Revised 5/21/82

State of Florida
Department of Environmental Regulation
Orlando Utilities Commission
Curtis H. Stanton Energy Center Unit 1
PA 81-14
CONDITIONS OF CERTIFICATION

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CONDITIONS OF CERTIFICATION

I. Air

The construction and operation of Unit 1 at Orlando Utilities Commission, Curtis H. Stanton Energy Center (CHSEC) steam electric power plant site shall be in accordance with all applicable provisions of Chapters 17-2, 17-4, and 17-5, Florida Administrative Code. In addition to the foregoing, the permittee shall comply with the following conditions of certification:

A. Emission Limitations

1. The proposed steam generating station shall be constructed and operated in accordance with the capabilities and specifications of the application including the proposed 460 (gross) megawatt generating capacity and the 4136 MMBtu/hr heat input rate for each steam generator. Based on a maximum heat input of 4136 million BTU per hour, stack emissions from CHSEC Unit 1 shall not exceed the following when burning coal:

   a. SO_2 - 1.2 lb. per million BTU heat input, maximum two hour average, and 1.14 lb/MMBtu maximum three hour average.

   b. NO_x - 0.60 lb. per million BTU heat input, 30 day rolling average.

   c. Particulates - 0.03 lb. per million BTU heat input, 124.1 lb. per hour

   d. Visible emissions - 20% (6-minute average), except one 6-minute period per hour of not more than 27% opacity

2. The height of the boiler exhaust stack for CHSEC Unit 1 shall not be less than 550 ft. above grade.

3. Particulate emissions from the coal, lime and limestone handling facilities:

   a. All conveyors and conveyor transfer

points will be enclosed to preclude PM emissions (except those directly associated with the coal stacker/reclaimer or emergency stockout, and the limestone stockout for which enclosure is operationally infeasible).

b. Inactive coal storage piles will be shaped, compacted and oriented to minimize wind erosion.

c. Water sprays or chemical wetting agents and stabilizers will be applied to storage piles, handling equipment, etc. during dry periods and as necessary to all facilities to maintain an opacity of less than or equal to 5 percent, except when adding, moving or removing coal from the coal pile, which would be allowed no more than 20%.

d. The limestone handling receiving hopper, transfer conveyors and day silos and the lime silos will be maintained at negative pressures while operating with the exhaust vented to a control system.

e. The fly ash handling system (including transfer and silo storage) will be totally enclosed and vented (including pneumatic system exhaust) through fabric filters; and

f. The permittee must submit to the Department within thirty (30) days after it becomes available, copies of technical data pertaining to the selected particulate emissions control for the coal, lime and limestone handling facilities. 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 if the Department determines the selected control device to be inadequate to meet the emission limits specified in 4 below. Such disapproval shall be issued within 30 days of receipt of the technical data.

4. Particulate emissions from bag filter exhausts from the following facilities shall be limited to 0.02 gr/acf: coal, lime, limestone and fly ash handling systems excluding those facilities covered by 3.c above. A visible emission reading of 5% opacity or less may be used to establish compliance with this emission limit. A visible emission reading greater than 5% opacity will not create a presumption that the 0.02 gr/acf emission limit is being violated. However, a visible emission reading greater than 5% opacity will require the permittee to perform a stacktest, as set forth in Condition I.C.

5. Compliance with opacity limits of the facilities listed in Condition I.A. will be determined by EPA reference method 9 (Appendix A, 40 CFR 60).

6. Construction shall reasonably conform to the plans and schedule given in the application.

7. The permittee shall report any delays in construction and completion of the project which would delay commercial operation by more than 90 days to the Department's St. Johns River District Office in Orlando.

8. 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 permittee.

9. Coal shall not be burned in the unit unless both electrostatic precipitator and limestone scrubber are operating properly except as provided under 40 CFR Part 60 Subpart Da.

10. The fuel oil to be fired in Unit No. 1 and the auxiliary boiler shall be "new oil", which means an oil which has been refined from crude oil and has not been used. The quality of the No. 2 fuel oil used by the auxiliary boiler shall not cause the allowable emission limits listed in the following table to be exceeded. Such emissions may be calculated in accordance with AP-42.

Allowable Emission Limits

Pollutant	lb/MMBtu
PM	0.015
SO_2	0.51
NO_x	0.16
Visible emissions	Maximum 20% Opacity

11. The flue gas scrubber shall be put into service during normal operational startup, and shut down when No. 6 fuel oil is being burned. The emission limits when burning No. 6 fuel oil shall be 0.80 lb/MMBTU for SO_2 and 0.03 lb/MMBTU for particulate matter, except during normal startup and shut down and malfunctions as provided in 40 CFR 60.46a.

12. No fraction of flue gas shall be allowed to bypass the FGD system to reheat the gases exiting from the FGD system, if the bypass will cause overall SO_2 removal efficiency less than 90 percent (or 70% for mass SO_2 emission rates less than or equal to 0.6 lb/MMBTU 30 day rolling average). The percentage and amount of flue gas bypassing the FGD system shall be documented and records kept for a minimum of two years available for FDER's inspection.

13. Samples of all fuel oil and coal fired in the boilers shall be taken and analyzed for sulfur content, ash content, and heating value. Accordingly, samples shall be taken of each fuel oil shipment received. Coal sulfur content shall be determined and recorded on a daily basis. When determining coal sulfur content for the purpose of establishing the percentage reduction in potential sulfur emissions, such determination shall be in accordance with EPA Reference Method 19. Records of all the analyses shall be kept for public inspection for a minimum of two years after the data is recorded.

14. Within 90 days of commencement of operations, the applicant will determine and submit to EPA and FDER the pH level in the scrubber effluent that correlates with 90% removal of the SO_2 in the flue gas (or 70% for mass SO_2 emission rates less than or equal to 0.6 lb/MMBtu). Moreover, the applicant is required to operate a continuous pH meter equipped with an upset alarm to ensure that the

operator becomes aware when the pH level of the scrubber effluent fall belows this level. The pH monitor can also act as a backup in the event of malfunction of the continuous SO_2 monitor. The value of the scrubber pH may be revised at a later date provided notification to EPA and FDER is made demonstrating the minimum percent removal will be achieved on a continuous basis. Further, if compliance data show that higher FGD performance is necessary to maintain the minimum removal efficiency limit, a different pH value will be determined and maintained.

15. The applicant will comply with all requirements and provisions of the New Source Performance Standard for electric utility steam generating units (40 CFR 60 Part Da).

16. As a requirement of this specific condition, the applicant will comply with all emissions limits and enforceable restrictions required by the State of Florida Department of Environmental Regulation which may be adopted by regulation and which are more restrictive, that is lower emissions limits or more strict operating requirements and equipment specifications, than the requirements of specific conditions I.A. 1-16 of these conditions.

B. Air Monitoring Program

1. A flue gas oxygen meter shall be installed for each unit to continuously monitor a representative sample of the flue gas. The oxygen monitor shall be used with automatic feedback or manual controls to continuously maintain air/fuel ratio parameters at an optimum. Performance tests shall be conducted and operating procedures established. The document "Use of Flue Gas Oxygen Meter as BACT for Combustion Controls" may be used as a guide. The permittee shall install and operate continuously monitoring devices for each main boiler exhaust for sulfur dioxide, nitrogen dioxide, and opacity. The monitoring devices shall meet the applicable requirements of Section 17-2.710, FAC, and 40 CFR 60.47a. The opacity monitor may be placed in the duct work between the electrostatic precipitator and the FGD scrubber.

2. The permittee shall operate two continuous ambient monitoring devices for sulfur dioxide in accordance with DER quality control procedures and EPA reference methods in 40 CFR, Part 53, and two ambient monitoring devices for suspended particulates, and one continuous NO_x monitor. The monitoring devices shall be specifically located at a location approved by the Department. The frequency of operation of the particulate monitors shall be every six days commencing as specified by the Department. During construction and operation the existing meteorological station will be operated and data reported with the ambient data.

3. The permittee shall maintain a daily log of the amounts and types of fuel used and copies of fuel analyses containing information on sulfur content, ash content and heating values. These logs shall be kept for at least two years.

4. The permittee shall provide stack sampling facilities as required by Rule 17-2.700(4) FAC.

5. The ambient monitoring program shall begin at least one year prior to initial start up of Unit 1 and shall continue for at least one year of commercial operation. The Department and the permittee shall review the results of the monitoring program annually and determine the necessity for the continuation of or modifications to the monitoring program.

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

C. Stack Testing

1. Within 60 calendar days after achieving the maximum capacity at which each unit will be operated, but no later than 180 operating days after initial startup, the permittee shall conduct performance tests for particulates SO_2, NO_x, and visible emissions during

normal operations near (±10%) 4136 MMBtu/hr heat input and furnish the Department a written report of the results of such performance tests within 45 days of completion of the tests. The performance tests will be conducted in accordance with the provisions of 40 CFR 60.46a and 48a.

2. Performance tests shall be conducted and data reduced in accordance with methods and procedures outlined in Section 17-2.700 FAC.

3. Performance tests shall be conducted under such conditions as the Department shall specify based on representative performance of the facility. The permittee shall make available to the Department such records as may be necessary to determine the conditions of the performance tests.

4. The permittee shall provide 30 days notice of the performance tests or 10 working days for stack tests in order to afford the Department the opportunity to have an observer present.

5. Stack tests for particulates NO_x and SO_2 and visible emissions shall be performed annually in accordance with Conditions C.2, 3, and 4 above.

