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STATE OF FLORIDA
DIVISION OF ADMINISTRATIVE HEARINGS

BUREAU OF AIR REGULATION

IN RE: PROGRESS ENERGY FLORIDA,)
CRYSTAL RIVER UNIT 3 UPRATE PROJECT)
POWER PLANT SITING APPLICATION NO.)
PA77-09A2)

DOAH 07-2713EPP
07-1062

SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT'S
NOTICE OF FILING COMPLETENESS COMMENTS

SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT (District), by and through its undersigned counsel, hereby gives notice of the filing of Completeness Comments on Progress Energy Florida's Crystal River Unit 3 Uprate Project, pursuant to Section 403.5066, F.S.. A copy of the District's comments is attached hereto and incorporated herein as Exhibit A.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished to the parties named in the attached list by regular U.S. Mail this 10th day of July 2007.



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SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT COMPLETENESS COMMENTS
Progress Energy Florida – Crystal River Unit 3 Uprate Project
Site Certification Application No. PA77-09A2
DOAH Case No. 07-2713EPP
7/10/07

OWNERSHIP OR LEGAL CONTROL

The Water Use Permit (WUP) Basis of Review (B.O.R.), Section 2.1(1) states Applicants must demonstrate ownership or legal control of all property on which pumps, wells, diversions or other water withdrawal facilities are or will be located.

1. Please provide a copy of the Applicant's Warranty Deed for all parcels on which pumps, wells, diversions or other water withdrawal facilities are or will be located. Reference Rule 40D-2.101, F.A.C.

WITHDRAWAL POINTS AND QUANTITIES

Water Use Permit 20004695.003 currently includes 5 wells which supply water to Units 1, 2, and 3. The Site Certification Application states that 3 of the wells supply water to an existing water treatment plant and that Unit 3 receives and meters its supply from the treatment plant. For site certification, the quantities associated with Unit 3 will need to be separated from the water use permit quantities.

2. Please assert whether or not one or more specific wells will be designated to supply water for Unit 3 and if so, identify the well(s).
3. Please provide several years of historical water use and a table listing the quantities needed for each unit (1, 2, and 3).
4. Please provide adequate information showing the distribution and use (water balance) of water from each well (PW-1A, PW-1B, SPW-3, SPW-4, and SPW-5).
5. Please discuss the alternative power generation plans for when Unit 3 is being worked on. Will the work on Unit 3 result in any increase in water use for other units at the facility or at some other location in the District?

FLOW MODEL SIMULATIONS AND IMPACT ANALYSIS

The District will need an impact analysis for reasonable assurance that the proposed project meets all substantive conditions for water use. The impact analysis should include analysis for the potential effects on nearby wetlands and nearby well owners. The applicant could use a finite-difference ground-water model (MODFLOW). The applicant may want to consider using the District-Wide Regulation Model—Version 2 (DWRM2) to create a focus model of the area and account for simulation of the possible effects on wetlands and/or nearby wells but model modification or a separate analysis would be needed to determine these effects. To acquire the latest version of this model, please contact Robert Peterson at (352) 796-7211, Extension, 2035.

6. Please provide an impact analysis for the projected use. Please supply the MODFLOW input and output data files for the models submitted with the WUP application. The input and output data files should be submitted in digital formats. Please include files compatible with Groundwater Vistas. Model impact report guidelines are available from the Southwest Florida Water Management District.



CONDITIONS FOR ISSUANCE

In order to obtain authorization for the consumptive use of water pursuant to Part II of Chapter 373, F.S., an applicant must demonstrate that the water use is reasonable and beneficial, is consistent with the public interest, and will not interfere with any existing legal use of water. This must be accomplished by the applicant providing reasonable assurances on both an individual and cumulative basis, that the water use satisfies items (a) through (n) stated in Rule 40D-2.301(1), F.A.C. The information submitted with the application did not include sufficient evidence to provide reasonable assurances of compliance with the permit issuance criteria. Rule 40D-2.301(3), F.A.C. states, 'Standards and criteria set forth in the "Basis of Review for Water Use Permit Applications" identified in Rule 40D-2.091, F.A.C. shall be used to provide the reasonable assurances required in Rule 40D-2.301(1), F.A.C.

7. Please provide reasonable assurance as to how each of the conditions for issuance set forth in Rule 40D-2.301(1)(a) through (n), F.A.C. will be met, on both an individual and cumulative basis. Please refer to the performance standards set forth in Chapter 4 of the B.O.R. for Water Use Permit applications. Reference Rule 40D-2.301, F.A.C.

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Southwest Florida
Water Management District

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