BEFORE THE STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION

In Re: JEA	)	
St. Johns River Power Park	)	DEP FILE NO PA81-13J
Modification of Conditions	)	OGC CASE NO. 99-0956
of Certification	)	
Duval County, Florida	)	
	)	

FINAL ORDER MODIFYING CONDITIONS OF CERTIFICATION

On July 8, 1982, the Governor and Cabinet, sitting as the Siting Board, issued a final order approving certification for the St. Johns River Power Park (SJRPP) electrical power plant site. That certification order approved the construction and operation of two 612 (gross) megawatt (MW), coal-fired power plant units and associated facilities located adjacent to the Northside Generating Station in Duval County, Florida.

On July 29, 1999, the Department issued a modification to permit number PSD-FL-010(C) for SJRPP. This action requires the Department to make certain modifications to conform the Conditions of Certification for the above referenced facility to the revised PSD permit. In conjunction with the PSD-based changes, the Department also intends to update the rule citations, correct agency namings, and update the conditions to reflect postcertification submittals.

The modification includes revisions to the existing materials handling facility operations and water withdrawal limits. Further, the modifications reflect a postcertification amendment for SJRPP detailing the changes to SJRPP to accommodate the repowering at Northside Generating Station.

Copies of the proposed modifications were made available for public review on July 29, 1999. On September 3, 1999, all parties to the original proceeding were sent a Notice of Receipt of Proposed Modification of Power Plant Certification. On February 4, 2000, a Notice of Intent to Issue Proposed Modification of Power Plant Certification was published in the Florida Administrative Weekly. On January 26, 2000, all parties to the original proceeding were furnished copies of the Notice of Intent to Issue Proposed

Modification of Power Plant Certification and a copy of the proposed final order. The notices specified that all parties to the original certification proceeding have 45 days from the issuance of the notice by mail to such party's last address of record in which to object to the requested modification. Failure of any of the parties to file a response constitutes a waiver of objection to the requested modification. The notices further specified that any person who is not already a party to the certification proceeding and whose substantial interest is affected by the requested modification has 30 days from the date of publication of the public notice to object in writing. If no objections are received, then a Final Order approving the modification shall be issued by the Department. If objections are raised and agreement cannot be subsequently reached, then pursuant to § 403.516(1)(c), F.S., the applicant may file a petition for modification seeking approval for those portions of the request for modification to which written objections were timely filed. No written objections to the proposed modifications have been received by the Department. Accordingly, in the absence of any timely objection,

IT IS ORDERED:

The proposed changes to the conditions of certification for the JEA St. Johns River Power Park are APPROVED. Pursuant to section 403.516(1)(b), F.S., the conditions of certification for the JEA St. Johns River Power Park (SJRPP) are MODIFIED as follows:

I. Air

The construction and operation of SJRPP Units 1 & 2 at the Jacksonville steam electric power plant site shall be in accordance with all applicable provisions of Chapters 62-4, 62-204, 62-210, 62-212, 62-213, 62-214, 62-256, 62-296, 62-297, ~~17-2, 17-4, 17-5 and~~ 62-701 and 62-702 ~~17-7~~, Florida Administrative Code, and PSD Permit PSD-FL-010, as amended. In addition to the foregoing, the permittee shall comply with the following conditions of certification:

A. Emissions Limitations

1. No change.

2. When Unit 1 or Unit 2 are burning a mixture of coal and petroleum coke, the following limitations shall apply:

   a. No change.

   b. When co-firing petroleum coke with coals having a sulfur content between 2.00 and 3.63 percent, the emission limitation shall be based on the following formula: SO_2 emission limit (lb/MMBtu)=(0.2 x C/100)+0.4, where C=percent of coal fired on a heat input basis.

   c. When coals with a sulfur content greater than 3.63 percent are co-fired with petroleum coke, the SO_2 emission limitation shall be established by the following formula: SO_2(lb/MMBtu)=(0.1653 x C x S - 0.4 x [C+40]) x 1/100, where C=percent of coal co-fired on a heat input basis and S=weight percent sulfur in the coal.

   d. – i. No change.