D. Reporting

1. For CHSEC, stack monitoring, fuel usage and fuel analysis data shall be reported to the Department's St. Johns River District Office and to the Orange County Pollution Control Department on a quarterly basis commencing with the start of commercial operation in accordance with 40 CFR, Part 60, Section 60.7, and 60.49a and in accordance with Section 17-2.08, FAC.

2. Utilizing the SAROAD or other format approved in writing by the Department, ambient air monitoring data shall be reported to the Bureau of Air Quality Management of the Department quarterly. Commencing on the date of certification, such reports shall be due within 45 days following the quarterly reporting period. Reporting and monitoring shall be in conformance with 40 CFR Parts 53 and 58.

3. Beginning one month after certification, the

permittee shall submit to the Department a monthly status report briefly outlining progress made on engineering design and purchase of major pieces of air pollution control equipment. All reports and information required to be submitted under this condition shall be submitted to the Administrator of Power Plant Siting, Department of Environmental Regulation, 2600 Blair Stone Road, Tallahassee, Florida, 32301.

II. Cooling Tower

A. Makeup Water Constituency

The CHSEC shall utilize only treated sewage effluent, or stormwater runoff to the makeup water supply storage pond, as cooling tower makeup water. The effluent shall have received prior to use in the tower sufficient treatment from the source of cooling water, "a sewage treatment plant", but as a minimum, secondary treatment, as well as treatment described in Condition II.B. below. Use of waters other than
treated sewage effluent or site storm water, i.e., higher quality potable waters, or lower quality less-than-secondarily-treated sewage effluent, will require a modification of conditions agreed to by the St. Johns River Water Management District, Orange County and the Department, and must be approved by the Governor and Cabinet.

B. Chlorination

Sewage effluent used as cooling water makeup shall be treated to maintain a 1.0 mg/liter free chlorine residual for a 15 minute contact time, or alternately a demonstration that a viral concentration of less than one PFU per 25 gallons can be achieved at lower levels of chlorination. Chlorine levels shall be monitored continuously at the sewage treatment plants.

C. Special Studies

Upon satisfactory demonstration to the Department that the number of viruses entering the towers in the effluent makeup can be reduced to an undetectable level with the use of a lesser amount of chlorination or alternate treatment, the above requirement may be altered. This demonstration may occur through performance of special studies ap-

proved by the Department. Alteration of the chlorination requirements must still insure adequate treatment for the control of bacteria or viruses in the cooling water.

III. Water Discharges

A. Surface Waters

Any discharges from the site storage ponds or wastewater treatment system via any emergency overflow structure which result from any event LESS than a 25 year, 24 hour storm (as defined by the U.S. Weather Bureau Technical Paper No. 40, or the DOT drainage manual, or similar documents) shall meet State Water Quality Standards, Chapter 17-3, FAC.

B. Compliance

Any discharges into any waters of the State during construction and operation of CHSEC Unit 1 shall be in accordance with all applicable provisions of Chapter 17-3, FAC, and 40 CFR, Part 423, Effluent Guidelines and Standards for Steam Electric Power Generating Point Source Category, except as provided herein.

C. Plant Effluents and Receiving Body of Water

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

1. Receiving Body of Water (RBW)

The receiving body of water has been determined by the Department to be those waters of the Hart Branch, Cowpen Branch, or any other waters affected which are considered to be waters of the State within the definition of Chapter 403, Florida Statutes.

2. Point of Discharge (P.O.D)

The point of discharge has been determined by the Department to be where the effluent physically enters the waters of the State in Hart or Cowpen Branch.

3. Chemical Wastes

All discharges of low volume wastes (demin-

eralizer regeneration, floor drainage, lab drains, FGD blowdown and similar wastes) and metal cleaning wastes shall comply with Chapter 17-3. If violations of Chapter 17-3 occur, corrective action shall be taken. These wastewaters shall be directed to an adequately sized and constructed treatment and detention facility.

During periods when treated wastewater does not comply with pH discharge limitations, the treated wastewater may be recycled to the recycle basin, except when the recycle pond has insufficient capacity to retain the recycled wastewater and the runoff from a rainfall event equal to or less than a 25 year, 24 hour storm.

4. Coal Pile

Coal pile runoff shall be directed to the recycle basin and shall not be directly discharged to surface waters, except that discharge of stormwater runoff from the coal pile is allowed only during periods of high rainfall in excess of the 25 year, 24 hour storm.

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.

6. Polychlorinated Biphenyl Compounds

There shall be no net discharge of polychlorinated biphenyl compounds.

7. Metal Cleaning and Bottom Ash Sluice System Blowdown

Blowdown from the metal cleaning wastes and from the bottom ash sluice system shall be treated as appropriate prior to reuse and retention.

8. Solid Waste and Limestone Storage Areas

There shall be no direct discharge of stormwater runoff to surface waters from the solid waste and limestone storage areas prior to

treatment.

9. Storm Water Runoff

During 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 the POD during rainfall periods less than the 25 year, 24 hour rainfall, and to prevent an increase in turbidity of more than 50 Jackson Turbidity Units above background in waters of the State. 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 8.5 at the POD.

D. Water Monitoring Program

The permittee shall monitor and report to the Department the listed parameters on the basis specified herein. The methods and procedures utilized shall receive written approval by the Department. The monitoring program may be reviewed annually by the Department, and a determination may be made as to the necessity and extent of continuation, and may be modified in accordance with Condition No. XXV.

1. Chemical Monitoring

The following parameters shall be monitored during operation as shown, commencing with the start of commercial operation of CHSEC and reported quarterly to the Department's St. Johns River District Office:

Parameter	Location	Sample Type	Frequency
Flow, groundwater	Wellfield Pipeline	Pump Logs	Continuous
Flow, Cooling, Water Makeup	Intake	Pump Logs	Daily
Flow, Cooling Tower Blowdown to sewage plant	Wastewater Return Pump Structure	Pump Logs	Daily
TSS	Cooling Tower Blowdown	Grab	Two/per week
	Sewage and Treatment Facility	8 Hour Composite	Monthly
Chlorine	CHSEC Sewage Treatment Plant, and cooling water source	Grab	Weekly

The following parameters shall be monitored quarterly at the discharge pipe into the makeup water storage supply pond or in appropriate groundwater monitoring wells.

Arsenic	Radioactive Substances:
Barium	Gross Alpha
Cadmium	Combined Ra^{226} and Ra^{228}
Chromium	Selenium
Fluorides	Silver
Lead	2,4-D
Mercury	2,4,5-TP
Methoxychlor	Toxaphene
Nitrate	Benzene
Chlordane	1, 1 dichloroethylene
Chloroform	1, 2 dichloroethane
bis-(2-Chloroethyl)-ether	
1, 2 diphenylhydraxine	1, 1, 1 trichloroethane

dichloromethane Vinyl Chloride
tetrachloroethylene
trichloroethylene

2. Groundwater Monitoring

The groundwater levels shall be monitored continuously at selected wells as approved by the Department and the St. Johns River Water Management District. Chemical analyses shall be made on samples from all monitored wells identified in Condition IV.E below. The location, frequency, and selected chemical analyses shall be given in Condition IV.F.

The groundwater monitoring program shall be implemented at least one year prior to operation of CHSEC Unit 1. 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 St. Johns River Water Management District, the DER St. Johns River District Office, and the DER Power Plant Siting Section.

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

3. Cooling Water Source

OUC shall, using appropriate monitoring make a monthly record of effluent received from the cooling water source. This record shall be submitted on January 15, April 15, July 15, and October 15, for each preceding calendar quarter.

4. Surface Water Monitoring

The surface waters leaving the CHSEC shall be monitored monthly when flowing at on site locations as approved by the Department, the St. Johns River Water Management District and the Orange County Pollution Control Department. The locations shall include Hart Branch and Cowpen Branch which may contain leachate, surface drainage or other surface water discharges.

The surface water monitoring program shall be implemented at least one year prior to operation of CHSEC Unit 1. Monthly data shall be submitted within 30 days of collection/analysis to the Department, the St. Johns River Water Management District and the Orange County Pollution Control Department.

The chemical analyses shall be in accord with the latest edition of Standard Methods for the Analysis of Water and Wastewater and shall include at least the following chemical water quality parameters.

Conductance
pH
Sulfate
Nitrate
Chloride
Turbidity
Phosphorous
Iron

IV. Groundwater

A. General

The use of groundwater from the wellfield for plant service water for CHSEC Unit 1 shall be minimized to the greatest extent practicable, but in no case shall exceed 0.44 mgd on an average daily basis from any new wells averaged over a 12 month period or 1.0 mgd maximum on any day for construction or operation.

B. Pump Test Program and Well Field Construction

60 days prior to construction of the wellfield the applicant shall submit final wellfield construction plans to the SJRWMD for approval. A pump test program shall be performed to obtain aquifer parameters necessary for proper wellfield planning and construction. The proposed test program shall

be submitted with the wellfield construction plans so that the SJRWMD in conjunction with the DER can approve the adequacy of the program. The utilization of the test well as a production well is allowable provided the well is constructed to the standards provided in 40C-3. Part II, F.A.C. Construction plans shall incorporate the appropriate aquifer parameters determined in the pump test program. The applicant shall submit all well logs and locate, design and construct all wells in accordance with 40C-3, F.A.C.

C. Water use Restriction

Groundwater is restricted to uses other than main steam condensing. Any change in the use of said water will require a modification of this condition.

