STATE OF FLORIDA BEFORE THE GOVERNOR AND CABINET SITTING AS THE SITING BOARD

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APPLICATION FOR POWER PLANT CERTIFICATION OF TECO POLK COUNTY PROJECT, PA 92-32 DOAH CASE NO. 92-4896EPP OGC CASE NO. 92-1399

FINAL ORDER APPROVING CERTIFICATION

On January 25, 1994, this matter came before the Governor and Cabinet, sitting as the Siting Board, pursuant to the Florida Electrical Power Plant Siting Act (PPSA), Section 403.501 et seq., Florida Statutes (1993), for final agency action concerning a recommended order dated November 30, 1993, attached as Exhibit 1, which recommends site certification for the Tampa Electric Company Polk Power Station project. By order dated January 26, 1993, the Board found the Polk site to be consistent and in compliance with existing land use plans and zoning ordinances. On March 2, 1992, the Public Service Commission certified the need for 260 MW of integrated combined cycle coal-gasification (IGCC) generating capacity at the site.

No party has filed exceptions to the Recommended Order.

Having reviewed the recommended order and otherwise being fully advised, it is ORDERED:

- Pursuant to Section 120.57 (1)(b)(10), Florida Statutes
 (1993), the Récommended Order dated November 30, 1993, (Exhibit
 is APPROVED and ADOPTED by the Board.
 - 2. The Board APPROVES certification for the location,

construction and operation of 260 MW of integrated gasification combined cycle generating capacity at the the Tampa Electric Company Polk Power Station Site as proposed in the Site Certification Application, subject to the Conditions of Certification contained in Appendix A to Exhibit 1.

- 3. The Tampa Electric Company Polk Power Station Site is certified for an ultimate site capacity of 1150 MW fueled by coal gas and natural gas, subject to need determination by the Florida Public Service Commission as required by law, supplemental application review and approval by the Board pursuant to Section 403.517, Florida Statutes, and compliance with the Conditions of Certification contained in Appendix A to Exhibit 1.
- 4. The Board DELEGATES to the Department of Environmental Protection the authority to assure and enforce compliance by Tampa Electric Company and its agents with all of the Conditions of Certification imposed by this Order.

NOTICE OF RIGHTS

Any party to this certification proceeding has the right to seek judicial review of this Order under Section 120.68, Florida Statutes, by the filing of a notice of appeal pursuant to Rule 9.110, Florida Rules of Appellate Procedure, with the Clerk of the Department of Environmental Protection, Office of General Counsel, 2600 Blair Stone Road, Tallahassee, FL 32399-2400; and by filing a copy with the appropriate District Court of Appeal.

The notice of appeal must be filed within 30 days from the date this Order is filed with the Clerk of the Siting Board.

DONE and ORDERED this 2.7 day of January, 1994, at Tallahassee, Florida, pursuant to a vote of the Governor and Cabinet sitting as the Siting Board, at a duly-noticed and constituted Cabinet meeting on January 25, 1994.

FILING AND ACKNOWLEDGEMENT

FILED, on this date, pursuant to \$120.52 Florida Statutes, with the designated Department Clerk, receipt of which is hereby acknow-

ledged.

Clerk

Date

THE GOVERNOR AND CABINET SITTING AS THE SITING BOARD

THE HONORABLE LAWTON CHILES

CERTIFICATE OF SERVICE

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

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Certificate of Service (continued)

Sara Fotopulos, Chief Counsel EPC of Hillsborough County 1900 9th Ave Tampa FL 33605

this 27^{4} day of January, 1994.

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STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION

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