3. Particulate emissions from the materials ~~coal~~ handling facilities:

   a. – b. No change.

   c. The total amount of coal and petroleum coke transferred from the SJRPP to the Northside Generating Station shall not exceed 2.42 million tons per year.

4. Particulate emissions from limestone and flyash handling shall not exceed the following:

   a. – c. No change.

d. The total amount of limestone transferred from the SJRPP to the Northside Generating Station shall not exceed 1.45 million tons per year.

5. – 7. No change.

8. 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 Northeast District Office ~~St. Johns River Subdistrict~~.

9. – 13. No change.

B. Air Monitoring Program

1. The permittee shall install and operate continuously monitoring devices for each main boiler exhaust for sulfur dioxide, nitrogen oxide, carbon monoxide, carbon dioxide and opacity. The monitoring devices shall meet the applicable requirements of Rule 62-296.405(1)(f) ~~Section 17-2.710~~, F.A.C., and 40 CFR 60.47a. The opacity monitor may be placed in the duct work between the electrostatic precipitator and the FGD scrubber.

2. No change.

3. The permittee shall provide stack sampling facilities as required by Rule 62-297.310 ~~17-2.700~~, F.A.C.

4. No change.

C. Stack Testing

1. - 2. No change.

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.

   Opacity tests shall be performed for the emission points in Part C of Table 6 for compliance purposes, initially only using a Method 9 test. If the opacity limits are not met for those source that exhaust through a stack, permit compliance shall be determined on the basis of mass emission rate tests. In addition to these initial tests, a Method 9 test shall be conducted annually for the limestone silos, non-saleable ash silos, and saleable ash silos.

Table 6 – Part A

Emissions Unit	SO_2	NO_x	PM	Opacity%
Steam Generating Boiler No. 1 (6,144 MMBtu/hr maximum heat input)	4,669 lb/hr 0.76 lb/mmBtu (30-day rolling average)	3,686 lb/hr 0.6 lb/mmBtu	184 lb/hr 0.03 lb/ mmBtu	20
Steam Generating Boiler No. 2 (6,144 MMBtu/hr maximum heat input)	4,669 lb/hr 0.76 lb/mmBtu (30-day rolling average)	3,686 lb/hr 0.6 lb/mmBtu	184 lb/hr 0.03 lb/ mmBtu	20

Cooling Towers			67 lb/hr (each tower)	N/A

Table 6 – Part B

Existing Materials Handling Operations	PM/PM_{10} (lb/hr)	Opacity (%)
Railcar Rotary Dumper – Building Emissions	0.15/0.07	10
Conveyor C-3 Tunnel Ventilation – 6,400 cfm	0.32/0.02	5
Conveyor C-3 Tunnel Ventilation – 6,400 cfm	0.32/0.02	5
Conveyor C-3 Tunnel Ventilation – 21,600 cfm	0.10/0.05	5
Shiphold	0.54/0.26	10
Unloader Hopper and Spillage Collector Transfers	0.28/0.13	10
Ship Unloader Hopper, Transfer to CT-1, Spillage Conveyor	1.0/0.48	10
Transfer Station No. 1	0.04/0.02	5

Transfer Station No. 2	0.04/0.02	5
Transfer Station No. 3	0.05/0.02	5
Transfer Station No. 4	0.04/0.02	5
Transfer Station No. 5	0.04	5
Transfer Station No. 6	0.04	5
Transfer Station No. 7	0.04	5
Transfer Point 9GC-04 to 9GC-05	0.007	5
Stacker/Reclaimer (Stacker mode)	2.29	10
Stacker	1.15	10
Reclaimer	0.43	10
Petroleum Coke Reclaimer System	0.32	10
Emergency Reclaim Hoppers – Loadout	0.29	10
Limestone Reclaim Hopper	0.14	10
Limestone Railcar Dumper	0.005	10
Limestone Loadout	0.005	10