D. Monitoring and Reporting

OUC shall, within the time limits hereinafter set forth, complete the following items.

1. The applicant shall install a flow meter for the production wellfield pipeline, at the inlet to the plant service water pretreatment system. The applicant will maintain pump logs for operation of each production well in compliance with SJRWMD specifications. The pump logs will show the rating of each pump and record the length of time each pump is used. Well pumps will be calibrated on a yearly basis, and the calibration certificate shall be submitted to SJRWMD.

2. OUC shall submit to SJRWMD, on forms available from the District, a record of pumpage for each log used in D.1 above. Said pumpage shall be provided on a monthly basis, and shall be submitted by April 15, July 15, October 15, and January 15, for each preceding calendar quarter.

3. OUC shall maintain and operate a continuous water level recorder on either the standby production well or a specially constructed observation well located at the Stanton site in Orange County, Florida. Detailed hydrographs of water level fluctuations shall be constructed with the data collected from the water level recorder and shall be submitted to

SJRWMD by April 15, July 15, October 15, and January 15 for each preceding calendar quarter for the year prior to operation and the year after the initiation of operation. From the second year of operation on, water levels shall be reported twice a year (May and September).

4. Water quality analysis shall be performed on water withdrawn from each production wellfield pipeline at the inlet to the plant service water pretreatment system. The water samples collected shall be collected after the well field has been pumping for at least 30 minutes. The water quality analysis shall be performed quarterly during the year prior to operation, monthly during the first year of operation, quarterly during the second year and twice each year (May and September) thereafter. Results shall be submitted to the SJRWMD within 45 days after such analyses were performed. If SJRWMD, DER, or the applicant determines there is a significant change in water quality, then the applicant shall sample each individual well. The following parameters shall be analyzed:

Calcium	Magnesium	Sodium
Potassium	Bicarbonate	Sulfate
Chloride	Nitrate	Total Dissolved Solids
Hardness	Color	Total Phosphate
Gross Alpha	Fe, Ag, Cd, Zn, Cu, Ni, Se, Cr, As, Be, Hg, Pb, Mn, Al, Ba, Mo, V, Co	
Specific Conductance		

All chemical analyses shall be performed in accordance with the latest edition of Standard Methods for the Analysis of Water and Wastewater. The staff of the SJRWMD may adjust the parameters and intervals to be analyzed in accordance with hydrologic conditions determined by well logs and operating records.

5. In the event that SJRWMD determines there is a sufficient change in the water quality (substantially caused by CHSEC and causing a potentially significant effect on water use), the Department may propose pursuant to Section 403.516, F.S., that the permittee be required to reduce or cease withdrawal from these groundwater sources and/or that additional parameters be monitored.

E. Shallow Aquifer Monitoring Wells

After consultation with the DER and SJRWMD, OUC shall install a monitoring well network to adequately monitor groundwater quality horizontally and vertically from the ground to the bottom of the Hawthorne Formation. Groundwater levels and flow directions will be determined twice a year (May and September) at the site through the preparation of seasonal piezometric contour maps. From these maps, the water quality monitoring well network will be located. Monitoring well locations and designs shall be submitted to the Department and SJRWMD for review and approval. Approval or disapproval of the locations and design shall be granted within 60 days. Monitoring wells of adequate design and number shall be installed upgradient and downgradient from each solid waste disposal area, each liquid waste pond and each coal pile storage area. An additional monitoring well will be placed immediately downgradient of the first section of each solid waste landfill to be utilized. 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 two casing volumes. The water quality analyses shall be performed monthly during the year prior to commercial operation and quarterly thereafter. Results shall be submitted to the Department and the SJRWMD by the fifteenth (15th) day of the month following the month during which such analyses were performed. Testing for the following constituents is required:

TDS	Zinc
Conductance	Copper
pH	Nickel
Sulfate	Selenium
Sulfite	Chromium
Color	Arsenic
Nitrate	Beryllium
Chloride	Mercury
Iron	Lead
Aluminum	Gross Alpha, Ra^{226}
Cadmium	(when Gross-Alpha activity
Silver	exceeds 15 pCi/l)
Manganese	Total Phosphate
Barium	Calcium
Molybdenum	Magnesium
Sodium	Potassium

Conductivity shall be monitored in wells around all lined ponds.

F. Leachate

1. Zone of Discharge

Leachate from the combustion waste landfills, coal storage piles, wastewater ponds, or storage ponds shall not contaminate waters of the State (including both surface and groundwaters) in excess of the limitations of Chapter 17-3, FAC., beyond the boundary of separate and individual zones of discharge extending 50 feet below the ground surface and 100 feet from the edge of each individual pile or pond, except as provided in Condition XXXII.

2. Corrective Action

When the groundwater monitoring system shows a violation of the groundwater water quality standards of Chapter 17-3, FAC., from this facility the appropriate ponds, combustion waste landfill, or coal pile shall be bottom sealed, relocated, fixed or the operation of the affected facility shall be altered in such a manner as to assure the Department that no violation of the groundwater standards will occur beyond the boundary of the zone of discharge. In addition, contaminated leachates shall be removed from ground waters.

V. Control Measures During Construction

A. Stormwater Runoff

During construction, appropriate measures shall be used to settle, filter, treat or absorb silt- containing or pollutant-laden stormwater runoff to limit the suspended solids to 50 mg/l or less at the POD during rainfall periods less than the 25 year, 24 hour rainfall, and to prevent an increase in turbidity of more than 50 Jackson Turbidity Units above background in waters of the State at the POD to Hart Branch or Cowpen Branch. Oil and grease shall not exceed 5 mg/l at any discharge from the makeup water storage supply pond or any other pond.

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 8.5 at the POD.

Final drainage plans illustrating all stormwater treatment facilities and conveyances for construction phases and ultimate operations for the entire Curtis H. Stanton Energy Center site shall be submitted to the FDER St. Johns River District Manager, the Orange County Pollution Control Department, and the St. Johns River Water Management District for review and approval prior to construction of any such conveyance or facility.
The Department shall indicate its approval or disapproval within 60 days of the submittal.

B. Sanitary Wastes

Disposal of sanitary wastes from construction toilet facilities shall be in accordance with applicable regulations of the Department and appropriate local health agency. The sewage treatment plant shall be operated in accordance with Chapters 17-3, 17-6, 17-16, and 17-19, FAC.

C. Environmental Control Program

An environmental control program shall be established under the supervision of a qualified person to assure that all construction activities conform to good environmental practices and the applicable conditions of certification.

The permittee shall notify the Department by telephone if unexpected harmful effects or evidence of irreversible environmental damage are detected 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

Construction dewatering effluent shall be treated when appropriate to limit surface water discharges of suspended solids to no more than 50 mg/l. The discharge of construction dewatering liquids shall not cause turbidity in excess of 50 Jackson Turbidity Units above ambient beyond a 20 meter radius from the point of discharge. Weekly grab samples will be collected and analyzed for suspended solids.

A program for controlling the groundwater impacts of construction dewatering shall be submitted to the Department and the St. Johns River Water Management District for review and approval prior to implementation.

E. Pond Perimeter Berms

Construction of perimeter berms shall be in conformance with the provisions of Chapter 17-9, FAC, regarding earthen dams, and should be inspected regularly by a licensed engineer.

F. Wetland Vegetation

A non-disturbed area shall be maintained around the oak hardwood swamp area of Hart Branch for a distance of 300 feet during the construction and operating phase of the Stanton Plant.

VI. Solid Wastes

Solid wastes resulting from construction or operation shall be disposed of in accordance with the applicable regulations of Chapter 17-7, FAC. The permittee shall submit a program for approval outlining the methods to be used in handling and disposal of solid wastes. Such a program shall indicate at the least methods for erosion control, covering, vegetation, and quality control.

Open burning in connection with land clearing shall be in accordance with Chapters 17-5 and 51-2, FAC. No additional permits shall be required, but the Orange County Pollution Control Department shall be notified prior to burning. Open burning shall not occur if the Division of Forestry has issued a ban on burning due to fire hazard conditions.

VII. Operation Safeguards

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. 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.

VIII. Screening

The permittee shall provide screening of the site though the use of aesthetically acceptable structures, vegetated earthen walls and/or existing or planted vegetation, or buffer areas.

IX. Potable Water Supply System

The potable water supply system shall be designed and operated in conformance with Chapter 17-22, FAC. Information as required in 17-22.108 shall be submitted to the Department prior to construction and operation. The operator of the potable water supply system shall be certified in accordance with Chapter 17-16, FAC.

X. Transformer and Electric Switching Gear

The foundations for transformers, capacitors, and switching gear necessary to connect CHSEC Unit 1 to existing distribution system shall be constructed in such a manner as to allow complete collection and recovery of any spills or leakage of oily, toxic, or hazardous substances.

XI. Toxic, Deleterious, or Hazardous Materials

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

XII. Construction in Waters of the State

A. No construction on sovereign submerged lands shall

commence without obtaining lease, easement or title from the Department of Natural Resources and/or Trustees of the Internal Improvement Trust Fund.

B. Construction of pilings, railroad right-of-way, culverts, access roads, pipelines, and transmission towers shall be done in a manner to minimize turbidity. Turbidity screens should be used to prevent turbidity in excess of 50 JTU's above background beyond 40 meters from the excavation, right-of-way, pile driving, or construction site.

All spoil from construction of the CHSEC and related facilities shall be trucked to an upland disposal site of sufficient capacity to retain all material.

