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MEMORANDUM

TO: Buck Oven
FROM: Doug Roberts *DR*
RE: Cedar Bay Conditions of Certification
DATE: March 5, 1993

Attached are revised conditions of certification for the Cedar Bay Cogeneration Project as proposed by the US Generating Co. The suggested changes from the DER's draft conditions are shown in shaded text. We have undescored suggested new language and struck through language that should be deleted. Several conditions proposed by SJRWMD have also been incorporated with suggested revisions.

DSR/mee
Attachment.

cc: Nancy Barnard, SJRWMD

*3-24-93
edited a version
and took to Buck-went
over each edit. BR*

*3-19-93
contact Mark on CO and other concerns
3-19-93
BR*

*211 51-12:01
2 phone w Mark -
CO do 3-hr rolling avg; CEM
cent. is a 1-hr test; also, annual
test is 1-hr test; to submit
language on 5k recycle -> to go to
voluntary meaning because of
availability; HS language - he
is to contact Buck and
notify me BR*

*3-16-93
4:10-5:10
Met w Mark Carney
and went item by item
over the /my suggested changes/edits.
2 x conditions to be looked at:
① HS protocol evaluation
② recycle quantification
C.S. 3pm w CHF briefly. BR*

March 5, 1993

STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL REGULATION
AES CEDAR BAY, INC./SEMINOLE KRAFT CORP.
CEDAR BAY COGENERATION PROJECT
PA 88-24

CONDITIONS OF CERTIFICATION

When a condition is intended to refer to both either both AES Cedar Bay, Inc. or U.S. Generating Company Cedar Bay Cogeneration, Inc. and Seminole Kraft Corp., the term "Cedar Bay Cogeneration Project" or the abbreviation "CBCP" or the term "CBC/SK" or "permittees" will be used. When a condition is intended to refer to the "Cedar Bay Cogeneration Project" the terms "Cedar Bay Cogeneration Project", "CBCP", or "Project" will be used.

Where a condition applies only to AES Cedar Bay Cogeneration, Inc. or U.S. Generating Company (USG) the term "AES Cedar Bay Cogeneration, Inc." or the abbreviation "AESCB" "USG" "CBC" or the term "permittee," where it is clear that AESCB USG CBC is the intended responsible party, will be used. Similarly, where a condition applies only to Seminole Kraft Corp., the term "Seminole Kraft Corp." or the abbreviation "SK" or the term "permittee," where it is clear that SK is the intended responsible party, will be used. The Department of Environmental Regulation may be referred to as DER or the Department. BESD ~~RESD~~ represents the City of Jacksonville, Bio-Environmental Regulatory and Environmental Services Division Department. SJRWMD represents the St. Johns River Water Management District.

I. GENERAL

The construction and operation of CBCP shall be in accordance with all applicable provisions of at least the following regulations of the Department: Chapters 17-2, 17-210, 17-296, 17-297, 17-302, 17-4, 17-5276, 17-601, 17-702, 17-312, 17-21532, 17-22550, 17-555, 17-25, and 17-610, 17-660, and 17-772, Florida Administrative Code (F.A.C.) or their successors as they are renumbered.

II. AIR

The construction and operation of AESCB CBCP shall be in accordance with all applicable provisions of Chapters 17-296, and 17-297, F.A.C.. In addition to the foregoing, AESCB CBCP shall comply with the following conditions of certification as indicated.

PCAQD (Orval County Air Quality Division)
17-210 thru 297
17-01-21

A. Emission Limitations for AES CBCP Boilers

1. Fluidized Bed Coal Fired Boilers (CFB)

a. The maximum coal charging rate of each CFB shall neither exceed 104,000 lbs/hr., 39,000 tons per month (30 consecutive days), nor 390,000 tons per year (TPY). This reflects a combined total of 312,000 lbs/hr., 117,000 tons per month, and 1,170,000 TPY for all three CFBs.

b. ~~The maximum wood waste (primarily bark) charging rate to the No. 1 and No. 2 CFBs each shall neither exceed 15,653 lbs/hr., nor 63,760 TPY. This reflects a combined total of 31,306 lbs/hr., and 127,521 TPY for the No. 1 and No. 2 CFBs. The No. 3 CFB will not utilize wood waste, nor will it be equipped with wood waste handling and firing equipment. The maximum charging rate to each of two CFBs of short-fiber recycle rejects from the SK recycling process shall not exceed 180 MMBtu/hr. 150 dry TPD, nor shall such rejects exceed six (6) percent of the annual fuel consumption of the AESCB facility on a Btu basis 54,750 dry TPY. This reflects a combined total of 300 dry TPD, and 109,500 dry TPY for the two CFBs that fire recycle rejects. The third CFB will not utilize recycle rejects, nor will it be equipped with handling and firing equipment for recycle rejects.~~

c. The maximum heat input to each CFB shall not exceed 1063 MMBtu/hr. This reflects a combined total of 3189 MMBtu/hr. for all three units.

d. The sulfur content of the coal shall not exceed ~~1.7%~~ 1.2% by weight on an annual basis. The sulfur content shall not exceed ~~3.3%~~ 1.7% by weight on a shipment (train load) basis.

e. Auxiliary fuel burners shall be fueled only with ~~natural gas or~~ No. 2 fuel oil with a maximum sulfur content of ~~0.3%~~ 0.05% by weight. The fuel oil ~~or natural gas~~ shall normally only be used ~~only~~ for startups. ~~During the first year of commercial operation the maximum annual oil usage shall not exceed 350,000 1,900,000 gals./year. nor shall the maximum annual natural gas usage exceed 49 MMCF per year. During second year of commercial operation, the maximum annual oil usage shall not exceed 250,00 gals./year, nor shall the maximum annual natural gas usage exceed 35 MMCF per year. During the third and subsequent years of commercial operation, the maximum annual oil usage shall not exceed 160,000 gals/year, nor shall the maximum annual natural gas usage exceed 22.4 MMCF per year. The maximum heat input from the fuel oil or gas shall not exceed 1120 380 MMBtu/hr. for each the CFB.~~

f. The CFBS shall be fueled only with the fuels permitted in Conditions 1a, 1b, and 1e above. Other fuels or wastes shall not be burned without prior specific written approval of the Secretary of DER pursuant to Condition XXI, Modification of Conditions.

g. - The CFBS may operate continuously, i.e., 8760-hrs/yr, ^a but not exceed 3117 hrs/yr. (93% capacity factor) ~~factor is 8760 hrs/yr~~
27,94 x 10⁶ MMBtu/yr total annual heat input.

h. To the extent that it is consistent with Condition II.A.1.b. and the following, USG CBC shall burn all of the short fiber rejects generated by Seminole Kraft in processing recycled paper. No less than ninety (90) days prior to completion of construction, CBC shall submit a plan to DER for conducting a 30-day test burn within one year after initial compliance testing. That test burn shall be designed to demonstrate that ascertain whether the CFBS can burn the rejects as a supplemental fuel without exceeding any of the limitations on emissions and fuel usage contained in Condition II.A. and without causing any operational problems which would affect the reliable operation (with customary maintenance) of the CFBS and without violating any other environmental requirements. USG CBC shall notify DER and the Regulatory and Environmental Services Division Department (RESDD) at least thirty (30) days prior to initiation of the test burn. The results of the test burn and USG's CBC's analysis shall be reported to DER and to the RESDD within forty-five (45) days of completion of the test burn. DER shall notify AESCB CBC within thirty (30) days thereafter of its approval or disapproval of any conclusion by USG CBC that the test burn demonstrated that the rejects can be burned in compliance with this Condition of Certification. If CBC determines after the test burn that the rejects cannot be burned in the CFBS consistent with this Condition of Certification without modification of the CFBS, it shall submit with its analysis of the initial test burn a plan for completing such modifications and conducting another test burn as described above within one year after the initial test burn. Within forty-five (45) days of the second test burn, CBC shall submit a report to DER demonstrating that the rejects can be burned in compliance with this Condition of Certification.

2. Coal Fired Boiler Controls

The emissions from each CFB shall be controlled using the following systems:

- a. Limestone injection and fuel sulfur limitations, for control of sulfur dioxide, and acid gases. *acid mist?* *14250g sulfuric*
- b. Baghouse, for control of particulate matter, and trace metals. *why state that?*

c. Baghouse, for control of metals, except that USG CBC shall conduct a test to determine whether substantial additional removal of mercury can be obtained through an activated carbon injection system for mercury removal, as described in Exhibit 74 of the administrative record for the Lee County Resource Recovery Facility, which feeds carbon reagent into the CFB exhaust stream prior to the baghouse. Within one hundred eighty (180) days after initial compliance testing, USG CBC shall conduct a test on one CFB to compare mercury emissions to the atmosphere with and without carbon injection. If the mercury emissions from the tested CFB are reduced by fifty (50) percent or more over final emissions without carbon injection, then USG CBC shall install and operate a system to inject carbon into the exhaust gas stream of each CFB, prior to the baghouse. If the test demonstrates a reduction in actual mercury emissions from carbon injection of less than fifty (50) percent, then USG CBC shall not be required to install and/or operate a carbon injection system for any of its CFBs, nor to conduct further testing of carbon injection.

d. Selective Non-catalytic Reduction (SNCR)/SCR, for control of NOx

e. Good combustion characteristics, which are an inherent part of the CFB technology, for control of carbon monoxide and volatile organic compounds.

3. Flue gas emissions from each CFB shall not exceed the following:

Emission Limitations			
Pollutant	lbs/MMBtu	lbs/hr.	TPY for 3 CFBs
CO	0.19-0.175	202-186	823-758-2468-2273
NOx	0.29	308.3	1256-3767
NOx	0.17	180.7	736.1-2208
SO2	0.60 (3-hr avg.)	637.8	
	0.31-0.24 (12-MRA)	329.5-255.1	1338-1039-4015-3118
VOC	0.015	16.0	65-195
PM	0.020	21.3	87-260
PM10	0.020	21.3	86-257
H2SO4-mist	0.024	25.5	103-308
Fluorides	0.086	91.4	374-1122
Lead	0.007	7.4	30-91
Mercury	0.00026-0.0000304	0.276-0.0323	1.13-0.1316-3.4-0.3949
Beryllium	0.00011	0.117	0.5-1.5

Note: TPY represents a 93% capacity factor. MRA refers to a twelve-month rolling average.