Limesone Truck Loadout & Transfer	0.1	10
Limestone Storage Pile #1 – Existing	0.26/0.26	10
Limestone Storage Pile #2 – Fuel Yard	0.12	10
Coal Pile	0.26/0.26	10
Petroleum Coke Pile	0.71/0.71	10
Gypsum Storage Pile (Non-commercial)	0.07	10
Flyash Loadouts 1A	0.06	10
Flyash Loadouts 1B	0.06	10
Flyash Loadouts 2A	0.06	10
Flyash Loadouts 2B	0.06	10
Bottom Ash Loadouts 1A	0.09	10
Bottom Ash Loadouts 1B	0.09	10
Bottom Ash Loadouts 2A	0.09	10
Bottom Ash Loadouts 2B	0.09	10
Gypsum Dewatering Building	0.04	5

Gypsum Storage Enclosure	0.008	5
Gypsum Truck Loadout	0.28	5
Solid Waste Disposal Area	0.31	10
Unpaved Road, By-Product Transport	0.58	10
Rotary Railcar Unloader, Fuel Transfer Points (DC-1)	0.17/0.08	5
Fuel Transfer Building	0.65/0.31	10
Fuel Handling Building (DC-3)	0.24	5
Unit #1 Fuel Storage Bins (DC-4)	0.009	5
Unit #2 Fuel Storage Bins (DC-5)	0.009	5
Railcar Unloader, Limestone Transfer Points (LDC-1)	0.02	5
Limestone Loadout Facility (LDC-2)	0.006	5

Table 6 – Part C

New Materials Handling Operations	PM/PM_{10} (lb/hr)	Opacity (%)
Hopper Belt, Spillage Conveyors, and DC-1	0.13/0.06	10

Transfer Points – New Ship Unloader		
Shiphold – New	0.54/0.26	10
Unloader Hopper and Spillage Collector Transfers – New Ship Unloader	0.28/0.13	10
Enclosed Pile – Vehicle Activities	0.04/0.01	5
Enclosed Storage Pile – 3 Transfer Points	0.13/0.06	5
Transfer Tower D-1	0.04/0.02	5
Transfer Tower D-2	0.04/0.02	5
New Blend Hopper	0.12/0.06	5
New Transfer Tower #1 – NGS	0.09/0.04	5
New Transfer Tower #2 – NGS	0.09/0.04	5
New Stacker	0.66/0.31	10
NGS Reclaimer	0.52/0.24	10
SJRPP Reclaimer	0.52/0.24	10
New Reclaim Transfer Tower	0.04/0.02	5
New Transfer Tower #3 – NGS	0.08/0.04	5

New Transfer Tower #4 – NGS	0.06/0.03	5

Note: PM_{10} limits apply only to new and modified emission points. If only one standard is listed, the standard applies to the PM emissions.

4. – 5. No change.

D. Reporting

1. For SJRPP, stack monitoring, fuel usage and fuel analysis data shall be reported to the Department's Northeast District Office ~~St. Johns River Subdistrict office~~ on a quarterly basis commencing with the start of commercial operation in accordance with 40 CFR, Part 60, Section 60.7~~.~~, and in accordance with Rule 62-296.405 ~~Section 17-2.08~~, F.A.C.

2. Beginning one month after certification, the permittee shall submit to the Department a quarterly 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, Siting Coordination Office ~~of Power Plant Siting~~, Department of Environmental Protection ~~Regulation~~, 2600 Blair Stone Road, Mail Station #48, Tallahassee, Florida 32399-2400 ~~32301~~.