XIII. Solid Waste Landfill

A. The proposed solid waste landfill area shall be monitored and studied pursuant to an adequately detailed groundwater testing and monitoring program as defined in Condition IV, D. and E. The results of this detailed groundwater testing and monitoring program will be used by the Department in determining whether OUC shall affirmatively demonstrate that Florida Water Criteria (Chapter 17-3, FAC) will not be violated.

B. Before construction of the solid waste landfill commences, Karst features interfering with the hydrogeological integrity of the site in the vicinity of the solid waste landfill shall be adequately stabilized both physically and hydraulically against, respectively, collapse and unusual downward transport of groundwater.

C. OUC shall select and adopt one or more of the following mitigative measures for controlling water quality beneath the solid waste landfill:

1. Use of an adequate chemical fixation process on the solid wastes to achieve a uniform layer at least 18 inches in thickness across the cell with a permeability of 1×10^{-7} cm/sec or less.

2. Use of an adequate chemical fixation process on the solid wastes to achieve solid waste permeability of 5×10^{-6} cm/sec or less. The top of each completed cell shall be constructed with a slope of 0.75% and an

effort will be made to decrease the permeability of the top layer of fixed FGD material to less than 5 x 10^{-6}cm/sec.

D. Ninety days prior to operation of Unit 1, OUC shall submit a program demonstrating how the fixed FGD waste landfill permeability will be maintained at or below a level of 5 x 10^{-6}cm/sec. The DER will indicate its approval or disapproval of the program within 60 days. OUC shall implement an approved program.

E. OUC shall adopt in addition all of the following mitigative measures for further controlling water quality beneath the solid waste landfill:

1. Use of adequate ramp-slopes over combustion waste storage cells, and an adequate perimeter toe ditch and interceptor ditch system for controlling and concentrating rain runoff within the solid waste landfill area.

2. Use of adequate and systematic measures for compacting all solid wastes as they are emplaced within the landfill.

3. Maintenance of a cover soil and a viable community of grasses, which would eventually extend over the entire solid waste landfill area.

F. Prior to the commencement of operation of solid waste disposal areas the following shall be submitted to the Department and the St. Johns River District Manager for review and approval consistent with other conditions of this certification:

1. Plot Plan - should be drawn on a scale not greater than 200 ft. to the inch showing the following:

a. Dimensions and legal description of the site

b. Location and depth corrected to MSL of soil borings

c. Proposed trenching plan

d. Cover stock piles

e. Fencing or other measures to restrict ac-

cess

f. Cross sections showing both original and proposed fill elevation

g. Location, depth corrected to MSL and construction details of monitoring wells or ditch monitoring points

2. Design Drawings and Maps - may be combined with plot plan and should be drawn on a scale not greater than 200 ft. to the inch showing the following:

a. Topographic map with five foot contour intervals

b. Proposed fill areas
c. Borrow area

d. Access roads

e. Grades required for proper drainage

f. Typical cross sections of disposal site including lifts, borrow areas and drainage controls
g. Special drainage devices

3. Soil map, Interpretive Guide Sheets and a report giving the suitability of the site for such an operation.

4. Operation plans to direct and control the use of the site.

5. An indication by discussion or drawings or both of how the site is designed to meet water quality standards of Chapter 17-3 and 17-4, FAC at the waste site boundary or the boundary of the zone of discharge. Adequate indications above would include discussion of each mitigative water quality control measure that would be employed, including but not limited to: liners, chemical fixation process, compaction, underdrains and chemical treatment facilities, impermeable clay caps, soil and grass communities.

Based on the Department's reviews of the above, additions to or modifications of the

overall monitoring program may be required for monitoring of runoff, groundwaters, and surface waters which may be affected by the various landfilling operations.

The Department shall indicate its approval or disapproval of the submitted plans, drawings, maps, analyses and contingency plans within 60 days.

XIV. Transmission Lines, Access Road and Rail Spur

A. General

1. Filling and construction in water of the State shall be minimized to the extent practicable. No such activities shall take place without obtaining lease, or title from the Department of Natural Resources and/or TIITF where required. Construction and access roads should avoid wetlands and be located in surrounding uplands.

2. Placement of fill in wetland areas shall be minimized by spanning such areas with the maximum span practicable. Borrow pits shall not be located in waters of the State.

3. The Department may determine that any fill required in wetlands for construction but not required for maintenance purposes shall be removed and the ground restored to its original contours after transmission line, roadway or rail spur placement. Placement and removal of any such temporary fill shall be coordinated with the DER District Office.

4. Where fill in wetlands is necessary for access, keyhole fills from upland areas should be oriented as nearly parallel to surface water flow lines as possible.

5. Sufficient size and number of culverts or other structures shall be placed through fill causeways to maintain substantially unimpaired sheet flow.

6. Turbidity control measures, including but not limited to hay bales, turbidity curtains, sodding, mulching, and seeding, shall be employed to prevent violation of water quality standards.

7. The Rights-of-Way shall be located so as to minimize impacts in or on stream beds such as the removal of vegetation, to the extent practicable. For tranmission lines, within 25 feet of the banks of any streams, rivers or lakes, vegetation shall be left undisturbed, except for selective topping of trees or removal of trees which topping would kill. For transmission lines, if it is necessary to remove such trees within 25 feet of the banks of streams, rivers or lakes, the root mat shall be left undisturbed.

8. Any necessary water quality certifications which must be made to the Corps of Engineers shall be made at the time of a finding of compliance for specific work at specific locations.

9. Construction activities should proceed as much as practicable during the dry season.

B. Other Construction Activities

1. Maintenance roads under control of the permittee shall be planted with native species to prevent erosion and subsequent water quality degradation where drainage from such roads would impact waters of the State significantly.

2. Good environmental practices such as described in Environmental Criteria for Electric Transmission Systems as published by the U.S. Department of Interior and the U.S. Department of Agriculture shall be followed to the extent practicable.

3. Compliance with the most recent version of the National Electric Safety Code adopted by the Public Service Commission is required.

4. Fences running parallel to the transmission line which may become conductive shall be grounded at appropriate intervals; fences running perpendicular to the line shall be grounded at the edge of the right-of-way.

5. Field reconnaissance of rare and endangered species shall be performed in order to minimize impacts on these species.

6. Open burning in connection with land clearing

shall be in accordance with the applicable rules of the Department of Agriculture and Consumer Services. No additional permits shall be required, but the Orange County Pollution Control Board shall be notified prior to burning. Open burning shall not occur if the Division of Forestry has issued a ban on burning due to fire hazard conditions.

C. Maintenance

1. Vegetative clearing operations for maintenance purposes to be carried out within the corridor shall follow the general standards for clearing right-of-way for overhead transmission lines as referenced in Sections XIV.A.7 and XIV.B.2. Selective clearing of vegetation is preferred over clearing and grubbing or clear cutting.

2. If chemicals or herbicides are to be used for vegetation control, the name, type, proposed use, locations, and manner of application shall be provided to the Department prior to their application for assessment of compliance with applicable regulations.

D. Archaeological Sites

Any archaeological sites discovered during construction of the transmission lines, access roads or rail spurs shall be disturbed as little as possible and such discovery shall be communicated to the Department of State, Division of Archives, History and Record Management (DAHRM). Potentially affected areas will be surveyed, and if a significant site is located, the site shall be avoided, protected, or excavated as directed by DAHRM.

E. Road Crossing

For all locations where the transmission line or the rail spur will cross State highways, the applicant will submit materials pursuant to the Department of Transportation's (DOT) "Utility Accommodation Guide" to DOT's district office for review and approval. All applicable regulations pertaining to roadway crossings by rail or transmission lines shall be complied with. Crossing of county roads shall be coordinated with the County Engineer.

F. Emergency Reporting

Emergency replacement of previously constructed right-of-way or transmission lines shall not be considered a modification pursuant to Section 403.516, F.S. A verbal report of the emergency shall be made to the Department as soon as possible. Within fourteen (14) calendar days after correction of the emergency, a report to the Department shall be made outlining the details of the emergency and the steps taken for its temporary relief. The report shall be a written description of all of the work performed and shall set forth any pollution control measures or mitigative measures which were utilized or are being utilized to prevent pollution of waters, harm to sensitive areas or alteration of archaeological or historical resources.

G. Final Right-of Way Location

A map of 1:24000 scale showing final location of the right-of-way shall be submitted to the Department upon completion of acquisition.

H. Compliance

Construction and maintenance shall comply with the applicable rules and regulations of the Department and those agencies specified in 17-17.54(2)(a) and (b), FAC.

I. Construction Plans

All proposed transmission line ROW areas, plant access roads and railroad lines which are designed to traverse a stream, lake, pond, canal, swamp, marsh or other natural or artificial system which functions to store or convey water and would require a permit under Chapter 40C-4 or 40C-6, F.A.C. shall have said design plans and specifications reviewed by the SJRWMD or SFWMD staff. The staff shall determine if such plans are consistent with the Site Certification Application, the Recommended Conditions of Certification and applicable District rules. To determine such consistency, information to include but not be limited to the following items shall be submitted to the District 60 days prior to construction:

1. A centerline profile of existing topographic features along proposed access road(s).

2. Preliminary design of proposed access road(s) with elevations marked.

3. Typical cross-section of access road(s).

4. Cross-section of each stream or creek at those points to be crossed by access road(s) or other facilities.

5. Specifications showing size and type of water control structure (pipe, culvert, etc.) to be placed within or on waters of the District, with proposed flowline elevations marked.