Emission Limitations

Pollutant	lbs/MMBtu	lbs/hr.	TPY	for 3 CFBS
CO	0.175 ¹	186 [*]	758	2273
NOx	0.17 ¹	180.7 ¹	736.1	2208
SO2	0.24 ²	255.1 ²	-	-
	0.20 ³	-	866	2598
VOC	0.015	16.0	65	195
PM	0.018	19.1	78	234
PM10	0.018	19.1	78	234
H2SO4 mist	4.66e-04	0.50	2.0	6.1
Fluorides	7.44e-04	0.79	3.2	9.7
Lead	6.03e-05	0.06	0.26	0.78
Mercury	2.89e-05	0.03	0.13	0.38
Beryllium	8.70e-06	0.01	0.04	0.11

[Note: TPY represents a 93% capacity factor.]

- 1 ^{30-hr rolling} Thirty-day rolling average. *(EPA reference method)*
- 2 Three-hour rolling average. *OK*
- 3 Twelve-month rolling average (MRA).

*combustion demonstrable
No need a 1-hr
number limit*

4. Ammonia (NH₃) slip from exhaust gases shall not exceed 10 ppmvd when burning coal at 100% capacity and 30 ppmvd when burning oil.

4: 5. Visible emissions (VE) shall not exceed 20% opacity (6 min. average), except for one 6 minute period per hour when VE shall not exceed 27% opacity. *pursuant to 40 CFR 60.42a.*

5: 6. Compliance with the emission limits shall be determined by EPA reference method tests included in the July 1, 1991 ¹⁹⁹¹ 1988 version of 40 CFR Parts 60 and 61 and listed in Condition No. 8 of this permit or by equivalent methods after prior ^{in writing} ~~DER~~ approval, _{written}

6: 7. The CFBS are subject to 40 CFR Part 60, Subparts A and Da; except that where requirements within this certification are more restrictive, the requirements of this certification shall apply.

7: 8. Compliance Tests for each CFB

a. Initial ^{and subsequent} compliance tests for PM/PM10, SO2, NOx, CO, VOC, ~~lead~~, fluorides, ammonia, mercury, beryllium and H2SO4 mist shall be conducted in accordance with 40 CFR 60.8 (a), (b), (c), (d), (e), and (f).

and sub 17-297, F.A.C.

10
b. Annual compliance tests shall be performed for PM, SO₂ and NO_x, commencing no later than 12 months from the initial test.

c. Initial and annual visible emissions compliance tests shall be determined in accordance with 40 CFR 60.11(b) and (e).

d. The compliance tests shall be conducted between 90-100% of the maximum licensed capacity and firing rate ~~of~~ for each permitted fuel.

e. The following test methods and procedures of ^{Rule 17-297, F.A.C., and} 40 CFR Parts 60 and 61, or other DER approved methods with prior DER approval shall be used for compliance testing:

(1) *in writing*

- (1) Method 1 for selection of sample site and sample traverses.
- (2) Method 2 for determining stack gas flow rate.
- (3) Method 3 or 3A for gas analysis for calculation of percent O₂ and CO₂.
- (4) Method 4 for determining stack gas moisture content to convert the flow rate from actual standard cubic feet to dry standard cubic feet.
- (5) Method 5 or Method 17 for particulate matter.
- (6) Method 6, 6C, or 8 for SO₂.
- (7) Method 7, 7A, 7B, 7C, 7D, or 7E for nitrogen oxides.
- (8) Method 8 for sulfuric acid mist.
- (9) Method 9 for visible emissions, in accordance with 40 CFR 60.11. *and Appendix A.*
- (10) Method 10 for CO.
- (11) Method 12 ~~or 101A~~ for lead.
- (12) Method ~~13A~~ or 13B for fluorides.
- (13) Method 19 for sulphur dioxide removal efficiency pursuant to 40 CFR 60.48a.

~~(13)~~ ~~(14)~~ Method ~~18~~ or ~~(25A)~~ for VOCs.

*25 not 25A
PIC contam. from
combustion*

~~(14)~~ ~~(15)~~ Method 101A ~~or 108~~ for mercury.

~~(15)~~ ~~(16)~~ Method 104 for beryllium.

~~(17)~~ Method 201 or 201A for PM10 emissions.

~~(16) Method 201 or 201A for PM10 emissions.~~

8-9. Continuous Emission Monitoring for each CFB AESEB USG CBC shall use Continuous Emission Monitoring Systems (CEMS) to determine compliance. CEMS for opacity, SO2, NOx, CO, and O2 or CO2, shall be installed, calibrated, maintained and operated for each unit, in accordance with 40 CFR 60.47a, and 40 CFR 60 Appendix F, except as may be specifically authorized by DER. ~~that the span range of the NOx analyzer shall have a span range from 0 to 400 ppm, and the SO2 analyzer shall have a span range of 0 to 500 ppm.~~

17-297.500, F.A.C.

a. Each continuous emission monitoring system (CEMS) shall meet performance specifications of 40 CFR 60, Appendix B.

b. CEMS data shall be recorded and reported in accordance with Chapter 17-297, F.A.C., and 40 CFR 60.49a and 60.7. A record shall be kept for periods of startup, shutdown and malfunction.

c. A malfunction means any sudden and unavoidable failure of air pollution control equipment or process equipment or of a process to operate in a normal or usual manner. Failures that are caused entirely or in part by poor maintenance, careless operation, or any other preventable upset condition or preventable equipment breakdown shall not be considered malfunctions.

d. The procedures under 40 CFR 60.13 shall be followed for installation, evaluation and operation of all CEMS.

e. Opacity monitoring system data shall be reduced to 6-minute averages, based on 36 or more data points, and gaseous CEMS data shall be reduced to 1-hour averages, based on 4 or more data points, in accordance with 40 CFR 60.13(h).

f. For purposes of reports required under this certification, excess emissions are defined as any calculated average emission concentration, as determined pursuant to Condition No. 10 herein, which exceeds the applicable emission limit in Condition No. 3.

g. The permittee is subject to all applicable provisions of 17-4.130, Plant Operation - Problems.

15995-1
h. All records of ~~monitoring~~ ^{of documentation} shall be kept for a minimum of 3 years pursuant to Rule 17-4.160(1)(F) F.A.C.

9: 10. Operations Monitoring for each CFB

a. Devices shall be installed to continuously monitor and record steam production, and flue gas temperature at the exit of the control equipment.

b. -- The furnace heat load shall be maintained between 70% and 100% of the design rated capacity during normal operations:

~~b.c.~~ The coal, rejects, bark, natural gas and No. 2 fuel oil usage shall be recorded on a 24-hr (daily) basis for each CFB. Recycle rejects usage on a volumetric basis shall be estimated for each 24-hour period in which rejects are burned. *quantitative*

10: 11. Reporting for each CFB

a. A minimum of thirty (30) days prior notification of compliance test shall be given to DER's N.E. District office and to the ~~BRES~~ (Bio-Environmental Services Division) office, in accordance with 40 CFR 60.8. *written*

In accordance with Rule 17-297.50, F.A.C.
b. The results of compliance test shall be submitted to the ~~BRES~~ office within 45 days after completion of the test. *DCAAD*

last
c. The owner or operator shall submit excess emission reports to ~~BRES~~, in accordance with 40 CFR 60.7. The reports shall include the following: *Rule 17-210.700, F.A.C., and 7(c) and (d).*

(1) The magnitude of excess emissions computed in accordance with 40 CFR 60.13(h), any conversion factors used, and the date and time of commencement and completion of each period of excess emissions (40 CFR 60.7(c)(1)).

(2) Specific identification of each period of excess emissions that occurs during startups, shutdowns, and malfunctions of the furnace boiler system. The nature and cause of any malfunction (if known) and the corrective action taken or preventive measure adopted (40 CFR 60.7(c)(2)).

(3) The date and time identifying each period during which the continuous monitoring system was inoperative except for zero and span checks, and the nature of the system repairs or adjustments (40 CFR 60.7(c)(3)).

(4) When no excess emissions have occurred or the continuous monitoring system has not been inoperative, repaired, or adjusted, such information shall be stated in the report (40 CFR 60.7(c)(4)).

(5) The owner or operator shall maintain a file of all measurements, including continuous monitoring systems performance evaluations; monitoring systems or monitoring device calibration; checks; adjustments and maintenance performed on these systems or devices; and all other information required by this permit recorded in a permanent form suitable for inspection (40 CFR 60.7(d)(e)).

^{DCAQD} d. Annual and quarterly reports shall be submitted to ~~BRES~~ as per ~~F.A.C. Rule 17-2-700(7)~~ 297.450.

~~11. 12.~~ Any change in the method of operation, fuels utilized, equipment, or operating hours or any other changes pursuant to F.A.C. Rule 17-2-~~200~~ 200, defining modification, shall be submitted for approval to DER's Bureau of Air Regulation.

^{13. All records of documentation shall be kept on file for a minimum of 3 years pursuant to Rule 17-4.160(14), F.A.C.}
 B. AES CBCP - Material Handling and Treatment

1. The material handling and treatment operations including coal and limestone unloading buildings, coal and limestone reclaim hoppers, coal crusher house, limestone dryer, fly and bed ash silos, ash pelletizer, pellet curing silo, coal and limestone day silos, conveyors, storage areas and related equipment. These facilities may be operated continuously, i.e. 8760 hrs/yr, except that the limestone crushers/dryers may be operated for an average of 8 hours per day at maximum capacity.

2. The material handling/usage rates for coal, limestone, fly ash, and bed ash shall not exceed the following:

Material	Handling/Usage Rate	
	TPM	TPY
Coal	117,000	1,170,000
Limestone	27,000	320,000
Fly Ash	28,000	336,000
Bed Ash	8,000	88,000

Note: TPM is tons per month based on 30 consecutive days, TPY is tons per year.

3. The VOC emissions from the maximum No. 2 fuel oil utilization rate of 240 gals/hr., ~~2,100,000~~ 700,800 and 750,000 gals/year

15995.1

14. The permittee is subject to all applicable provisions of Rule 17-210.700, F.A.C., Excess Emissions.

15. The permittee is subject to all applicable provisions of Rule 17-210.650, F.A.C., Circumvention.

16. The permittee is subject to all applicable provisions of Rule 17-4.160, Permit Conditions.

for the limestone dryers; and, 8000 gals/hr., 160,000 and 1,900,000 gals/year for the three boilers are not expected to be significant.