E. Operation Restrictions

1. No change.

2. The permittee shall file with the Department's Northeast District Office~~,~~ ~~St. Johns River Subdistrict office~~ and the Jacksonville Bio-Environmental Services by June 1, 1984, the SJRPP/JEA system

proposed operating plan and supporting justification that will include the procedures JEA will follow to permanently eliminate emissions from steam generating units equivalent to the impact of the emissions of Southside Units 1 and 2. The Secretary of the Department shall indicate the Department's approval or disapproval within 90 days of receipt. ~~The proposed operating plan shall also contain proposals for operating during air pollution episodes pursuant to 17-2.320(3), F.A.C., including use of such alternatives as washed coal at SJRPP.~~

3. – 4. No change.

II. Water Discharges

Any discharges into any waters of the State during construction and operation of SJRPP Units 1 and 2 shall be in accordance with all applicable provisions of Chapter 62-302 ~~17-3~~, Florida Administrative Code, and 40 CFR, PART 423, Effluent Guidelines and Standards for Steam Electric Power Generating Point Source Category, except as provided herein. Also, the permittee shall comply with the following conditions of certification:

A. Plant Effluents and Receiving Body of Water

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

1. – 2. No change.

3. Thermal Mixing Zones

The instantaneous zone of thermal mixing for the cooling system shall not exceed an area of 17 acres. The temperature at the point of discharge into the St. Johns River, as measured at Outfall Serial Number (OSN) 001, shall not be greater than 105 degrees F. The

temperature of the water at the edge of the mixing zone shall not exceed the limitations of paragraph 62-302.520 ~~17-302.520(4)(b)~~, F.A.C. Cooling tower blowdown shall not exceed 96° F. as a 24 hour average as measured at OSN 001.

4. Chemical Wastes

All discharges of low volume wastes (demineralizer regeneration, floor drainage, labs drains, FGD blowdown and similar wastes) and metal cleaning wastes shall comply with Chapter 62-302 ~~17-3~~. If violations of Chapter 62-302 ~~17-3~~ occur, corrective action shall be taken. These wastewaters shall be directed to an adequately sized and constructed treatment facility.

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

5. – 11. No change.

12. Storm Water Runoff

During plant operation, necessary 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 ~~1~~ or less at the POD during rainfall periods less than the 10-year, 24-hour rainfall, and to prevent an increase in turbidity of more than 29 Nephelometric ~~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.

13. Materials ~~Coal~~ Unloading Facility Percolation Pond Overflow

There shall be no direct discharge to surface waters from the materials ~~coal~~ unloading facility wastewater treatment system percolation pond. Any discharge from the facility shall be reported to the Department and the Environmental Protection Agency. The quantity of flow and duration of flow shall be estimated during such episodes.

14. Mixing Zones

The discharge of the following pollutants shall not violate the Water Quality Standards of Rule 62-302.530 ~~Chapter 17-3~~, F.A.C., beyond the edge of the designated instantaneous mixing zones as described herein.

No change in list.

15. Variances to Water Quality Standards

In accordance with the provisions of Sections 403.201 and 403.511(2), F.S., JEA ~~Jacksonville Electric Authority~~ is hereby granted variances to the water quality standards of Rule 62-302.530 ~~Chapter 17-3.121~~, F.A.C., for aluminum, copper, iron, mercury and silver, and Rule 62-302.530 ~~17-3.061~~, F.A.C., for oil and grease but only at such times as

the natural background levels of the St. Johns River approach or exceed those standards. In any event, the discharge from the SJRPP shall comply with the effluent limitations set forth in paragraph II.A.16. The variances for mercury, copper, and silver shall only be for two years from June 10, 1992, but may be extended by the Secretary based on results of monitoring data on wastewater treatment plant efficiency and ambient water quality. A water quality analysis program shall be implemented after review and approval by the Department. The test program shall be submitted to the Department by July 15, 1992. The Department shall indicate its approval or disapproval within 60 days.

16. No change.

B. Water Monitoring Programs

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 discharge as shown, commencing with the start of commercial operation of SJRPP and reported quarterly to the Department's Northeast District Office ~~St. Johns River Subdistrict office~~:

No change to chart.

2. Groundwater Monitoring

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

The groundwater monitoring program shall be implemented at least one year prior to operation of SJRPP 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 and to the DEP's Northeast District Office ~~DER St. Johns River Subdistrict office~~.