6. Specifications showing design capacity of all water control structures to be employed.

7. Specifications showing location and type of each transmission tower and access road(s) to be constructed within or on the waters of the District.

8. Computer rates of flow for streams or water courses before and after construction during a one hundred (100) year flood.

9. Any other information needed by OUC to show compliance with standards in Rule 40C-4 and 40C-6, Florida Administrative Code.

XV. Change in Discharge

All discharges or emissions authorized herein shall be consistent with the terms and conditions of this certification. The discharge of any pollutant identified in the application more frequently than, or at a level in excess of, that authorized herein shall constitute a violation of the 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 a new or supplemental application pursuant to Chapter 403, F.S.

XVI. Non-Compliance Notification

If, for any reason, the permittee does not comply with or will be unable to comply with any limitation specified in this certification, the permittee shall notify the manager of DER's St. Johns River District office by telephone during the working day in which the permittee becomes aware of said non-compliance and shall confirm this situation in writing within seventy-two hours sup-

plying the following information:

A. A description and cause of non-compliance; and

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

XVII. Facilities Operation

The permittee shall at all times maintain in good working order and operate at the efficiencies set forth in the design criteria and as necessary to meet emission limitations all treatment or control facilities or systems installed or used by the applicant to achieve compliance with the terms and conditions of this certification. Such systems are not to be bypassed without prior Department approval.

XVIII. Adverse Impact

The permittee shall take all reasonable steps to minimize any adverse impacts resulting from non-compliance 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 non-complying event.

XIX. Right of Entry

The permittee shall allow the Secretary of the Florida Department of Environmental Regulation and/or authorized representatives, 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 to make copies of 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 pollutants; and

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

XX. 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.

XXI. Civil and Criminal Liability

This certification does not relieve the permittee from civil or criminal responsibility or liability for non-compliance with any conditions of this certification, applicable rules or regulations of the Department, or Chapter 403, F.S., or regulations thereunder.

Subject to Section 403.511, F.S., this certification shall not preclude the institution of any legal action or relieve the permittee from any responsibilities or penalties established pursuant to any other applicable State Statutes or regulations.

XXII. 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 applicant will 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.

XXIII. 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.

XXIV. Definitions

The meaning of terms used herein shall be governed by the definitions contained in Chapter 403, F.S., 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.

XXV. 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 System Permit issued pursuant to the Federal Water Pollution Control Act Amendments of 1972 for the plant units, the Department shall review all monitoring data that has been submitted to it during the preceeding 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 permittee. Such review will be repeated at least every five years thereafter.

XXVI. Modification of Conditions

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

A. The Board pursuant to 403.516(1), F.S., hereby delegates to the Secretary the authority to modify, after notice and opportunity for hearing, any conditions pertaining to consumptive use of water, monitoring, sampling, groundwater, mixing zones, zones of discharge, leachate control programs, effluent or emission limitations, variances or exceptions to water quality standards, railroad spur, transmission line, access road or pipeline construction, and source of treated effluent cooling water.

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

XXVII. Flood Control Protection

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

XXVIII. 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 Depart-

ment and parties are otherwise notified, is binding upon the applicant 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.

XXIX. Noise

To mitigate the effects of noise produced by the steam blowout of steam boiler tubes, OUC shall conduct public awareness campaigns prior to such activities to forewarn the public of the estimated time and duration of the noise.

XXX. Railroad Spur Line

Modifications to the railroad spur line proposal as presented in the Site Certification Application would require that the modifications be reviewed by the South Florida Water Management District's staff for concurrence, and approved by the Secretary.

XXXI. Red Cockaded Woodpecker Management Plan

The management plan for the Red-Cockaded Woodpecker as described in Section 5.7 and Appendix 5.7A of the application shall be implemented for the life of the facility. The monitoring program shall be extended to cover the first five years of plant operation unless the Florida Game and Fresh Water Fish Commission should recommend a termination of the monitoring program.

XXXII. Nitrate

OUC shall monitor nitrate levels in Hart Branch at the site boundary during construction to establish background levels of that parameter. Monitoring of nitrate shall continue during plant operation. If nitrate levels exceed 1.0 mg/l or if preoperational background levels of NO_3 exceed 1.0 mg/l and plant operation causes the NO_3 levels to rise more than 25% above background, OUC shall take appropriate action to control the NO_3. Nitrate and other contaminants from the water supply pond will be monitored at incremental distances from the pond in a program to be submitted by OUC and approved by the DER and SJRWMD to determine the dispersion and diluting characteristics of nitrate in the non-artesian groundwater aquifer. Based on the results of the monitoring, a projection of nitrate concentration at 500 feet from the pond will be made. If these projections indicate that at 500 feet from the

pond the ground water nitrate concentrations will be at or above 10 mg/l, then OUC will develop a program of corrective action. Such corrective action will be prepared by OUC and implemented after approval of the DER, SJRWMD, and Orange County. Other contaminants shall be allowed a zone of discharge 50 feet deep extending 250 feet from the pond.

XXXIII. Fish and Wildlife Management

OUC shall consult with the Florida Game and Fresh Water Fish Commission and, if possible, implement a fish and wildlife management plan as discussed in the Game and Fish Commission's letter of February 12, 1982.

XXXIV. Coal Pile

The coal pile shall be lined with a material with a permeability not greater than 1×10^{-7} cm/sec. or the leachate shall be controlled to prevent violation of water quality criteria beyond the zone of discharge.

ADDITIONAL CONDITION OF CERTIFICATION
TO BE NUMBERED CONDITION XXXV

The Orlando Utilities Commission shall use the currently certified best available control technology and shall comply with currently existing air quality standards and emission limitations throughout the operating life of Stanton, Unit 1. This condition shall not be construed to restrict the authority delegated to the Secretary of the Department of Environmental Regulation under Condition XXVI to impose more stringent air quality standards or emission limitations, subject to the requirements of Chapter 403, Florida Statutes.

RE: CURTIS H. STANTON ENERGY CENTER
PLANT SITING APPLICATION

STIPULATION

THE UNDERSIGNED do hereby stipulate and agree as follows:

1. That the letter requesting a hearing on behalf of The Sierra Club, dated March 12, 1984, addressed to Mr. Hamilton S. Oven, Jr., P.E., Administrator, Power Plant Siting Section, Department of Environmental Regulation, a copy of which is attached hereto marked Exhibit "A" and thereby made a part hereof as if fully set forth herein, be modified to delete the request for hearing on Modification of the Rail Corridor to the extent that the requested modification complies with the rail corridor set forth on Exhibit "B" which is attached hereto and thereby made a part hereof as if fully set forth herein, between the points marked "A" and "B" on Exhibit "C".

2. That the change in rail corridor to conform to the corridor set forth on Exhibit "C" between points "A" and "B" be approved by stipulation of the parties.

DATED this 23 day of March, 1984.

ROBERT R. HENDRY, ESQUIRE
Attorney for Lake Nona Corp.

IRBY G. PUGH, ESQUIRE
Attorney for The Sierra Club

THOMAS B. TAFT, ESQUIRE
Orlando Utilities Commission

THOMAS CLOUD, ESQUIRE
Orange County

HENRY OEAN, ESQUIRE
St. Johns River Water
Management District

DENNIS R. EPDLEY, ESQUIRE
Florida Department of
Environmental Regulation

LARRY KEESEY, ESQUIRE
Dept. of Community Affairs

ARTHUR SHELL, ESQUIRE
Public Service Commission

JOHN M. BATEMAN
Orange County Pollution
Control Department

IRENE M. KENNEDY QUINCY, ESQUIRE
South Florida Water Management
District

Exhibit "4"

ATTORNEY AT LAW
218 ANNIE STREET
ORLANDO, FLORIDA 32806
TELEPHONE 843-5840
AREA CODE (305)

MAR 20 1984

R.P.S.

March 12, 1984

Mr. Hamilton S. Oven, Jr., P.E.
Administrator
Power Plant Siting Section
Department of Environmental Regulation
Twin Towers Office Building
2600 Blair Stone Road
Tallahassee, Florida 32301

Dear Mr. Oven:

Thank you for your letters of December 2nd, 1983 and February 8, 1984 concerning the proposed modifications to the power plant siting application for the Curtis H. Stanton Energy Center. The Sierra Club, as a party to the certification proceeding, is hereby requesting a hearing pursuant to Section 120.57, Florida Statutes, incorporated into the power siting act under Section 403.516, Florida Statutes. The grounds for this hearing are that the Applicant, OUC, is substantially altering its operating permit to allow it to operate the plant at greatly increased levels of air emissions in the coal handling and lime handling categories.

The Sierra Club is absolutely opposed to any lessening of the conditions of certification as contained in the original application for certification. Even though the changes seem to be fairly small in the quantities given over periods of time these changes will have significant adverse impacts on the area surrounding the plant. Moreover, it is my understanding that OUC wants modifications of its rail corridor which were not contained in the application for modification filed by the applicant, OUC.

We would appreciate a hearing date being set at the earliest possible convenience of the Department and a Hearing Officer appointed for the purpose of hearing this application for modification. We believe it is within the purview of the Hearing Officer

EXHIBIT A

to deny the modification and/or rescind the permit if in fact OUC cannot operate as permitted. It is a sufficient insult that this totally unnecessary facility is being built despite the overwhelming evidence that it will not benefit the residents of the OUC service area in any way.

Thank you for your consideration of this matter.