4. -- The maximum emissions from the material handling and treatment area, where baghouses are used as controls for specific sources, shall not exceed those listed below (based on AP-42 factors):

Source	Particulate Emissions lbs/hr.	TPY
Coal-Rail-Unloading	neg	neg
Coal-Belt-Feeder	neg	neg
Coal-Crusher	0.41	1.78
Coal-Belt-Transfer	neg	neg
Coal-Silo	neg	neg
Limestone-Crusher	0.06	0.28
Limestone-Hopper	0.01	0.03
Fly-Ash-Bin	0.02	0.10
Bed-Ash-Hopper	0.06	0.25
Ash-Silo	0.06	0.25
Common-Feed-Hopper	0.03	0.13
Ash-Unloader	0.01	0.06

4. The following material handling and treatment area emission points shall be controlled by baghouses:

a. The material handling and treatment area sources with either fabric filter or baghouse controls are as follows:

- Coal Crusher Building Dust Collector
- Coal Silo Conveyor Area Dust Collector
- Limestone Pulverizer/Conveyor Dust Collectors (2)
- Limestone Storage Bin Hopper Vent Filters (2)
- Limestone Feeder Vent Filters (6)
- Ash Silo Unloaders (2)
- Bed Ash Hopper Bin Filter
- Bed Ash Silo Bag Filter
- Fly Ash Silo Bag Filters (2)
- Bed Ash Silo Bin Vent
- Fly Ash Silo Bin Vent
- Pelletizing Bed Ash Receiver Filter
- Pelletizing Fly Ash Receiver Filter
- Pelletizing Vibratory Screen Filter
- Pelletizing Ash Recycle Tank Filter
- Pelletizing Recycle Hopper Filter
- Pelletizing Cured Pellet Recycle Conveyor Filter
- Pelletizing Curing Silo Outlet Recycle Conveyor Dust

0.003

The emissions from the above listed sources are subject to the particulate emission limitation requirement of 0.003 gr/dscf in accordance with Rule 17-296-711 F.A.C.

The following material handling and treatment area sources shall be controlled using wet dust suppression techniques:

b. The PM emissions from the following process, equipment, and/or facility in the material handling and treatment area sources shall be controlled using wet suppression/removal techniques as follows:

- Coal Car Unloading Wet Suppression
- Ash Pelletizing Hydrator Venturi Scrubber
- Ash Pelletizing Curing Silo Impingement Scrubber
- Ash Pelletizing Pan Impingement Scrubber

The emissions from the above listed sources and the limestone dryers are subject to the particulate emission limitation requirement of 0.03 gr/dscf. However, neither DER nor BRESO will require particulate tests in accordance with EPA Method 5 unless the VE limit of 5% opacity is exceeded for a given source, or unless DER or BRESO, based on other information, has reason to believe the particulate emission limits are being violated.

5. Visible Emissions (VE) shall not exceed 5% opacity from any source in the material handling and treatment area listed in Condition II, B.4a., in accordance with F.A.C. Chapter 17-296. Neither DER nor RESD will require particulate tests in accordance with EPA Method 5 unless the VE limit of 5% opacity is exceeded for a given source, or unless DER or RESD, based on other information, has reason to believe the particulate emission limits are being violated.

6. The maximum emissions from each of the limestone dryers while using oil shall not exceed the following (based on AP-42 factors, Table 1, 3-1, Industrial Distillate, 10/86):

DCA00

211, F.A.C.
7
Bob T. [unclear]
1/6/88

(2)(c).
17, F.A.C.

Estimated Limitations

Pollutant	lbs/hr.	TPY	TPY for 2 dryers
PM/PM10	0.25 <u>0.24</u>	1.1 <u>0.32</u>	2.2 <u>0.64</u>
SO2	5.00 <u>0.85</u>	21.9 <u>1.15</u>	43.8 <u>2.3</u>
CO	0.60	2.6 <u>0.81</u>	5.2 <u>1.62</u>
NOx	2.40	10.5 <u>3.25</u>	21.0 <u>6.5</u>
VOC	0.05	0.2 <u>0.06</u>	0.4 <u>0.12</u>

Particulate matter emissions shall not exceed ^{from the dryers} 0.03 ~~sc/dscf~~ ^{sc/dscf} or any ^{greater than} visible emissions from the dryers shall not exceed 5% opacity. ^{in mass of} If natural gas is used, emissions limits shall be determined by factors contained in AP-42 Table 1-4-1, Industrial 10/86: pursuant to Rule 17-296.712, F.A.C.

7. The maximum No. 2 fuel oil with maximum sulfur content of .05% by weight firing rate for each limestone dryer shall not exceed 120 gals/hr., or ~~1,950,000~~ 350,400 gals/year. This reflects a combined total fuel oil firing rate of 240 gals/hr., and ~~2,100,000~~ 700,800 gals/year, for the two dryers. The ~~maximum natural gas firing rate for each limestone dryer shall not exceed 16,800 CF per hour, or 147 MMCF per year.~~

8. Initial and annual ^{particulate matter and} Visible Emission compliance tests for all the emission points in the material handling and treatment area, including but not limited to the sources specified in this permit, shall be conducted, in accordance with the July 1, 1988 version of 40 CFR 60, ^{using EPA Method 9,} respectively.

9. ^{In accordance with Rule 17-297.570, F.A.C.} Compliance test reports shall be submitted to ^{DCA Q D} BRESB within 45 days of test completion in accordance with Chapter 17-2-700(7) ~~297.450~~ ⁵⁷⁰ of the F.A.C. ^{Rule}

10. Any changes in the method of operation, raw materials processed, equipment, or operating hours or any other changes pursuant to F.A.C. Rule 17-212.100, defining modification, shall be submitted for approval to DER's Bureau of Air Regulation (BAR). ²⁰⁰

C. Requirements For the Permittees

1. ^{DCA Q D} Beginning one month after certification, AESCB CBC shall submit to BRESB and DER's BAR, a quarterly status report briefly outlining progress made on engineering design and purchase of major equipment, including copies of technical data pertaining

to the selected emission control devices. These data should include, but not be limited to, guaranteed efficiency and emission rates, and major design parameters such as air/cloth ratio and flow rate. The Department may, upon review of these data, disapprove the use of any such device. Such disapproval shall be issued within 30 days of receipt of the technical data.

2. The permittees shall report any delays in construction and completion of the project which would delay commercial operation by more than 90 days to the BRESO office.

3. Reasonable precautions to prevent fugitive particulate emissions during construction, such as coating of roads and construction sites used by contractors, regrassing or watering areas of disturbed soils, will be taken by the permittees. *uncontrolled emissions of particulate matter shall be The permittee is subject to the provisions of Rule 17-246.310(3), Uncontrolled Emissions of Particulate Matter.*

4. Fuel shall not be burned in any unit unless the control devices are operating properly, pursuant to 40 CFR Part 60 Subpart Da.

5. The maximum sulfur content of the No. 2 fuel oil utilized in the CFBS and the two unit limestone dryers shall not exceed 0.3 0.05 percent by weight. Samples shall be taken of each fuel oil shipment received and shall be analyzed for sulfur content and heating value. Records of the analyses shall be kept a minimum of ~~two~~ *three* years to be available for DER and BRESO inspection.

6. Coal fired in the CFBS shall have a sulfur content not to exceed 3.3 1.7 percent by weight on a shipment (train load) basis. Coal sulfur content shall be determined and recorded in accordance with 40 CFR 60.47a.

7. AESCB CBC shall maintain a daily log of the amounts and types of fuel used and copies of fuel analyses containing information on sulfur content and heating values. *keep on record for 3 years a minimum of 3 years for*

8. The permittees shall provide stack sampling facilities as required by Rule 17-2-700(4) 297.345 FAC.

9. Prior to commercial operation of each source CFB, the permittees shall each submit to the BAR a standardized plan or procedure that will allow that permittee to monitor emission control equipment efficiency and enable the permittee to return malfunctioning equipment to proper operation as expeditiously as possible.

10. All records of documentation shall be kept on file for a minimum of 3 years pursuant to Rule 17-4.160(14), F.A.C.

D. Contemporaneous Emission Reductions

This certification and any individual air permits issued subsequent to the final order of the Board certifying the power plant site under 403.509, F.S., shall require, that the

and, if the construction permits for the ~~new~~ new Kraft recovery boiler, smelt dissolving tank, and multiple effect evaporator set shall be surrendered also [i.e. PSD-FL-141]; A.C. 16-168607, -168608 and -168609.]

DAAD

following Seminole Kraft Corporation sources be permanently shut down and made incapable of operation, and shall turn in their operation permits to the Division of Air Resources Management's Bureau of Air Regulation, within 30 days of written confirmation by DER of the successful upon completion of the initial compliance tests on the AESCB CBCP boilers: the No. 1 PB (power boiler), the No. 2 PB, the No. 3 PB, the No. 1 BB (bark boiler), and the No. 2 BB; BRESB shall be specifically informed in writing within thirty days after each individual shut down of the above referenced equipment. This requirement shall operate as a joint and individual requirement to assure common control for purpose of ensuring that all commitments relied on are in fact fulfilled. This requirement does not prevent, and Siting Board approval is not required for, Seminole Kraft burning fiber rejects from its wastepaper recycling in the No. 1 BB and the No. 2 BB until they are required to be shut down under this provision.

Any applications for new steam generating equipment or for any other new emission sources filed by Seminole Kraft shall be processed and approved by DER outside of the CBCP site certification and in accordance with all applicable state and federal laws and regulations. Seminole Kraft may use any creditable emissions reductions, other than reductions associated with the shutdown of its three existing power boilers and two existing bark boilers described above, that may be associated with elimination or reduced utilization of other emissions sources at the Seminole Kraft mill, in any future permitting of any new steam generating equipment or other emissions sources not located on the CBCP site. Emissions from the generation of the first 375,000 lbs./hr. of steam generated by Seminole Kraft for its own use shall not exceed the following on an annual basis:

Tons Per Year

CO	157
NO	449
SO ₂	765

[NOTE: This condition should be reviewed by SK.]

III. WATER DISCHARGES

Any discharges into any waters of the State during construction and operation of AESCB shall be in accordance with all applicable provisions of Chapters 17-3, and 17-6, F.A.C., and 40 CFR, Part 423, Effluent Guidelines and Standards for Steam Electric Power Generating Point Source Category, except as provided herein. Also, AESCB CBCP shall comply with the following conditions of certification:

A. Plant Effluents and Receiving Body of Water

For discharges made from the AESCB CBCP power plant the following conditions shall apply:

1. CBCP shall not discharge any cooling system, demineralizer regeneration, floor drainage or similar wastewaters from the operation of the CBCP facility into any waters of the State. CBCP shall install a closed-loop cooling water system in accordance with technical specifications set forth in the Zero Discharge System Plan submitted by CBCP to the Department during the hearing and attached as Exhibit ~~***~~ to these Conditions of Certification. Pursuant to that Zero Discharge Plan, CBCP shall make available to Seminole Kraft up to 500 gpm of reclaimed water that has been treated to a quality satisfactory for use in ~~condensing cooling for~~ Seminole Kraft's cooling tower turbine generator.