III. Groundwater

A. No change.

B. Well Criteria

The submission of well logs, test results, and location, design and construction of wells to provide plant and coal unloading facility service water shall be in accordance with applicable rules of the Department of Environmental Protection ~~Regulation~~ and the St. Johns River Water Management District (SJRWMD). Total water use per month shall be reported quarterly to SJRWMD commencing with the start of construction.

C. Well Withdrawal Limits

JEA is authorized to make a combined average annual withdrawal for plant service water for SJRPP of 5.1 million gallons of water per day with a maximum combined withdrawal rate not to exceed 7.6 million gallons during a single day. Withdrawals may be made from a well field consisting of up to four (4) wells whose approximate locations are described in Figure 1.

JEA is authorized to make an average annual withdrawal for the coal unloading facility of 60,000 ~~107,500~~ gallons of water per day with a maximum withdrawal rate not to exceed 200,000 ~~725,700~~ gallons during a single day. Withdrawals may be made from either of two wells whose approximate locations are described in Figure 3.

After wells have been constructed, St. Johns River Water Management District may evaluate the individual wells and may recommend to the Department authorization of different withdrawals based upon hydrologic characteristics for the individual wells. The Department, pursuant to Section 403.516, F.S., may modify the above withdrawal limitations with the concurrence of SJRWMD and the permittee.

D. No change.

E. Emergency Shortages

In the event an emergency water shortage should be declared pursuant to Section 373.175 or 373.246, F.S., by St. Johns River Water Management District for an area including the location of these withdrawal points, the Department pursuant to Section 403.516, F.S., may alter, modify, or declare to be inactive, all or parts of Condition III. A.-F. An authorized Water Management District or DEP ~~DER~~ representative, at any reasonable time, may enter the property to inspect the facilities.

F. No change.

G. Shallow Aquifer Monitoring Wells

After consultation with the DEP ~~DER~~ and SJRWMD, JEA shall install a monitoring well network to monitor groundwater quality horizontally and vertically through to the top of the Hawthorne Formation's first clayey lithologic unit. Groundwater quantity and flow directions will be determined seasonally at the site through the preparation of seasonal water table contour maps, based upon water level data obtained during the applicant's preoperational monitoring program. 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. Approval or disapproval of the locations and design shall be granted within 60 days. Monitoring wells 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. Insofar as possible, these monitoring wells may be selected from the existing wells and piezometers used in the permittee's preoperational monitoring program. Existing wells will be properly sealed in accordance with Rule 62-532.500(4) ~~Chapter 17-21~~, F.A.C., whenever they are abandoned due to construction of facilities or landfill cells. The water samples collected from each of the monitor wells shall be collected immediately after removal by pumping of a quantity of water equal to at least 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 around unlined ponds or storage areas:

Aluminum, Arsenic, Beryllium, Cadmium, Chloride, Chromium, Color, Conductance, Copper, Gross Alpha, Iron, Lead, Mercury, Nickel, pH, Selenium, Redox, Sulfate, Sulfite, Total Dissolved Solids, Zinc.

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

H. Leachate

1. Zone of Discharge

Leachate from the solid waste landfills, sludge disposal test cells, coal storage piles, wastewater treatment ponds, or sedimentation ponds shall not contaminate waters of the State (including both surface and groundwaters) in excess of the limitations of Chapters 62-302 and 62-520 ~~Chapter 17-3~~, F.A.C., beyond the boundary of a zone of discharge extending to the top of the Hawthorne Formation below the waste landfill cell or pond rising to a depth of 50 feet at a horizontal distance of 200 feet from the edge of the landfill or ponds; provided that DEP ~~DER~~ may provide a larger zone of discharge if ~~If~~ warranted by the solid waste test program.