Very truly yours,

IRBY G. PUGH

IGP/jms

cc: Rose Simmons, Reporter
The Orlando Sentinel

IN RE: ORLANDO UTILITIES COMMISSION)
CURTIS H. STANTON POWER PLANT)
UNIT NO. 1, SITE CERTIFICATION.)
)

Case No. 81-1431

AMENDED PETITION FOR MODIFICATION
OF SITE CERTIFICATION
AND CONDITIONS OF CERTIFICATION

ORLANDO UTILITIES COMMISSION (OUC) is an independent authority and part of the government of the City of Orlando and is engaged in the generation and distribution of electric power to persons within its service area. Its address is:

Orlando Utilities Commission
500 South Orange Avenue
Orlando, Florida 32801

OUC filed on November 3, 1983 a petition for modification of certification of the Curtis H. Stanton Energy Center, Unit 1 and related facilities pursuant to Section 403.516(1), F.S., Chapter 17-17.211(4) F.A.C., and Condition of Certification XXVI. That petition was accompanied by fourteen (14) copies of appropriate modifications of the original Site Certification Application as amended. Today OUC is filing this Amended Petition for Modification of Certification. No changes to the Site Certification Application are needed for this Amended Petition.

On December 14, 1982, the Honorable Bob Graham, Governor, acting for the Siting Board, signed the Certification Order granting certification pursuant to Chapter 403, Part II, Florida Statutes, for the location, construction, and operation of the Curtis H. Stanton Energy Center, Unit 1, its associated facilities, and its directly associated transmission lines as proposed in the amended Application and evidence of record, subject to the Conditions of Certification attached to the order.

Subsequent to the issuance of the Certification Order, changes in the design concepts have been made for six components of the certified facilities.

- Makeup and Return Water Pipelines

The detailed descriptions of these modifications of the project are provided in the attached alterations of the Application identified as Request for Modification of Certification 1.

In accordance with Chapter 17-17.211(3)(c) the following effects of the modifications are presented.

Railroad Corridor. Appropriate chapters of the Application have been altered to reflect the modified corridor. The alterations include the addition of pertinent information required under Chapter 17-17.091. Procedures for requesting modification under Chapter 17-17.211(4) satisfy Condition of Certification XXX. The modification will not affect Findings of Fact or Conclusions of Law upon which certification or conditions of certification were based.

Fugitive Dust Control Systems. Appropriate pages of the amended Application have been provided in Request for Modification of Certification 1. This change requires modification of Conditions of Certification to more accurately reflect currently proposed control technologies. The following modification of Conditions of Certification, I, A, 3, a, and d are requested.

I. Air

A. Emission Limitations

3. Particulate emissions from the coal, lime, and limestone handling facilities:

a. All ~~conveyors and~~ conveyor transfer points will be enclosed to preclude PM emissions (except those directly associated with the ~~coal stacker/reclaimer or~~ emergency stockout, ~~and~~ the limestone stockout for which enclosure is operationally infeasible). All coal and limestone conveyors not underground or within buildings will be enclosed (roof and sides) with steel grating or concrete floors (except the stacker/reclaimer which will have windscreen protection).

d. The limestone handling receiving hopper, ~~transfer conveyors~~

within buildings will be enclosed with open grating floors (except where concrete floors are provided over roads or other faciltiies). Limestone day silos and associated transfer points will be maintained at negative pressures during filling operations with the exhaust vented to a control system. Lime will be handled with a totally enclosed pneumatic system. Exhaust from lime silos during filling will be vented to a collector system.

This modification will not affect Findings of Fact or Conclusions of Law upon which the original certification and conditions of certification were based.

Level Detection Monitors. This change is reflected by the addition of a sub-section to the project description portion of the Application with a partially completed application for a radioactive materials license. A new Condition of Certification is proposed since the remaining information requested on the application form is not yet available.

XXXV. Radioactive Materials

The permittee shall submit to the Department all supplemental information required by the Radioactive Materials License Application form and shall obtain the pertinent approvals of the Florida Department of Health and Rehabilitative Service. Documentary evidence of such approvals shall be provided to the Department.

The use of level detection monitors containing radioactive sources will have no signficant effect on existing Findings of Fact or Conclusions of Law.

Main Plant Access Road. A new Orange County road will serve the access needs of the Stanton Energy Center. Request for Modification 1 provides revisions of the appropriate pages of the Application. The change has no effect on Certification, Conditions of Certification, Findings of Fact, or Conclusions of Law.

Water Supply Source. Cooling water makeup supply will be obtained from a new

Conditions of Certification, Findings of Fact, or Conclusions of Law will result.

OUC requests that the Modification of Certification described in this petition be approved by the Secretary of the Department of Environmental Regulation in accordance with Condition of Certification XXVI. Modification of Certification Part A of which states as follows:

> A. The Board pursuant to 403.516(1), F.S., hereby delegates to the Secretary the authority to modify, after notice and opportunity for hearing, any conditions pertaining to consumptive use of water, monitoring, sampling, groundwater, mixing zones, zones of discharge, leachate control programs, effluent or emission limitations, variances or exceptions to water quality standards, railroad spur, transmission line, access road or pipeline construction, and source of treated effluent cooling water.

OUC believes that all of the modifications included in this petition are within the approval authority granted to the Secretary of the DER by Condition of Certification XXVI. Should any of the proposed modifications be found to be outside this authority, OUC requests that such modification be treated as a separate petition from the remaining proposed modifications. The modifications described provide important technical, economic, or environmental advantages to the construction and operation of the Stanton Energy Center.

Attached to this petition is Request for Modification of Certificatio This document consists of a summary of changes to the Application, instructions for inserting the modified pages into the application, and the modified pages containing discussions pertinent to the changes.

Dec. 2, 1983
Date

Thomas B. Tart

Thomas B. Tart
Staff Counsel
Orlando Utilities Commission

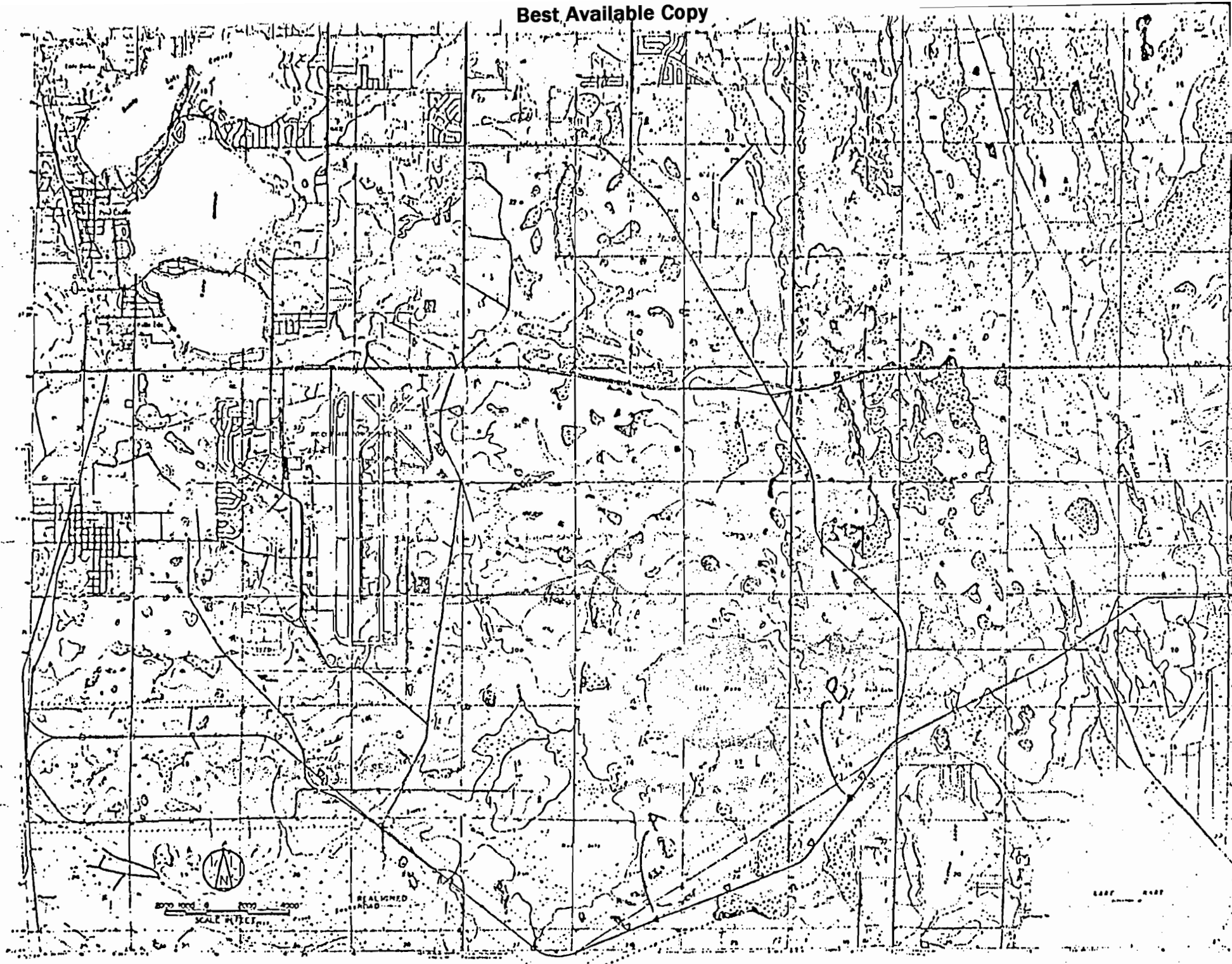

EXHIBIT C

BEFORE THE STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL REGULATION

In Re:	)	
	)	
Orlando Utilities Commission	)	
Curtis H. Stanton Energy Center	)	OGC Case No. 85-1372
Modification of Application	)	
No. PA 81-14,	)	
Orange County, Florida	)	
	)	

FINAL ORDER
APPROVING A MODIFICATION OF AN APPLICATION

The Florida Department of Environmental Regulation (Department), after notice and opportunity for hearing, approves the modification of a Power Plant Siting Application for the Curtis H. Stanton Energy Center pursuant to Section 403.516(1), Florida Statutes, and Conditions of Certification III.C.3. and XXVI, which delegated modifications of conditions to the Department.