~~2. --- CBCP shall continue to seek a permit from U.S. EPA for the discharge of cooling water and process wastewater to the St. Johns or the Broward River. --- If an NPDES permit can be obtained, and if DER determines that it will result in a net environmental improvement over the Zero Discharge Plan, USG shall apply for a modification of these Conditions of Certification to allow it to install and operate equipment to treat all of the process wastewater and cooling water generated by Seminole Kraft, up to 12 mgd, in a chemically-assisted clarification unit. A portion of the effluent from that unit shall be used for the makeup to the USG and Seminole Kraft cooling towers, with the remainder discharged to surface waters. --- The modified Conditions of Certification may include a compliance schedule to allow the installation of any necessary wastewater conveyance and treatment equipment.~~

[NOTE: Condition deleted as a discharge from CBCP will not be able to meet state water standards.]

3. Receiving Body of Water (RBW) - The receiving body of water has been determined by the Department to be those waters of the St. John's River or Broward River and any other waters affected which are considered to be waters of the State within the definition of Chapter 403, Florida Statutes.

4. Point of Discharge (POD) - The point of discharge has been determined by the Department to be where the storm water effluent physically enters the waters of the State in the St. John's River (during construction) via Outfall OSN001 and Broward River (during construction and operation) via Outfall OSN 003 and OSN 008. ~~via Outfalls the SKC discharge outfall-001, which is the existing main outfall from the paper mill emergency overflow to the Broward River via outfall-003.~~

3. Thermal-Mixing-Zones - The instantaneous zone of thermal mixing for the ABSCB cooling system shall not exceed an area of 0.25 acres. The temperature at the point of discharge into the St. John's River shall not be greater than 95 degrees F. The temperature of the water at the edge of the mixing zone shall not exceed the limitations of Section 17-3.05(1)(d), F.A.C. Cooling-tower-blowdown shall not exceed 95° F as a 24-hour average; nor 96° F as an instantaneous maximum.

4. Chemical Wastes from ABSCB - All discharges of low volume wastes (demineralizer regeneration, floor drainage, labs drains, and similar wastes) and chemical metal cleaning wastes shall comply with Chapter 17-6, F.A.C. at OSN-006 and 007 respectively. If violations of Chapter 17-6, F.A.C. occur, corrective action shall be taken by ABSCB. These wastewaters shall be directed to an adequately sized and constructed treatment facility.

5. pH - The pH of the combined discharges shall be such that the pH will fall within the range of 6.0 to 9.0 at the POD to the St. Johns River and shall not exceed 6.5 to 8.5 at the boundary of a 0.25-acre mixing zone.

6. Polychlorinated Biphenyl Compounds - There shall be no discharge of Polychlorinated biphenyl compounds.

7. Cooling-Tower-Blowdown - ABSCB's discharge from Outfall-Serial-Number-002 - Cooling-Tower-Blowdown shall be limited and monitored as specified below:

<u>Parameter</u>	<u>Discharge Limit</u>	<u>Monitoring</u>	<u>Requirement</u>
		<u>Frequency</u>	<u>Type</u>
Discharge-Flow (mgd)	Report	1/day	Totalizer
Discharge-Temp: (°F)	Instantaneous Maximum	Continuous	Recorder
Total-Residual Oxidants	Instantaneous Maximum: .05-mg/l	Continuous	Recorder
Time-of-Total Residual-Oxidant Discharge (TRO)	120-minutes per-day	Continuous	Recorder
Iron	Instantaneous Maximum-0.5-mg/l	1/week	grab
pH	6-9	1/week	grab

b:-- There shall be no detectable discharge of the 125 priority pollutants contained in chemicals added for cooling tower maintenance. --- Notice of any proposed use of compounds containing priority pollutants shall be made to the DER Northeast District Office not later than 180 days prior to proposed use.

c:-- Samples taken in compliance with the monitoring requirements specified above shall be taken at OSN 002 prior to mixing with any other waste stream.

d: 5. Seminole Kraft Corporation (SKC) shall shut down the mill's once thru cooling system within 30 days after written notification by DER of the successful upon completion of the initial compliance tests on the AESCB CBCP boilers conducted pursuant to Condition II.A.7. SKC shall inform the DER NE District Office of the shutdown and surrender all applicable operating permits for that facility within 30 days of such shutdown.

8:-- Combined Low-Volume Wastes shall be monitored at OSN 006 with weekly grab samples. --- Discharge limitations are as follows:

	<u>Daily-Max</u>	<u>Daily-Avg</u>
Oil and Grease	20.0 mg/l	15.0
Copper dissolved	1.0 mg/l*	N/A
Iron dissolved	1.0 mg/l*	N/A
Flow	Report	N/A
Heavy Metals	Report	{See Below}

a:-- The pH of the discharge shall not be less than 7.0* standard units and shall be monitored once per shift; - unless more frequent monitoring is necessary to quantify types of nonchemical metal cleaning waste discharged.

b:-- Serial number assigned for identification and monitoring purposes. --- Heavy metal analyses shall include total copper, iron, nickel, selenium, and zinc. *Limits applicable only to periods in which nonchemical metal cleaning waste is being discharged via this OSN. --- Length of composite samples shall be during the periods (s) of nonchemical metal cleaning waste generation and discharge and shall be adequate to quantify differences in sources of waste generated (air preheater vs boiler fireside, etc.):

9:-- Chemical-Metal-Cleaning

AESCB's discharge from outfall serial number 007-- metal cleaning wastes discharged to the Seminole Kraft treatment

system:--Such discharges shall be limited and monitored by the permittee as specified below:

a:

Effluent	-----	Discharge Limits	-----	Monitoring
Characteristic	-----		-----	Requirements
	-----	Instantaneous	-----	Measurement
	-----	Max	-----	Frequency
				Sample
				Type

Flow	---m3/day- (MGD)	-----	1/batch	-----	Pump-log
Copper, Total	-----	1.0-mg/l	-----	1/	-----
Iron, Total	-----	1.0-mg/l	-----	1/	-----
Batches	-----	Report	-----	1/batch	-----
					logs

-----b:--Chemical-metal-cleaning-wastes-shall-mean-process-equipment-cleaning-including, but not limited to; boiler-tube-cleaning:

-----e:--Waste-treated-and-discharged-via-this-OSN-shall-not-include-any-stream-for-which-an-effluent-guideline-has-not-been-established-(40-CFR-Part-423)-for-total-copper-and-total-iron-at-the-above-levels:

-----d:--Samples-taken-in-compliance-with-the-monitoring-requirements-specified-above-shall-be-taken-at-the-discharge-from-the-metal-cleaning-waste-treatment-facility(s)-prior-to-mixing-with-any-other-waste-stream:

10. 6. Storm Water Runoff - During construction and operation discharge from the storm water runoff collection system from a storm event less than the once in ten year twenty-four hour storm shall meet the following limits and shall be monitored at OSN 003 by a grab sample once per discharge, but not more often than once per week:

<u>Effluent Characteristic</u>	<u>Discharge Limits</u>	
	<u>Instantaneous Maximum</u>	
Flow (MGD)	Report	
TSS (mg/l)	50	
pH	6.0-9.0	

a. During normal plant operation, necessary measures shall be used to settle, filter, treat or absorb silt-containing or pollutant-laden storm water runoff to limit the suspended solids to 50 mg/l or less at OSN 003 during rainfall

periods less greater than the 10 25-year, 24-hour rainfall. During periods of operation when the CBCP is offline, these necessary measures, as specified above, shall be used during rainfall periods greater than a 10-year, 24-hour storm.

b. Any underdrains must be checked annually and measures must be taken to insure that the underdrain operates as designed. Permittees will have to modify the underdrain system should maintenance measures be insufficient to achieve operation of the underdrains as designed. AES-Cedar-Bay USG CBC must back flush the exfiltration/underdrain system at least once during the first six months of calendar each year. These backflushings must occur no closer than four calendar months from each other. In advance of backflushing the exfiltration/underdrain systems, the permittees must notify BRESO and SJRWMD of the date and time of the backflushing.

c. Control measures shall consist at the minimum of filters, sediment traps, barriers, berms or vegetative planting. Exposed or disturbed soil shall be protected as soon as possible to minimize silt, and sediment-laden runoff. The pH shall be kept within the range of 6.0 to 9.0 in the discharge to the St. Johns River and 6.5 to 8.5 in the Broward River.

d. Special consideration must be given to the control of sediment laden runoff resulting from storm events during the construction phase. Best management practices erosion controls should be installed early during the construction period so as to prevent the transport of sediment into surface waters which could result in water quality violations and Departmental enforcement action. Revegetation and stabilization of disturbed areas should be accomplished as soon as possible to reduce the potential for further soil erosion. Should construction phase runoff pose a threat to the water quality of state waters, additional measures such as treatment of impounded runoff or the use of turbidity curtains (screens) in on-site impoundments shall be immediately implemented with any releases to state waters to be controlled.

e. It is necessary that there be an entity responsible for maintenance of the system pursuant to Section 17-25.027, FAC.

f. Correctional action or modification of the system will be necessary should mosquito problems occur.

g. AES-Cedar-Bay USG CBC shall submit to DER with copy to BRESO, erosion control plans for the entire construction project (or discrete phrases of the project) detailing measures to be taken to prevent the offsite discharge of turbid waters during construction. These plans must also be provided to

the construction contractor prior to the initiation of construction.

h. All swale and retention basin side slopes shall be seeded and mulched within thirty days following their completion and a substantial vegetative cover must be established within ninety days of seeding.

11:---Boiler-Blowdown-

-----Discharge-from-boiler-blowdown-to-the-cooling-tower-from-outfall-serial-Number-004-shall-be-limited-and-monitored-as-specified-below:

Effluent Characteristic	Discharge Limits	Monitoring Requirements
	Daily Maximum	Sample Measurement Type Frequency
TSS	30.0	grab 1/Quarter
Oil and Grease Flow	15.0	grab Calculation 1/Quarter 1/Month

-----12:---Construction-Dewatering-

-----a:-- Discharge of construction dewatering to the-SKC-once-through-cooling-system-from-outfall-serial-number-005-shall-be-limited-and-monitored-as-specified-below:

Effluent Characteristic	Discharge Limits	Monitoring Requirements
	Instantaneous Maximum	Measurement Sample Frequency Type
Flow (MGD)	288	daily Totalizer
Turbidity (NTU)	29	1/week-composite/grab
Aluminum-mg/L	1.5	1/week-composite/grab
Copper-mg/L	0.015	1/week-composite/grab
Iron-mg/L	0.3	1/week-composite/grab
Lead-mg/L	0.05	1/week-composite/grab
Mercury-ug/l	0.1	1/week-composite/grab
Phenol-ug/l	1.0	1/week-composite/grab
TSS-mg/l	50.0	1/week-composite/grab
pH	6.0-9.0	1/week-composite/grab

Report N:D. - if below detection limit, - giving method used and detection limit. - If the discharge limit is below the detection limit, - then N:D. - signifies compliance.

