Dear Mr. Opalinski:

On April 18, 2005, Seminole Electric Cooperative, Inc. submitted a petition to the Department requesting a modification to the site certification for the Seminole Power Plant to authorize the discontinuance of an ambient air monitoring program. After review of both Seminole's and the Department's air quality monitoring data, pursuant to Condition XXV, §§ 403.516(1), F.S. and Rule 62-17.211(1), Florida Administrative Code (F.A.C.) the Department proposes to modify the Conditions of Certification for the Seminole Power Plant.

On or before May 13, 2005, all parties to the certification proceeding were provided with notice by certified mail of the Department's intent to modify the Conditions of Certification for this facility, along with a copy of the proposed Order Modifying Conditions of Certification. Additionally, on May 13, 2005, notice of the Department's intent to modify the Conditions of Certification for this facility was published in the Florida Administrative Weekly ("FAW"), and on the Department's internet home page at <http://www.dep.state.fl.us/> under the link or button titled "Official Notices." Those notices specified that pursuant to Section 403.516, Florida Statutes ("F.S."), and Rule 62-17.211, F.A.C., all parties to the certification proceeding have 45 days from the issuance of the notice by mail to such party's last address of record in which file a written objection to the modification; that any person who is not already a party to the certification proceeding and whose substantial interests will be affected by the requested modification has 30 days from the date of publication of the

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public notice in the FAW to object in writing; that pursuant to Rule 62-17.280(1)(c), F.A.C., failure to act within the time frame constitutes a waiver of the right to become a party; and that the Department will issue a Final Order Modifying the Conditions of Certification for this facility if no written objections are received by the Department.

No objections to the modification have been received by the Department. The Conditions of Certification for the Seminole Power Plant are hereby modified as follows:

I.B. Air Monitoring Program

1. No change

~~2. The permittee shall operate an ambient monitoring device for sulfur dioxide in accordance with EPA reference methods in 40 CFR Part 53 and an ambient monitoring devices for suspended particulates as shown on Figure 1. The monitoring devices shall be specifically located at a location approved by the Department. The frequency of operation shall be every six days commencing as specified by the Department.~~

3. The permittee shall maintain a daily log of the amounts and types of fuels used and copies of fuel analyses containing information on sulfur content, ash content and heating values.

~~3.~~ 4. The permittee shall provide sampling ports into the stack and shall provide access to the sampling ports in accordance with Rule 62-297.345, F.A.C., and 40 CFR 60.8.

~~4.~~ 5. The ambient monitoring program may be reviewed annually, beginning two years after start-up of Unit No. 2 by the Department and the permittee.

~~5.~~ 6. Prior to operation of the source, the applicant shall submit to the Department a standardized plan or procedure that will allow the applicant to monitor emission control equipment efficiency and enable the applicant to return malfunctioning equipment to proper operation as expeditiously as possible.

C. No change

D. Reporting

1. No change

~~2. Ambient air monitoring data shall be reported to the Department quarterly commencing on the date of certification by the last day of the month following the~~

~~quarterly reporting period utilizing the SAROAD or other format approved by the Department in writing.~~

3. Beginning one month after certification the applicant shall submit to the Department a quarterly status report briefly outlining progress made on engineering design and purchase of major pieces of equipment (including control equipment). All reports and information required to be submitted under this condition shall be submitted to the Administrator of Power Plant Siting, Department of Environmental Protection, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400.

3. 4. Documentation verifying that the coal and petroleum coke fuel blends combusted in Units 1 and 2 have not exceeded the 30 percent maximum petroleum coke by weight limit specified by Condition of Approval, Section D, Item 6 shall be maintained and submitted to the Department's Northeast District Office with each annual report.

4. 5. The Permittee shall maintain and submit to the Department on an annual basis for a period of five years from the date the units begin firing Petroleum coke, data demonstrating that the operational changes associated with the use of petroleum coke did not result in a significant emission increase pursuant to Rule 62-210.200(12)(d), F.A.C.

Any party to the this Order has a right to seek judicial review of it pursuant to Section 120.68, Florida Statutes by filing a Notice of Appeal, pursuant to Rule 9.110, Florida Rules of Appellate Procedure, with the Clerk of the Department of Environmental Protection in the Office of General Counsel, 3900 Commonwealth Boulevard, M.S. 35, Tallahassee, Florida 32399-3000, and by filing a copy of the Notice of Appeal, accompanied by the applicable filing fees, with the appropriate District Court of Appeal. The Notice of Appeal must be filed within thirty days from the date this Order is filed with the Clerk of the Department of Environmental Protection.

Executed in Tallahassee, Florida.



Hamilton S. Oven, P.E.
Administrator, Siting Coordination Office

Seminole Power Plant Units 1 & 2
Modification to Conditions of Certification
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FILING AND ACKNOWLEDGMENT
FILED, on this date, pursuant to §120.52
Florida Statutes, with the designated
Department Clerk, receipt of which is
hereby acknowledged.

Tanda Kouskou 7/5/05
Clerk Date

CC by certified mail:

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Seminole Power Plant Units 1 &
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