1. On August 12, 1986, Orlando Utilities Commission submitted a petition to the Department requesting approval of a modification of the application for the Curtis H. Stanton Energy Center to allow change in the location of a water treatment facility.

2. On August 21, 1986, a Notice of Proposed Agency Action was served on all parties with a provision that a hearing would be held if requested on or before October 6, 1986. No hearing was requested. Therefore, the Department adopts the proposed agency action as final.

3. After review of the petition and its exhibits, the Department grants relief to Orlando Utilities Commission by approving the relocation of the blowdown treatment facility to the Curtis H. Stanton Energy Center.

Any party to this Order has the right to seek judicial review of this Order pursuant to Section 120.68, Florida Statutes, by the filing of a Notice of Appeal pursuant to Rule 9.110, Florida Rules of Appellate Procedure, with the clerk of the Department in the Office of General Counsel, 2600 Blair Stone Road, Tallahassee, Florida 32301; and by filing a copy of the Notice of Appeal accompanied by the applicable filing fees with the appropriate district court of appeal. The Notice of Appeal must be filed within 30 days from the date the Final Order is filed with the clerk of the Department.

DONE AND ORDERED this 5th day of November, 1986, in Tallahassee, Florida.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL REGULATION

VICTORIA J. TSCHINKEL
Secretary

2600 Blair Stone Road
Tallahassee, Florida 32301
904/488-9730

FILING AND ACKNOWLEDGEMENT
FILED, on this date, pursuant to S120.52 Florida Statutes, with the designated Department Clerk, receipt of which is hereby acknowledged.

C. Hutchinson
Clerk

11-7-86
Date

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that copies of the foregoing NOTICE OF PROPOSED AGENCY ACTION were furnished by United States Mail to all counsel of record listed on the attached service list, on this 7th day of November, 1986.

Vivian F. Garfein

VIVIAN F. GARFEIN
Assistant General Counsel

State of Florida Department
of Environmental Regulation
Twin Towers Office Building
2600 Blair Stone Road
Tallahassee, Florida 32301
Telephone: 904/488-9730

Copies furnished to:

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Orlando, FL 32801

Ken van Assenderp
Young, van Assenderp,
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Post Office Box 1833
Tallahassee, FL 32302

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL REGULATION

IN RE: ORLANDO UTILITIES COMMISSION)
CURTIS H. STANTON POWER PLANT) Case No. 81-1431
UNIT NO. 1, SITE CERTIFICATION.)
)

AMENDED PETITION FOR MODIFICATION
OF SITE CERTIFICATION
AND CONDITIONS OF CERTIFICATION

ORLANDO UTILITIES COMMISSION (OUC) is an independent authority and part of the government of the City of Orlando and is engaged in the generation and distribution of electric power to persons within its service area. Its address is:

Orlando Utilities Commission
500 South Orange Avenue
Orlando, Florida 32801

OUC filed on November 3, 1983 a petition for modification of certification of the Curtis H. Stanton Energy Center, Unit 1 and related facilities pursuant to Section 403.516(1), F.S., Chapter 17-17.211(4) F.A.C., and Condition of Certification XXVI. That petition was accompanied by fourteen (14) copies of appropriate modifications of the original Site Certification Application as amended. Today OUC is filing this Amended Petition for Modification of Certification. No changes to the Site Certification Application are needed for this Amended Petition.

On December 14, 1982, the Honorable Bob Graham, Governor, acting for the Siting Board, signed the Certification Order granting certification pursuant to Chapter 403, Part II, Florida Statutes, for the location, construction, and operation of the Curtis H. Stanton Energy Center, Unit 1, its associated facilities, and its directly associated transmission lines as proposed in the amended Application and evidence of record, subject to the Conditions of Certification attached to the order.

Subsequent to the issuance of the Certification Order, changes in the design concepts have been made for six components of the certified facilities. These six components are as follows.

- Railroad Corridor
- Fugitive Dust Control Systems
- Level Detection Monitors

Exhibit "2"

- Main Plant Access Road
- Water Supply Source
- Makeup and Return Water Pipelines

The detailed descriptions of these modifications of the project are provided in the attached alterations of the Application identified as Request for Modification of Certification 1.

In accordance with Chapter 17-17.211(3)(c) the following effects of the modifications are presented.

Railroad Corridor. Appropriate chapters of the Application have been altered to reflect the modified corridor. The alterations include the addition of pertinent information required under Chapter 17-17.091. Procedures for requesting modification under Chapter 17-17.211(4) satisfy Condition of Certification XXX. The modification will not affect Findings of Fact or Conclusions of Law upon which certification or conditions of certification were based.

Fugitive Dust Control Systems. Appropriate pages of the amended Application have been provided in Request for Modification of Certification 1. This change requires modification of Conditions of Certification to more accurately reflect currently proposed control technologies. The following modification of Conditions of Certification, I, A, 3, a, and d are requested.

I. Air

A. Emission Limitations

3. Particulate emissions from the coal, lime, and limestone handling facilities:

a. All ~~conveyors and~~ conveyor transfer points will be enclosed to preclude PM emissions (except those directly associated with the ~~coal stacker/reclaimer or~~ emergency stockout, ~~and~~ the limestone stockout for which enclosure is operationally infeasible). All coal and limestone conveyors not underground or within buildings will be enclosed (roof and sides) with steel grating or concrete floors (except the stacker/reclaimer which will have windscreen protection).

d. The limestone handling receiving hopper, ~~transfer conveyors and day silos, and the lime silos will be maintained as negative pressures while operating with the exhaust vented~~

~~to a control system~~, will be equipped with water spray dust control facilities. Limestone conveyors not underground or within buildings will be enclosed with open grating floors (except where concrete floors are provided over roads or other facilities). Limestone day silos and associated transfer points will be maintained at negative pressures during filling operations with the exhaust vented to a control system. Lime will be handled with a totally enclosed pneumatic system. Exhaust from lime silos during filling will be vented to a collector system.

This modification will not affect Findings of Fact or Conclusions of Law upon which the original certification and conditions of certification were based.

Level Detection Monitors. This change is reflected by the addition of a subsection to the project description portion of the Application with a partially completed application for a radioactive materials license. A new Condition of Certification is proposed since the remaining information requested on the application form is not yet available.

XXXV. Radioactive Materials

The permittee shall submit to the Department all supplemental information required by the Radioactive Materials License Application form and shall obtain the pertinent approvals of the Florida Department of Health and Rehabilitative Service. Documentary evidence of such approvals shall be provided to the Department.

The use of level detection monitors containing radioactive sources will have no signficant effect on existing Findings of Fact or Conclusions of Law.

Main Plant Access Road. A new Orange County road will serve the access needs of the Stanton Energy Center. Request for Modification 1 provides revisions of the appropriate pages of the Application. The change has no effect on Certification, Conditions of Certification, Findings of Fact, or Conclusions of Law.

Water Supply Source. Cooling water makeup supply will be obtained from a new wastewater treatment facility being constructed by Orange County four miles from the Stanton Energy Center. The appropriate pages of the Application are included in Request for Modification. Findings of Fact and Conclusions of Law are not affected.

Makeup and Return Water Pipelines. Appropriate pages of the Application are included in Request for Modification 1 for this change. No effects on Conditions of Certification, Findings of Fact, or Conclusions of Law will result.

OUC requests that the Modification of Certification described in this petition be approved by the Secretary of the Department of Environmental Regulation in accordance with Condition of Certification XXVI. Modification of Certification Part A of which states as follows:

> A. The Board pursuant to 403.516(1), F.S., hereby delegates to the Secretary the authority to modify, after notice and opportunity for hearing, any conditions pertaining to consumptive use of water, monitoring, sampling, groundwater, mixing zones, zones of discharge, leachate control programs, effluent or emission limitations, variances or exceptions to water quality standards, railroad spur, transmission line, access road or pipeline construction, and source of treated effluent cooling water.

OUC believes that all of the modifications included in this petition are within the approval authority granted to the Secretary of the DER by Condition of Certification XXVI. Should any of the proposed modifications be found to be outside this authority, OUC requests that such modification be treated as a separate petition from the remaining proposed modifications. The modifications described provide important technical, economic, or environmental advantages to the construction and operation of the Stanton Energy Center.

Attached to this petition is Request for Modification of Certification I. This document consists of a summary of changes to the Application, instructions for inserting the modified pages into the application, and the modified pages containing discussions pertinent to the changes.

Dec. 2, 1983
Date

Thomas B. Tart
Staff Counsel
Orlando Utilities Commission

A copy of the petition and letters has been furnished by United States Mail to the following persons this 7th day of December, 1983.