AES/CB shall take composite samples of dewatering effluent once a week for one month following the start of dewatering, - then if no violations are found, - grab samples may be taken for the remainder of dewatering.

AES - Cedar - Bay shall treat the construction dewatering discharge so as not to exceed the above effluent limits. - AES/CB shall utilize the advanced treatment systems consisting of sand filter, - carbon filter, - and selective ion exchange, - as shown in their letter of October 26, - 1990, - to Hamilton S. - Owen, - unless testing demonstrates that the above limits can be met without such treatment. - - Prior to discontinuing such treatment, - AES/CB shall notify both DER and BESD, - and provide them with an opportunity for consultation.

AES - Cedar - Bay shall do sufficient bench testing to demonstrate that it can meet the above limit for copper. - AES Cedar Bay shall notify DER and BESD of the bench testing, - and allow DER and BESD to be present if they so desire to observe the bench testing.

In addition, - AES Cedar Bay shall determine the amount of treatment and removal provided for iron, - aluminum and lead by the method of treatment selected for copper.

A report shall be submitted to DER and BESD summarizing the results of the bench testing of the proposed treatment technique.

-----b: Project discharge descriptions --
Dewatering water, - outfall 005, - includes all surficial groundwater extracted during all excavation construction on site for the purpose of installing structures, - equipment, - etc. discharges to the SKC once through cooling water system at a location to be depicted on an appropriate engineering drawing to be submitted to DER and BESD. - Final discharge after treatment is to the St. - Johns River. - The permittee shall report to BESD the date that construction dewatering is expected to begin at least one week prior to the commencement of dewatering.

-----13:-- Mixing Zones-- The discharge of the following pollutants shall not violate the Water Quality Standards of Chapter 17-3, - F.A.C., - beyond the edge of the designated instantaneous mixing zones as described herein. - Such mixing zones shall apply when the St. - Johns River is in compliance with the applicable water quality standard.

The permittee shall report the date construction dewatering commences to the BESD:

a. During operation of CBCP for the life of the facility:

Iron-----125,600-m2-{31-acre}-mixing-zone
Chlorine--0---not-measurable-in-river
Temp:-----1,013-m2-{0.25-acre}
Ph-----1,013-m2-{0.25-acre}

14. Variance to Water Quality Standards--In accordance with the provisions of Sections 403.201 and 403.511(2); F.S.; permittees are hereby granted a variance to the water Quality Standard of Chapter 17-3.121, F.A.C. for iron during operation:

Such variance shall apply only as the natural background level of the St. John's River approach or exceed the standards. In any event, the discharge from the CBCP shall comply with the effluent limitations set forth in Paragraph III.A.12. At least 90 days prior to start of construction, AES shall submit a bioassay program to assess the toxicity of construction dewatering effluent to the DER for approval. Such program shall be approved prior to start of construction dewatering:

15. 7. Sanitary wastes from AESCB CBC CBCP shall be collected and discharged routed for treatment to the SKC domestic wastewater treatment plant.

B. Water Monitoring Programs

1. Necessity and extent of continuation of monitoring programs, and may be modified in accordance with Condition No. XXI, Modification of Conditions.

2. Chemical Monitoring - The parameters described in Condition III.A. shall be monitored during discharge as described in Condition III.A., commencing with the start of construction or operation of the CFBS and reported quarterly to the Northeast District Office.

3. Coal, Ash, and Limestone Storage Areas - Runoff from the coal pile, ash and lime stone storage areas shall be retained on-site during normal operations up to the 25-year, 24-hour storm event, directed to the SK waste water treatment facility for discharge under its existing waste water permit. Monitoring of metals, such as iron, copper, zinc, mercury silver, and aluminum, shall be done once a month during any month when a discharge occurs at OSN 008 or once per month from the collection pond.

4. The ground water levels shall be monitored continuously at selected wells as approved by the SJRWMD. Chemical analyses shall be made on samples from all monitored wells identified in Condition IV.F. and IV.G. below. The location, frequency and selected chemical analyses shall be as given in Condition IV.F and IV.G. The ground water monitoring program shall be implemented at least one year prior to commercial operation of the CFBs. The chemical analyses shall be in accord with the latest edition of Standard Methods for the Analysis of Water and Wastewater. The data shall be submitted within 30 days of collection/analysis to the SJRWMD.

IV. GROUND WATER

A. Water Well Construction Permit

Prior to the construction, modification, or abandonment of a production well for the SK paper mill, the Seminole Kraft must obtain a Water Well Construction Permit from the SJRWMD pursuant to Chapter 40C-3, F.A.C. Construction, modification, or abandonment of a production well will require modification of the SK consumptive use permit when such construction, modification or abandonment is other than that specified and described on SK's consumptive use permit application form. The construction, modification, or abandonment of a monitor well specified in Condition IV.H. will require the prior approval of the Department. All monitor wells intended for use over thirty days must be noticed to BRESO prior to construction or change of status from temporary to permanent.

B. Well Criteria, Tagging and Wellfield Operating Plan

Leaking or inoperative well casings, valves, or controls must be repaired or replaced as required to eliminate the leak or make the system fully operational put the system back in an operative condition acceptable to the SJRWMD. Failure to make such repairs will be cause for deeming the well abandoned in accordance with Chapter 17.21.02(5), F.A.C., Chapter 373.309, Florida Statutes and Chapter 366.301 (b), and .307 (a), Jacksonville ordinance Code. Wells deemed abandoned will require plugging according to state and local regulations.

A SJRWMD-issued identification tag must be prominently displayed at each CBCF withdrawal site by permanently affixing such tag to the pump, headgate, valve or other withdrawal facility as provided by Section 40C-2.401, Florida Administrative Code. The SK must notify the SJRWMD in the event that a replacement tag is needed.

The permittees must develop and implement a Wellfield Operating Program within six (6) months after of construction of wells or start-up of the CBCP certification. This program must describe which wells are primary, secondary, and standby (reserve); the order of preference for using the wells; criteria for shutting down and restarting wells; describe AES Cedar-Bay USG CBC and SKC responsibilities in the operation of the well field, and any other aspects of well field management operation, such as who the well field operator is and any other aspects of wellfield management operation. This program must be submitted to the SJRWMD and a copy to BRESO within six (6) months of certification and receive District SJRWMD approval before the wells may be used to supply water for the AES-Cedar-Bay CBCP cogeneration plant.

C. Maximum Annual Withdrawals

AESCB's CBCP's maximum annual withdrawals from the Floridan aquifer may not exceed 530.7 million gallons. Maximum daily withdrawals from the Floridan aquifer may not exceed 1.45 million gallons. The use of potable water from the Floridan aquifer for cooling purposes is prohibited. The use of potable water from the Floridan aquifer for control of fugitive dust emissions is prohibited when alternative water sources are available, such as treated wastewater, shallow aquifer wells or stormwater. The use of Floridan aquifer potable water for the sole purpose of waste stream dilution is prohibited.

D. Water-Use-Transfer

The SJRWMD must be notified, in writing, within 90-30 days of the transfer of this certification. All transfers are subject to the provisions of Section 40C-2.351, F.A.C., which state that all terms and conditions of the permit shall be binding of the transferee. any sale, conveyance, or other transfer of a well or facility from which the certified consumptive use is made or within 30 days of any transfer of ownership or control of the real property at which the certified consumptive use is located. All transfers of ownership or transfers of consumptive use certification are subject to the provisions of Section 40-C-1.612, F.A.C.

E. Emergency Shortages

Nothing in this certification is to be construed to limit the authority of the SJRWMD to declare a water shortage and issue orders pursuant to Section 373.175, Florida Statutes, or to formulate a plan for implementation during periods of water shortage, pursuant to Section 373.246, Florida Statutes. In the event of a water shortage, as is declared by the District Governing Board, the AESCB USG CBC shall adhere to reductions-in-water withdrawals as specified by the SJRWMD. water shortage

restrictions, as specified by SJRWMD to the extent the restrictions apply to all other similar users.

F. Monitoring and Reporting

1. a. The permittee shall maintain records of total daily withdrawals for the AESCB CBCP on a monthly basis for each year ending on December 31st. These records shall be submitted to the SJRWMD on Form EN-3 by January 31st of each year.

b. Prior to beginning water usage, all points where water is delivered to the SKC water supply or wastewater system for use at AESCB CBCP must be equipped with totalizing flow meters. Such meters must maintain a 95% accuracy, be verifiable and be installed according to the manufacturer's specifications.

c. AESCB CBC must maintain the required flow meter(s). In case of failure or breakdown of any meter or other flow measuring device, the SJRWMD must be notified in writing within 5 days of its discovery. A defective meter must be repaired or replaced within 30 days of its discovery.

d. Total withdrawals from each monitored source must be recorded continuously, totalled monthly, and reported to the SJRWMD at least every six months from the initiation of the monitoring using SJRWMD Form No. EN-50.

e. AESCB CBC must have all flow meters checked for accuracy once every 3 years within 30 days of the anniversary date of commencement of operation of the CBCP, and recalibrated if the difference between the actual flow and the meter reading is greater than 5%. SJRWMD Form No. EN-51 must be submitted to the SJRWMD within 10 days of meter inspection and calibration.

2. Water quality samples shall be taken in May and October of each year from each production well. The samples shall be analyzed by an HRS DER certified laboratory for the following parameters:

Magnesium	Sulfate
Sodium	Carbonate
Potassium	Bi-Carbonate (or alkalinity if pH is 6.9 or lower)
Chloride	Calcium

All major ion analyses shall be checked for anion/cation balance and must balance within 5 percent prior to submission. It is recommended that duplicates be taken to allow for laboratory

problems or loss. The sample analyses shall be submitted to the SJRWMD by May 30 and October 30 of each year.

