

Jeb Bush
Governor

Department of Environmental Protection

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

Colleen M. Castille
Secretary

August 18, 2005

- CERTIFIED MAIL - RETURN RECEIPT REQUESTED -

Ms. Jeanette D. Curtis
Environmental Services Administrator
City of Tallahassee
300 South Adams Street
Tallahassee, Florida 32301

**RE: Arvah B. Hopkins Generating Station Unit 2
PA 74-03M
OGC No. 05-2205**

RECEIVED

AUG 19 2005

**DIVISION OF AIR
RESOURCE MANAGEMENT**

INTENT TO MODIFY CONDITIONS OF CERTIFICATION

Dear Ms. Curtis:

The Florida Pollution Control Board issued the Site Certification for Arvah B. Hopkins Generating Station Unit 2 on May 20, 1975. This certification authorized the construction and operation of a 238 megawatt (MW) steam electric power plant and ancillary facilities.

On March 15, 2005, the Department issued DEP Permit 0730003-07-AV for the Arvah B. Hopkins Generating Station. Pursuant to Rule 62-17.211(4), the Department is required to modify the Conditions of Certification for this facility to conform them to the Title V Permit.

The Department therefore gives notice to the City of Tallahassee of its intent to modify the conditions of certification for **Arvah B. Hopkins Power Plant Unit 2** (PA 74-03) to incorporate a final Title V Permit revision into the Conditions of Certification. Pursuant to Section 403.516, Florida Statutes ("F.S."), and Rule 62-17.211, Florida Administrative Code ("F.A.C."), all parties to the certification proceeding have 45 days from the issuance of this corrected notice by mail to such party's last address of record in which file a written objection to the modification. A public notice will be published on the Department's internet home page at <http://www.dep.state.fl.us/> under the link or button titled "Official Notices" regarding this Intent to Modify the Conditions of Certification. 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 public notice on the FAW to object

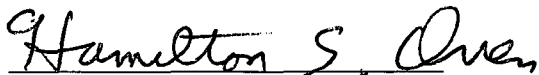
in writing. Failure to act within the time frame constitutes a waiver of the right to become a party.

Written objections must be filed (received) in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, MS 35, Tallahassee, Florida 32399-3000. If the Department does not receive any written objections, then an Order Modifying the Conditions of Certification shall be issued by the Department. If written objections are timely filed which address only a portion of the modification, then pursuant to Rule 62-17.211(1)(b)5., F.A.C. the Department shall issue an Order approving that portion of the modification to which no objections were filed, unless that portion of the modification is substantially related to or necessary to implement the portion to which written objections are filed. If written objections are raised, then pursuant to Section 403.516(1)(c), F.S., the applicant may file a petition for modification with the Department and the Division of Administrative Hearings seeking approval for those portions of the modification to which written objections were timely filed.

Mediation is not available in this proceeding.


Any questions regarding this Intent to Modify Conditions of Certification should be directed to Hamilton S. Oven at (850) 245-8002. Questions regarding legal issues should be referred to the Department's Office of General Counsel at (850) 245-2242. Such contact with any of the above does not constitute an objection to the modification.

Sincerely,



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

FILING AND ACKNOWLEDGMENT
FILED, on this date, pursuant to §120.52
Florida Statutes, with the designated
Department Clerk, receipt of which is
hereby acknowledged.

 8/18/05
Clerk Date

Gainesville Regional Utilities Deerhaven
Order Modifying Conditions of Certification
DEP Case Number PA74-03M
8/18/2005

CC by certified mail:

James V. Antista, Esquire
Florida Fish and Wildlife Conservation
Commission
620 South Meridian Street
Tallahassee, FL 32399-1600

Mary Ann Helton, Esquire
Division of Legal Services
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

Craig Varn, Esquire
Florida Department of Community Affairs
2555 Shumard Oak Boulevard
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Parwaz Alam
Leon County Administrator
Leon county Court House
310 S. Monroe Street
Tallahassee, Florida 32301

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Michael Cooke
✓ Division of Air Resource Management
2600 Blair Stone Road MS 5500
Tallahassee, Florida 32399-2400

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Florida Department of Environmental
Protection
3000 Commonwealth Blvd
Tallahassee, Fl 32399-3000

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Ms. Jeanette D. Curtis
Environmental Services Administrator
City of Tallahassee
300 South Adams Street
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RE: Arvah B. Hopkins Generating Station Unit 2
PA 74-03M
OGC No. 05-2205

ORDER MODIFYING CONDITIONS OF CERTIFICATION

Dear Ms. Curtis:

The Florida Pollution Control Board issued the Site Certification for Arvah B. Hopkins Generating Station Unit 2 on May 20, 1975. This certification authorized the construction and operation of a 238 megawatt (MW) steam electric power plant and ancillary facilities.

On March 15, 2005, the Department issued DEP Permit 0730003-07-AV for the Arvah B. Hopkins Generating Station. Pursuant to Rule 62-17.211(4), the Department is required to modify the Conditions of Certification for this facility to conform them to the Title V Permit.

On or before August 26, 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 Modification M for this facility, along with a copy of the proposed Order Modifying Conditions of Certification. On August 26, 2005, a notice of the Department's intent to modify the Conditions of Certification for this facility was published on the Department's website and on the Department's internet home page at <http://www.dep.state.fl.us/> under the link or button titled "Official Notices" regarding this Intent to Modify the Conditions of Certification. Those notices specified that pursuant to Section 403.516, 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 failure of any of the parties to file a

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response will constitute a waiver of objection to the modification; and 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 public notice to object in writing.

No objections to the modification have been received by the Department. The Conditions of Certification for the Arvah B. Hopkins Generating Station Unit 2 are hereby modified as follows:

XIII. AIR

Arvah Hopkins Unit No. 2 shall be operated in accordance with Title V Air Operation Permit No. 0730003-0037-AV and Chapters 62-210, 62-212, 62-213, 62-296, and 62-297, F.A.C.

A. Operation

No Change

B. Emission Limitations and Standards.

1-11. No Change

12. Excess visible emissions resulting from fuel switching, startup or shutdown of an individual burner, or minor load changes shall be permitted provided that best operational practices to minimize emissions are adhered to and the duration of such excess visible emissions shall be minimized but in no case exceed two hours in any 24 hour period unless specifically authorized by the Department for longer duration. A "minor load" change means a change in the operational load of the unit, other than startup or shutdown, which is between 2 percent and 10 percent of the unit's rated capacity and occurs at a rate of 0.5 percent per minute or more. [Rule 62-210/700(5), F.A.C.; and 0730003-006-AC]

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

Gainesville Regional Utilities Deerhaven
Order Modifying Conditions of Certification
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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

FILING AND ACKNOWLEDGMENT
FILED, on this date, pursuant to §120.52
Florida Statutes, with the designated
Department Clerk, receipt of which is
hereby acknowledged.

Clerk

Date

Gainesville Regional Utilities Deerhaven
Order Modifying Conditions of Certification
DEP Case Number PA74-03M
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