Thomas B. Tart, Esquire
Post Office Box 3193
Orlando, Florida 32802

Roy C. Young and
Ken van Assenderp, Esquires
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Tallahassee, Florida 32302

Thomas Cloud, Esquire
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Orlando, Florida 32801

Sonny Vergara
St. Johns River Water
Management District
Post Office Box 1429
Palatka, Florida 32077

Robert R. Hendry
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Florida Department of
Environmental Regulation
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218 Annie Street
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2571 Executive Center Circle E
Tallahassee, Florida 32301

Arthur Shell, Esquire
Public Service Commission
101 East Gaines Street
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John M. Bateman
Orange County Pollution
Control Department
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John R. Maloy
South Florida Water
Management District
3301 Gun Club Road
Post Office Box V
West Palm Beach, Florida 33402

Hamilton S. Oven, Jr.

HAMILTON S. OVEN, JR.
Administrator
Power Plant Siting

State of Florida Department
of Environmental Regulation
2600 Blair Stone Road
Tallahassee, Florida 32301
904/488-0130

BEFORE THE STATE OF FLORIDA
DIVISION OF ADMINISTRATIVE HEARINGS

THE SIERRA CLUB,

Petitioner,

v.

DOAH Case No. 84-1068
OGC File No. 84-0174

ORLANDO UTILITIES COMMISSION
and STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL
REGULATION,

Respondent.
_____/

MOTION REQUESTING THE DIVISION OF ADMINISTRATIVE HEARINGS TO REMAND THE RAIL CORRIDOR MODIFICATION TO THE DEPARTMENT FOR FINAL AGENCY ACTION

Comes now Respondent, State of Florida Department of Environmental Regulation ("Department"), and moves this Honorable Hearing Officer, pursuant to Florida Administrative Code Rule 28-5.204, for an order remanding the proposed rail corridor modification to the Secretary with a recommendation that the rail corridor be modified in accord with the executed stipulation of the parties; as grounds, the Department would show:

1. On December 14, 1982, the Governor and Cabinet, sitting as the Siting Board, issued a Certification Order for the Orlando Utilities Commission Curtis H. Stanton Energy Center. (Exhibit "1"). Provision number four (4) of the Certification Order adopted proposed condition XXVI as a condition of certification.

XXVI. Modification of Conditions

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

A. The Board pursuant to 403.516(1), F.S, hereby delegates to the Secretary the authority to modify, after notice and opportunity for hearing, any conditions pertaining to consumptive use of water, monitoring, sampling, groundwater, mixing zones, zones of discharge, leachate control programs, effluent or emission limitations, variances or exceptions to water quality standards, railroad spur, transmission line, access road or pipeline construction, and source of treated effluent cooling water. (emphasis added).

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

Condition XXVI A. delegated to the Secretary of the Department "the authority to modify, after notice and an opportunity for hearing, any conditions pertaining to . . . railroad spur, . . ." The delegation to the Secretary makes consideration of a proposed modification of the railroad spur by the Siting Board unnecessary and inappropriate.

2. On December 2, 1983, the Orlando Utilities Commission forwarded its Amended Petition for Modification of Site Certification and Conditions of Certification to the Department. (Exhibit "2"). On December 7, 1983, the Department sent copies of the amended petition to all the parties to the original certification proceedings. (See the Certificate of Service attached to the amended petition). This included all the statutory parties designated in Section 403.508(4), Florida Statutes. The amended petition indicated that the Orlando Utilities Commission proposed to modify the previously certified rail corridor.

3. On March 30, 1984, a Notice of Request for Modifications of Power Plant Certification was published in the Florida Administrative Weekly. (Exhibit "3"). The notice gave the parties to the original certification proceedings and anyone else whose substantial interests might be affected a point of entry to challenge any of the proposed modifications to the Certification Order. The Sierra Club was the only entity to file a timely challenge to the proposed modifications. (See Exhibit "A" of Exhibit "4").

4. All parties to the original certification proceedings have executed a stipulation indicating that the proposed modification to the rail corridor is not a contested matter and should be deleted as an issue from the hearing scheduled for June 21, 1984. (Exhibit "4").

5. In accord with the Certification Order, the Orlando Utilities Commission has commenced the preliminary activities necessary for construction and operation of the Curtis H. Stanton Energy Center. For these activities to proceed according to schedule,

it is imperative that work begin on the rail corridor as soon as possible. Any delay will significantly increase the cost of the facility.

Based on the foregoing facts, the Department respectfully requests the Hearing Officer to remand the proposed modification of the rail corridor to the Secretary with a recommendation that the original rail corridor be modified in accord with the executed Stipulation of the parties.

Respectfully submitted,

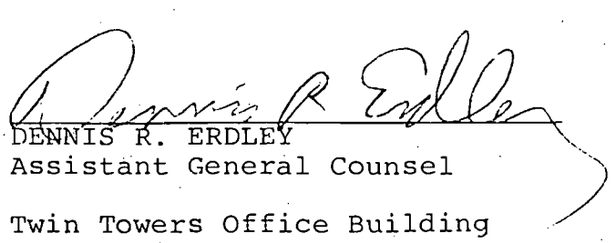
DENNIS R. ERDLEY
Assistant General Counsel

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL REGULATION
Twin Towers Office Building
2600 Blair Stone Road
Tallahassee, Florida 32301
(904) 488-9730

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that the original and one true copy of the foregoing MOTION REQUESTING THE DIVISION OF ADMINISTRATIVE HEARINGS TO REMAND THE RAIL CORRIDOR MODIFICATION TO THE DEPARTMENT FOR FINAL AGENCY ACTION have been furnished by United States Mail to Diane Tremor, Hearing Officer, Division of Administrative Hearings, 2009 Apalachee Parkway, Tallahassee, Florida, 32301, and a copy of the same to Thomas B. Tart, Esquire, Post Office Box 3193, Orlando, Florida, 32802; Roy C. Young and Ken Van Assenderp, Esquires, Post Office Box 1833, Tallahassee, Florida, 32302; Henry Dean, Esquire, St. Johns River Water Management District, Post Office Box 1429, Palatka, Florida, 32077; Robert R. Hendry, Hendry & Stoner, P.A., 215 East Central Boulevard, Orlando, Florida, 32801; Irby G. Pugh, Esquire, 218 Annie Street, Orlando, Florida, 32806; Larry Kessey, Esquire, Dept. of Community Affairs, 2571 Executive Center Circle E, Tallahassee, Florida, 32301; Arthur Shell, Esquire, Public Service Commission, 101 East Gaines Street, Tallahassee, Florida, 32301; John M. Bateman, Orange County Pollution Control Department, 2008 East Michigan Avenue, Orlando, Florida, 32806; Irene M. Kennedy Quincey, Esquire, South Florida Water Management District, 3301 Gun Club Road, Post Office V, West Palm Beach, Florida, 33402, on this _____ day of May, 1984.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL REGULATION



DENNIS R. ERDLEY
Assistant General Counsel

Twin Towers Office Building
2600 Blair Stone Road
Tallahassee, Florida 32301
(904) 488-9730

December 3, 1984

Mr. B. E. Shoup, Director
Environmental Division
Orlando Utilities Commission
Post Office Box 3193
Orlando, Florida 32802

RE: Curtis H. Stanton Energy Center

Dear Mr. Shoup:

In accordance with Section 403.511(5), Florida Statutes, Condition of Certification IX is modified to conform to Section 403.853(6), Florida Statutes. A revised page 19 of the Conditions of Certification is attached to reflect the new Condition IX.

Sincerely,

Hamilton S. Oven, Jr., P.E.
Administrator
Power Plant Siting Section

HSOjr/sb

cc: Bill Bostwick, P.E.

VIII. Screening

The permittee shall provide screening of the site through the use of aesthetically acceptable structures, vegetated earthen walls and/or existing or planted vegetation, or buffer areas.

IX. Potable Water Supply System*

Except as otherwise provided in Section 403.853(6), F.S., the potable water supply system shall be designed and operated in conformance with Chapter 17-22, FAC. Information as required in 17-22.108 shall be submitted to the Department prior to construction and operation.

X. Transformer and Electric Switching Gear

The foundations for transformers, capacitors, and switching gear necessary to connect CHSEC Unit 1 to existing distribution systems shall be constructed in such a manner as to allow complete collection and recovery of any spills or leakage of oily, toxic, or hazardous substances.

XI. Toxic, Deleterious, or Hazardous Materials

The spill of any toxic, deleterious, or hazardous materials shall be reported in the manner specified by Condition XVI

XII. Construction in Waters of the State

A. No construction on sovereign submerged lands shall commence without obtaining lease, easement or title from the Department of Natural Resources and/or Trustees of the Internal Improvement Trust Fund.

B. Construction of pilings, railroad right-of-way culverts, access roads, pipelines, and transmission towers shall be done in a manner to minimize turbidity. Turbidity screens should be used to prevent turbidity in excess of 50 JTU's above background beyond 40 meters from the excavation, right-of-way, pile driving, or construction site.

Any spoil from construction of the CHSEC and related facilities shall be trucked to an upland disposal site of sufficient capacity to retain all material.

XIII. Solid Waste Landfill

A. The proposed solid waste landfill area shall be monitored and studied pursuant to an adequately detailed groundwater testing and monitoring program as defined in Condition IV, D, and E. The results of this detailed groundwater testing and monitoring program will be used by the Department in determining whether OUC shall affirmatively demonstrate that Florida Water Criteria

* Revised 12/03/84