3. --- AESCB-USG shall mitigate any adverse impact caused by withdrawals permitted herein on legal uses of water existing at the time of permit application. --- The SJRWMD has the right to curtail permitted withdrawal rates or water allocations if the withdrawals of water cause an adverse impact on legal uses of water which existed at the time of permit application. --- Adverse impacts are exemplified but not limited to: ---

-----a. --- Reduction of well water levels resulting in a reduction of 10 percent in the ability of an adjacent well to produce water; ---

-----b. --- Reduction of water levels in an adjacent surface water body resulting in a significant impairment of the use of water in that water body; ---

-----c. --- Saline water intrusion or introduction of pollutants into the water supply of an adjacent water use resulting in a significant reduction of water quality; or

-----d. --- Change in water quality resulting in either impairment or loss of use of a well or water body.

e. Legal uses of water existing at the time of certification application may not be significantly adversely impacted by the consumptive use for the CBCP. If unanticipated significant adverse impacts occur, the consumptive use shall be subject to modification in whole or in part to curtail or abate the adverse impacts, unless the impacts can be mitigated by the AESCB CBC.

4. --- The AESCB-USG-CBC shall mitigate any adverse impact caused by withdrawals permitted herein on adjacent land uses which existed at the time of permit application. --- The SJRWMD has the right to curtail permitted withdrawal rates of water allocations if withdrawals of water cause any adverse impact on adjacent land use which existed at the time of permit application. Adverse impacts are exemplified by but not limited to: ---

-----a. --- Significant reduction in water levels in an adjacent surface water body; ---

-----b. --- Land collapse or subsidence caused by a reduction in water levels; or

-----c. --- Damage to crops and other types of vegetation. ---

~~-----d. Significant increases in Chloride levels such that it is likely that wells from the plant or those being impacted from the plant, will exceed 250 mg/l.~~

Off-site land uses existing at the time of certification application may not be significantly adversely impacted as a result of the consumptive use for the CBCP. If unanticipated significant adverse impacts occur, the consumptive use shall be subject to revocation modification in whole or in part to curtail or abate the adverse impacts, unless the impacts can be mitigated by the AESCB CBC.

5. During the seventh year following issuance of this certification order, AES-Cedar-Bay USG CBC shall submit a report to SJRWMD, DER, and BRESO demonstrating compliance with these conditions of certification, Chapter 373, Florida Statutes, and the Rules of SJRWMD and DER, applicable to the consumptive use of water. Compliance shall be demonstrated with rules and statutory provisions in effect at that time.

SJRWMD shall evaluate the report and notify DER in a report of any issues regarding compliance with this certification and applicable rules and statutory provisions, including whether the consumptive use of water for the CBCP complies with those provisions of Chapter ~~of~~ 272, Florida Statutes, and DER's and SJRWMD's rules applicable to consumptive use and whether any conditions of certification must be amended, added or deleted in order insure that the referenced rules and statutory provisions. SJRWMD shall respond within 30 days of receipt of AESCB's CBCP's report as to whether or not it contains information sufficient to make a determination as to compliance with the referenced rules and statutory provisions. Thereafter, DER shall notify AESCB USG CBC and BRESO within ninety (90) days after DER's determination that AESCB's USG's CBC's report is sufficient. Section 40C-1.610, F.A.C., shall apply. An opportunity for hearing pursuant to Section 120.57, Florida Statutes, shall be afforded any party. In any hearing requested pursuant to this condition of certification, the burden of demonstrating compliance shall be on AESCB USG CBC. The continued consumptive use of water for the CBCP shall be dependent upon AESCB USG CBC demonstrating and presenting sufficient data to establish that its consumptive use meets the referenced rules on statutory provisions. The Board hereby delegates to the Secretary the authority to enter final orders regarding this condition in the event an administrative hearing is requested.

G. Ground Water Monitoring Requirements

After consultation with the DER, BRESO, and SJRWMD, AESCB CBCP shall install a monitoring well network to monitor ground water quality horizontally and vertically through the

aquifer above the Hawthorn Formation. Ground water quantity and flow directions will be determined seasonally at the site through the preparation of seasonal water table contour maps, based upon water level data obtained during the applicant's proportional monitoring program. From these maps and the results of the detailed subsurface investigation of site stratigraphy, the water quality monitoring well network will be located. A ground water monitoring plan that meets the requirements of Section 17-28.700(6)(d), F.A.C., shall be submitted to the Department's Northeast District Office for review. Approval or disapproval of the ground water monitoring plan shall be given within 60 days of receipt. Ground water monitoring shall be required at AESEB's CBCP pelletized ash storage area, each sedimentation pond, the lime mud storage area, and each coal pile storage area. Insofar as possible, the monitoring wells may be selected from the existing wells and piezometers used in the permittees preoperational monitoring program, provided that the wells construction will not preclude their use. Existing wells will be properly sealed in accordance with Chapter 17-21, F.A.C., whenever they are abandoned due to construction of facilities. The water samples collected from each of the monitor wells shall be collected immediately after removal by pumping of a quantity of water equal to at least three casing volumes. The water quality analyses shall be performed monthly during the year prior to commercial operation and quarterly thereafter. No sampling or analysis is to be initiated until receipt of written approval of a site-specific quality assurance project plan (QAPP) by the Department. Results shall be submitted to the BRESO by the fifteenth (15th) day of the month following the month during which such analyses were performed. Testing for the following constituents is required around unlined ponds or storage areas:

TDS	Cadmium
Conductance	Zinc
pH	Copper
Redox	Nickel
Sulfate	Selenium
Sulfite	Chromium
Color	Arsenic
Chloride	Beryllium
Iron	Mercury
Aluminum	Lead
	Gross Alpha

Conductivity shall be monitored in wells around all lined solid waste disposal sites, coal piles, and wastewater treatment and sedimentation ponds.

H. Leachate

1. Zone of Discharge

Leachate from AESCB's CBCP's coal storage piles, lime mud storage area or sedimentation ponds shall not cause or contribute to contamination of waters of the State (including both surface and ground waters) in excess of the limitations of Chapter 17-3, F.A.C., beyond the boundary of a zone of discharge extending to the top of the Hawthorn Formation below the waste landfill cell or pond rising to a depth of 50 feet at a horizontal distance of 200 feet from the edge of the landfill or ponds.

2. Corrective Action

When the ground water monitoring system shows a potential for this facility to cause or contribute to a violation of the ground water quality standards of Chapter 17-3, F.A.C., at the boundary of the zone of discharge, the appropriate ponds or coal pile shall be bottom sealed, relocated, or the operation of the affected facility shall be altered in such a manner as to assure the Department that no violation of the ground water standards will occur beyond the boundary of the zone of discharge.

V. CONTROL MEASURES DURING CONSTRUCTION

A. Storm Water Runoff

During construction, appropriate measures shall be used to settle, filter, treat or absorb silt-containing or pollutant-laden storm water runoff to limit the total suspended solids to 50 mg/l or less and pH to 6.0 to 9.0 at OSN 003 during rainfall events that are lesser in intensity than the 10-year, 24-hour rainfall, and to prevent an increase in turbidity of more than 29 NTU above background in waters of the State.

Control measures shall consist at the minimum of sediment traps, barriers, berms or vegetative planting. Exposed or disturbed soil shall be protected as soon as possible to minimize silt- and sediment-laden runoff. The pH shall be kept within the range of 6.0 to 9.0 at OSN.003. Stormwater drainage to the Broward River ~~or St. Johns River~~ shall be monitored as indicated below:

<u>Monitoring Point</u>	<u>Parameters</u>	<u>Frequency</u>	<u>Sample Type</u>
*Storm water drainage to the Broward River from the runoff treatment pond	BOD5, TOC, suspended solids, turbidity, dissolved oxygen, pH, TKN, Total phosphorus, Fecal Coliform, Total Coliform	**	**
	Oil and grease	**	**

*Monitoring shall be conducted at suitable points for allowing a comparison of the characteristics of reconstruction and construction phase drainage and receiving waters.

**The frequency and sample type shall be as outlined in a sampling program prepared by the applicant and submitted at least ninety days prior to start of construction for review and approval by the DER Northeast District Office. The District Office will furnish copies of the sampling program to the BRESO and SJRWMD and shall indicate approval or disapproval within 60 days of submittal.

B. Sanitary Wastes

Disposal of sanitary wastes from construction toilet facilities shall be in accordance with applicable regulations of the Department and the BRESO.

C. Environmental Control Program

Each permittee shall establish an environmental control program under the supervision of a qualified person to assure that all construction activities conform to good environmental practices and the applicable conditions of certification. A written plan for controlling pollution during construction shall be submitted to DER and BRESO within sixty days of issuance of the Certification. The plan shall identify and describe all pollutants and waste generated during construction and the methods for control, treatment and disposal. Each permittee shall notify the Department's Northeast District Office and BRESO by telephone within 24 hours if possible if unexpected harmful effects or evidence of irreversible environmental damage are detected by it during construction, shall immediately report in writing to the Department, and shall within two weeks provide an analysis of the problem and a plan to eliminate or significantly reduce the harmful effects or damage and a plan to prevent reoccurrence.

D:---Construction Dewatering Effluent

-----Maximum daily withdrawals for dewatering for the construction of the railcar unloading facility must not exceed 0.288 million gallons.---

-----Dewatering for the construction of the railcar unloading facility shall terminate no later than nine months from the start of dewatering.---

-----Should the permittee's dewatering operation create shoaling in adjacent water bodies, the permittee is responsible for removing such shoaling.---

-----All offsite discharges resulting from dewatering activities must be in compliance with water quality standards required by DER Chapters 17-3 and 17-4, F.A.C.---

VI. SAFETY

The overall design, layout, and operation of the facilities shall be such as to minimize hazards to humans and the environment. Security control measures shall be utilized to prevent exposure of the public to hazardous conditions.

The Federal Occupational Safety and Health Standards will be complied with during construction and operation. The Safety Standards specified under Section 440.56, F.S., by the Industrial Safety Section of the Florida Department of Commerce will also be complied with.

VII. SCREENING

The AESCB (CBCP) shall provide screening of the site to the extent feasible through the use of aesthetically acceptable structures, vegetated earthen walls and/or existing or planted vegetation.

VIII. TOXIC, DELETERIOUS, OR HAZARDOUS MATERIALS

The spill of any toxic, deleterious, or hazardous materials shall be reported in the manner specified by Condition XI, Noncompliance Notification.

IX. SOLID WASTE STORAGE AND DISPOSAL

CBC shall be responsible for arranging for the proper storage, handling, disposal, or reuse of any solid waste generated by the CBC facility. Solid waste produced by the

operation of the AESCB ~~USG~~ CBC facility shall be removed from site and disposed of in a permitted disposal facility, with the exception of bottom ash and fly ash. Bottom ash and fly ash will be pelletized, or made into aggregate form, and either shipped back to the mine utilizing the trains to deliver the coal, or sold as an additive to concrete, or utilized by companies specializing in the marketing and utilization of combustion by-products. The bottom ash and fly ash shall not be disposed of in a landfill within Duval County. If the permittees decide to dispose of the bottom ash or fly ash by other than returning it to the mine, they shall notify BRESO and DER. Prior to removal and disposal of spent lime mud and pond tailings, the permittees shall determine whether those wastes are hazardous under 40 CFR 26 and 17-730, F.A.C. If wastes are determined to be hazardous, they shall be disposed of in accordance with Chapter 17-730, F.A.C., after consultation with the DER and BRESO. If not hazardous, disposal shall be to a landfill designed to ensure compliance with groundwater quality criteria as contained in Chapters 17-3, and 17-730 F.A.C. All solid wastes disposed of on site shall comply with the provisions of Chapter 17-7, F.A.C. Ground water monitoring in accordance with 17-4, and 17-28, F.A.C. shall be implemented at the lime mud disposal site.

At least ninety (90) days prior to disposal or use of any sludge generated by pretreatment of reclaimed Seminole Kraft wastewater or by the cooling water blowdown treatment or zero wastewater discharge system, AESCB CBC shall report to DER and RESD concerning the chemical characterization of any such sludge. DER reserves the right to require additional sampling and analysis as necessary to ensure that the above-cited regulations are complied with. Prior to any such sludge disposal, AESCB CBC shall obtain a letter of acceptance from a permitted disposal site. On or before the last day of the first year of commercial operation, and each year of commercial operation thereafter, AESCB CBC shall report to DER and RESD concerning the composition and quantity of sludge generated by the cooling tower blowdown treatment zero water discharge system and the method of disposal, including name and location of facilities handling, treating, storing, and/or disposing of said sludge waste.

X. CHANGE IN DISCHARGE

All discharges or emissions authorized herein to AESCB CBCP shall be consistent with the terms and conditions of this certification. The discharge of any pollutant not identified in the application or any discharge more frequent than, or at a level in excess of, that authorized herein shall constitute a violation of this certification. Any anticipated facility expansions, production increases, or process modification which will result in new, different or increased discharges or expansion in steam generating capacity will require a submission of new or

supplemental application to DER's Siting Coordination Office pursuant to Chapter 403, F.S.

XI. NONCOMPLIANCE NOTIFICATION

If, for any reason, either permittee does not comply with or will be unable to comply with any limitation specified in this certification, the permittee shall notify the Deputy Assistant Secretary of DER's Northeast District and BRESO office by telephone as soon as possible but not later than the first DER working day after the permittee becomes aware of said noncompliance, and shall confirm the reported situation in writing within seventy-two (72) hours supplying the following information:

A. A description and cause of noncompliance; and

B. The period of noncompliance, including exact dates and times; or, if not corrected, the anticipated time the noncompliance is expected to continue, and steps being taken to reduce, eliminate, and prevent recurrence of the noncomplying event.

XII. FACILITIES OPERATION

Each permittee shall at all times maintain good working order and operate as efficiently as possible all of its treatment or control facilities or systems installed or used by the permittee to achieve compliance with the terms and conditions of this certification. Such systems are not to be bypassed without prior Department (Northeast District) approval and after notice to BRESO except where otherwise authorized by applicable regulations.

XIII. ADVERSE IMPACT

The permittees shall take all reasonable steps to minimize any adverse impact resulting from noncompliance with any limitation specified in this certification, including, but not limited to, such accelerated or additional monitoring as necessary to determine the nature and impact of the noncomplying event.

XIV. RIGHT OF ENTRY

The permittees shall allow the Secretary of the Florida Department of Environmental Regulation and/or authorized

DER representatives, and representatives of the BRESD and SJRWMD, upon the presentation of credentials:

A. To enter upon the permittee's premises where an effluent source is located or in which records are required to be kept under the terms and conditions of this permit; and

B. To have access to and copy all records required to be kept under the conditions of this certification; and

C. To inspect and test any monitoring equipment or monitoring method required in this certification and to sample any discharge or emissional pollutants; and

D. To assess any damage to the environment or violation of ambient standards.

E. SJRWMD authorized staff, upon proper identification, will have permission to enter, inspect, and observe permitted and related CUP CBCP facilities in order to determine compliance with the approved plans, specifications, and conditions of this certification.

F. BRESD authorized staff, upon proper identification, will have permission to enter, inspect, sample any discharge, and observe permitted and related facilities in order to determine compliance with the approved plans, specifications, and conditions of this certification.

XV. REVOCATION OR SUSPENSION

This certification may be suspended, or revoked pursuant to Section 403.512, Florida Statutes, or for violations of any Condition of Certification.

XVI. CIVIL AND CRIMINAL LIABILITY

This certification does not relieve either permittee from civil or criminal responsibility or liability for noncompliance with any conditions of this certification, applicable rules or regulations of the Department, or Chapter 403, Florida Statutes, or regulations thereunder. Subject to Section 403.511, Florida Statutes, this certification shall not preclude the institution of any legal action or relieve either permittee from any responsibilities or penalties established pursuant to any other applicable State Statutes or regulations.

XVII. PROPERTY RIGHTS

The issuance of this certification does not convey any property rights in either real or personal property, tangible or intangible, nor any exclusive privileges, nor does it authorize any injury to public or private property or any invasion of personal rights, nor any infringement of Federal, State or local laws or regulations. The permittees shall obtain title, lease or right of use to any sovereign submerged lands occupied by the plant, transmission line structures, or appurtenant facilities from the State of Florida...

XVIII. SEVERABILITY

The provisions of this certification are severable, and, if any provision of this certification or the application of any provision of this certification to any circumstances is held invalid, the application of such provision to other circumstances and the remainder of the certification shall not be affected thereby.

XIX. DEFINITIONS

The meaning of terms used herein shall be governed by the definitions contained in Chapter 403, Florida Statutes, and any regulation adopted pursuant thereto. In the event of any dispute over the meaning of a term used in these general or special conditions which is not defined in such statutes or regulations, such dispute shall be resolved by reference to the most relevant definitions contained in any other state or federal statute or regulation or, in the alternative, by the use of the commonly accepted meaning as determined by the Department.

XX. REVIEW OF SITE CERTIFICATION

The certification shall be final unless revised, revoked, or suspended pursuant to law. At least every five years from the date of issuance of this certification or any National Pollutant Discharge Elimination Control Act Amendments of 1972 for the plant units, the Department shall review all monitoring data that has been submitted to it or its agent(s) during the preceding five-year period for the purpose of determining the extent of the permittee's compliance with the conditions of this certification of the environmental impact of this facility. The Department shall submit the results of its review and recommendations to the permittees. Such review will be repeated at least every five years thereafter.

XXI. MODIFICATION OF CONDITIONS

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

A. The Board hereby delegates to the Secretary the authority to modify, after notice and opportunity for hearing, any conditions pertaining to consumptive use of water, reclaimed water, monitoring, sampling, ground water, surface water, mixing zones, or variances to water quality standards, zones of discharge, leachate control programs, effluent limitations, air emission limitations, fuel, or solid waste disposal, right of entry, railroad spur transmission line, access road, pipelines, or designation of agents for the purpose of enforcing the conditions of this certification.

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

XXII. FLOOD CONTROL PROTECTION

The plant and associated facilities shall be constructed in such a manner as to comply with the Duval County flood protection requirements.

XXIII. EFFECT OF CERTIFICATION

Certification and conditions of certification are predicated upon design and performance criteria indicated in the application. Thus, conformance to those criteria, unless specifically amended, modified, or as the Department and parties are otherwise notified, is binding upon the applicants in the preparation, construction, and maintenance of the certified project. In those instances where a conflict occurs between the application's design criteria and the conditions of certification, the conditions shall prevail.

XXIV. NOISE

To mitigate the effects of noise produced by the steam blowout of steam boiler tubes, the permittees shall conduct public awareness campaigns prior to such activities to forewarn the public of the estimated time and duration of the noise. The permittees shall comply with the applicable noise limitations specified in Environmental Protection Board Rules or The City of Jacksonville Noise Ordinance.

~~11. Condition-XXV. should read as follows:~~

XXV. USE OF WATER FOR COOLING PURPOSES

The AESCB CBCP shall use reclaimed wastewater from the Seminole Kraft paper mill (in addition to any wastewater generated by the AESCB CBCP that is suitable for reuse for that purpose) for cooling water supply. In the event of disruption of SKC reclaimed wastewater as the cooling water makeup source for Cedar Bay, Inc., Cedar Bay, Inc. will utilize the water retained in SKC's holding basins or other non-potable sources of water as cooling water makeup.

At least six months 90 days prior to beginning commercial operation, AESCB Cedar Bay Cogeneration, Inc. shall submit to the Department a report concerning the actual measured pollutant characteristics of reclaimed water to be obtained from the Seminole Kraft paper mill. Such report shall be based on approved analytical results from four monthly samples obtained directly from the Seminole Kraft waste stream to be tied in with the AESCB CBCP cooling system, and shall include the concentrations of BOD5, COD, total organic carbon, total suspended solids, ammonia, pH, oil and grease, calcium, magnesium, sodium, potassium, alkalinity as mg of CaCO3, sulfate, chloride, nitrate, fluoride, silica, chlorine, phosphate (total) as P, cyanide, iron, manganese, aluminum, nickel, zinc, copper, cadmium, chromium, beryllium, arsenic, selenium, antimony, mercury, barium, silver, lead, thallium, phosphorus, and TKN. Where applicable, wastewater sampling and analyses conducted by SKC under the terms of operation permit number I016-200147 may be used to meet the terms of this condition. Any other sampling and analyses submitted under the terms of this permit shall be in accordance with a Department-approved Quality Assurance Plan. Results of all testing and sampling specified above shall be submitted to the Department within 30 days of testing their occurrence.

Seminole Kraft's generation, treatment, or discharge of its wastewater is not covered by this site certification, and the permitting of Seminole Kraft's generation, treatment, or discharge of its wastewater does not require Siting Board approval.

~~13. Condition-XXVIII. should be deleted because the AESCB project has been able to avoid installation of dewatering systems and the associated potential migration of a groundwater contamination plume from prior activities in the area.~~

~~-----
-----14. A new condition embodying the terms of the land donation should be added, as follows:~~

XXVI

June 22, 1992

Cedar Bay Cogeneration, Inc. AESCB has agreed to provide funding for acquisition of environmentally sensitive land in or near Duval County, Florida. The funding will be in the form of donations to the Nature Conservancy. The sum of \$2,000,000 will be has been paid to the Nature Conservancy on (DATE) the date this Petition for Modification is was filed with the Siting Board for processing. The sum of \$2,500,000 will be paid to the Nature Conservancy on the date that the cogeneration facility begins commercial operations. Beginning one year after the start of commercial operation of the cogeneration facility and continuing annually for 30 years, the sum of \$300,000 will be paid to the Nature Conservancy. The annual payment will be used for bio-resource management and research.

XXVII-----USE OF WATER FOR COOLING PURPOSES-----

-----The CBGP may use either surface water from the
Broward or St. Johns River or reclaimed water provided either by
the City of Jacksonville or by the Seminole Kraft Papermill as its
source of cooling water makeup.

-----Within six months after issuance of certification,
AESCB shall submit to DER an application for a modification
containing information concerning the design and operation of the
plant cooling system as appropriate for the cooling water source
selected. The application shall also be submitted to SJRWMD and
BRESO, who may report concerning the AESCB cooling water
application modification. The AESCB application shall contain all
information necessary to demonstrate that operation of the cooling
system using either reclaimed or surface water for the preferred
cooling water source selected will comply with all relevant
non-procedural agency standards, or that AESCB qualifies for a
variance. The AESCB application shall also include an analysis of
the reasons for the selection of the requested cooling water source
over the other preferred alternate sources referred to in the above
paragraph. The participating agencies shall respond within 30 days
of the receipt of the application modification as to whether or not
it contains information sufficient to make a determination as to
compliance with non-procedural agency standards. Thereafter, DER
shall notify AESCB, BRESO, and SJRWMD as to its determination
concerning sufficiency. SJRWMD and BRESO shall file any reports
concerning the application with DER and provide a copy to AESCB
within 60 days after DER's determination that the application is
sufficient. DER shall indicate its approval or disapproval of the
selected cooling water system proposal within 90 days of its
determination that the application is sufficient. Any
modifications of the certification or the conditions of
certification including variances, exceptions, or mixing zones

shall be made pursuant to the procedures set forth in Section 403.516, Fla. Stat., and/or Fla. Admin. Code Rule 17-17.211.

Reclaimed water used in the AESCB cooling tower shall be disinfected prior to use. Disinfectant levels in the cooling tower makeup water shall be continuously monitored, prior to insertion in the cooling tower. The reclaimed water shall be treated so as to obtain no less than a 1.0 mg/l free chlorine residual after fifteen (15) minutes' contact time or its equivalent. Chlorination shall occur at a turbidity of 5 Nephelometric Turbidity Units (NTU) or less, unless a lesser degree of disinfection is approved by the Department upon demonstration of successful viral kill.

XXVII. ENFORCEMENT

A. The Secretary may take any and all lawful actions as he or she deems appropriate to enforce any condition of this certification.

B. Any participating agency (federal, state, local) may take any and all lawful actions to enforce any condition of this certification that is based on the rules of that agency. Prior to initiating such action the agency head shall notify the Secretary of that agency's proposed action.

C. BRESA may initiate any and all lawful actions to enforce the conditions of this certification that are based on the Department's rules, after obtaining the Secretary's written permission to so process on behalf of the Department.

XXVIII. ENDANGERED AND THREATENED SPECIES

Prior to start of construction, AESCB CBC shall survey the site for endangered and threatened species of animal and plant life. Plant species on the endangered or threatened list shall be transplanted to an appropriate area if practicable. Gopher Tortoises and any commensals on the rare or endangered species list shall be relocated after consultation with the Florida Game and Fresh Water Fish Commission. A relocation program, as approved by the FGFWFC, shall be followed.

-----XXVIII. PETROLEUM STORAGE TANKS

A. AES Cedar Bay shall provide clean-up of the #1 underground diesel fuel storage tank site, which is listed under the EDI program, in accordance with F.A.C. Chapter 17-770. AES shall complete an Initial Remedial Action (IRA) in accordance with

Rule 17-770.300, F.A.C., prior to construction dewatering. DER and BRESO will receive written notification ten working days prior to initiation of the IRA. AES shall determine the extent of contamination. AES Cedar Bay shall then design and install a pump and treatment system at the site, which will create a reverse hydraulic gradient that will prevent the further spread of the contamination by the dewatering operation. This plan shall be submitted to DER and BRESO for approval thirty days prior to the start of construction dewatering, and shall be implemented prior to

commencement of the dewatering operation. Furthermore, AES Cedar Bay shall submit a Quality Assurance Project Plan (QAPP), a Contamination Assessment Report (CAR) and a Remedial Action Plan (RAP), in accordance with F.A.C. Chapter 17-770 to DER for approval with copies to BRESO thirty days prior to the start of construction dewatering. AES Cedar Bay shall provide complete site rehabilitation in accordance with F.A.C. Chapter 17-770.

B. AES Cedar Bay shall develop a QAPP, CAR, and RAP as required and in accordance with Chapter 17-1700, F.A.C. for the site listed in XXVIII, C and D below, and submit these plan to DER for approval with copies to BRESO thirty days prior to the start of construction dewatering.

C. Prior to construction dewatering, at the underground diesel fuel storage tank #2 site, AES Cedar Bay shall:

1. Perform an IRA with F.A.C. Rule 17-770.300.

2. Determine the extent of down gradient contamination and submit that information to BRESO, and DER prior to installation of the well described in paragraph C.4 below.

3. Establish a series of groundwater level monitoring wells at intervals of approximately 250 feet from the coal unloading site to the #2 tank for determination of the groundwater dewatering cone of influence. Daily groundwater levels shall be recorded for each of these wells during construction dewatering. A background well with a continuous water level recorder shall be installed, at a site that would not be influenced by the dewatering operations, to determine ambient conditions at the site.

4. Install a monitoring well with a continuous water level recorder which will be used to trigger implementation of the RAP. The well will be located 150 feet down gradient from the boundary of the plume of contamination determined above in XXVIII C.2. If the piezometric head in the trigger well drops 6 inches below ambient conditions as compared to the background well, then AES Cedar Bay shall notify DER and BRESO of a verified drop of 6 inches or more in the trigger well within three working days and

the appropriate portion of the RAP shall be implemented by AES Cedar Bay:

5. AES Cedar Bay shall submit a plan for the location and construction of the monitoring wells described above in paragraph C.3 and C.4 to DER and BRESO for approval. AES Cedar Bay shall submit monthly reports of the groundwater level recordings to DER and BRESO.

D. Prior to construction dewatering, at each of the following tank sites: underground diesel fuel storage tank #3; underground #6 fuel oil storage tank #5; above-ground #6 fuel oil storage tank #2; "pitch tank" located North of the lime kilns; AES Cedar Bay shall:

1. Install 2 down gradient monitoring wells. AES Cedar Bay shall submit a plan for location and construction of these 8 wells to DER and BRESO for approval. BRESO shall have the opportunity to observe the construction of these wells.

2. Sample the above referenced wells for parameters listed in 17-770.600(8) F.A.C. In addition, AES Cedar Bay shall sample the monitoring wells at the above-ground tank sites for acetone and carbon disulfide. AES Cedar Bay shall split samples with BRESO if BRESO so requests and submit a report of the analytical results to DER and BRESO within ten days of receipt of analyses by AES Cedar Bay.

3. If contamination is found in the above referenced wells in excess of the clean-up criteria referenced in 17-770.730(5)(a)2, F.A.C., a QAPP, CAR and an RAP will be developed and, DER and BRESO shall be provided with that information prior to the installation of the well described in paragraph D.4 below.

4. Install a trigger well with a continuous water level recorder which will be located 150 feet down gradient from the boundary of the plume of contamination determined above in XXVIII.D.3. If the piezometric head in the trigger well drops 6 inches below ambient conditions as compared to the background well then AES Cedar Bay shall notify DER and BRESO of a verified drop of 6 inches or more in the trigger well within three working days and the appropriate portion of the RAP shall be implemented by AES Cedar Bay.

5. AES Cedar Bay shall submit a plan for the location and construction of the monitoring wells described above in paragraph D.4, to DER and BRESO for approval. AES Cedar Bay shall submit monthly reports of the groundwater level recordings to DER and BRESO.

-----E----- Implementation of the appropriate portion of the RAP shall commence within 14 days of the determination that the construction dewaterings cone of depression will reach any of contaminated sites.

-----F----- AES Cedar Bay shall monitor the construction dewatering effluent from their treatment system, once a week during dewatering, for the following criteria: Benzene 1 ug/l; Total VOA 50 ug/l; Total Naphthalenes (Total naphthalenes + methyl naphthalenes) 100 ug/l; and Total Residual Hydrocarbons 5 mg/l; and polynuclear aromatic hydrocarbons, 10 ug/l. If the concentrations of contaminants in the effluent rise above those in the above list, AES Cedar Bay shall take corrective actions to return concentrations to acceptable levels. In monitoring the dewatering effluent for the above contaminants, AES Cedar Bay shall use the methods prescribed in Chapter 17-770.600(8)(b), F.A.C.

-----G----- If any disagreement arises regarding this condition, the parties agree to submit the matter for an expedited hearing to the DOAH and shall request assignment of the Hearing Officer who has heard this case, if possible, pursuant to 403.5064, F.S. The informal dispute resolution process shall be used.

-----H----- Nothing in this condition shall affect the eligibility of reimbursement for clean-up of any site under EDI program.

-----I----- Reinjection or infiltration of groundwater meeting the petroleum contamination clean-up criteria into the same zone from which it was extracted pursuant to any of the approved remedial action plans shall be permitted and is hereby authorized by this condition. The proposed location of the recharge system shall be upgradient of the site and included in the plans for remedial action referenced in

-XXVIII.A. and B.

-----XXIX----- Environmentally Endangered Lands

----- AESCB/USG has agreed to provide funding for acquisition of environmentally sensitive land in or near Duval County, Florida. The funding will be in the form of donations to the Nature Conservancy. The sum of \$2,000,000 was paid to the Nature Conservancy on June 22, 1992. The sum of \$2,500,000 will be paid to the Nature Conservancy on the date that the CBCP begins commercial operations. Beginning one year after the start of commercial operation of the CBCP and continuing annually for 30 years, the sum of \$300,000 will be paid to the Nature Conservancy. The annual payment will be used for bio resource management and research.

XXIX. TRANSFER OF CERTIFICATION

If the Cedar Bay Cogeneration Project is sold or legally transferred to another owner, notice of such sale or transfer shall immediately be submitted to the Florida Department of Environmental Regulation and the agency parties to this certification by the previous certification holder (permittee) and the assignee. Included in the notice shall be the identification of the entity responsible for compliance with the Certification. Any assignment or transfer shall carry with it the full responsibility for the limitations and conditions of this Certification.