2. Corrective Action

When the groundwater monitoring system or solid waste test program shows a potential for violation of the groundwater water quality standards of Chapter 62-520 ~~17-3~~, F.A.C., at the boundary of the zone of discharge, the appropriate ponds, FGD landfill, or coal pile shall be

bottom sealed, relocated, or the operation of the affected facility shall be altered in such a manner as to assure the Department that no violation of the groundwater standards will occur beyond the boundary of the zone of discharge.

IV. 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 10-year, 24 hour rainfall, and to prevent an increase in turbidity of more than 29 Nephelometric ~~50 Jackson~~ Turbidity Units above background in waters of the State beyond 50 meters from the POD to Brown's Creek. Oil and grease shall not exceed 5 mg/l at the discharge from the borrow pit into Brown's Creek.

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 any stormwater treatment facilities and conveyances for construction phases and ultimate operations for both the entire St. Johns River Power Park site and the Blount Island coal site shall be submitted to the Director of DEP's Northeast District Office ~~St. Johns River Subdistrict Manager~~ and the St. Johns River Water Management District for review and approval prior to construction of any such conveyance of facility. The Department shall indicate its approval or disapproval within 60 days of the submittal.

Stormwater drainage to Brown's Creek and Brown's Creek proper shall be monitored as indicated below beginning as soon as possible but not less than 30 days prior to the commencement of construction and continuing throughout construction:

No change to chart.

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 Rule 62-600 ~~Chapters 17-3, 17-6, 17-16, and 17-19,~~ F.A.C. The discharge of total residual chlorine to Brown's Creek from the borrow pit shall not exceed 0.01 mg/l.

C. No change.

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 29 Nephelometric ~~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 prior to implementation.

V. Solid Wastes

Solid wastes resulting from construction or operation shall be disposed of in accordance with the applicable regulations of Chapter 62-701 ~~17-7~~, F.A.C. The permittee shall submit a program for approval outlining the methods to be used in handling and disposal of solid wastes. Such 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 Chapter 62-256 ~~17-5~~, F.A.C. No addition permits shall be required, but the Division of Forestry 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.

VI. 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 and operation. The Safety Standards specified under Section 440.56, F.S., by the Florida Department of Labor and Employment Security, Division of Safety ~~Industrial Safety Section of the Florida Department of Commerce~~ will also be complied with.

VII. No change.

VIII. Potable Water Supply System

The potable water supply system shall be designed and operated in conformance with Chapter 62-555 ~~17-22~~, F.A.C. Information as required in Chapters 62-550 and 62-555, F.A.C., ~~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 62-699 ~~17-16~~, F.A.C.

IX. – X. No change.

XI. Construction in Waters of the State

A. No change.

B. Construction of intake and discharge structures, materials ~~coal~~ unloading wharf, and transmission towers shall be done in a manner to minimize turbidity. Turbidity screens should be used to prevent turbidity in excess of 29 NTUs above background beyond 150 meters from the dredging, pile driving, or construction site.

All spoil from connecting the SJRPP intake/discharge system to the NGS, and the materials ~~coal~~ unloading wharf shall be piped hydraulically or trucked to an upland disposal site of sufficient capacity to retain all material. Spoil from construction access canals shall be side cast and used for restoring natural bottom contours upon completion of construction.

C. Variances

1. Variances to the provisions of Rule 62-302.530(40), F.A.C., ~~Section 17-3.061(h)~~ for lead and Rule 62-302.530(60), F.A.C., ~~Section 17-3.121(27)~~ for silver for a period to exceed a cumulative total of twelve months commencing on the start of dredging activities are granted in accordance with Sections 403.201(1)(c) and 403.511(2), F.S., at the

materials ~~coal~~ unloading facility wharf site on Blount Island. Concentrations at the boundary of a 150 meter radius mixing zone shall not exceed the following:

Lead	62.0 ug/l
Silver	6.1 ug/l

2. Variances to the provisions of Rule 62-302.530(16), F.A.C., ~~Sections 17-3.121(9).~~, for cadmium, Rule 62-302.530(40), F.A.C., ~~17-3.061(h)~~ for lead, Rule 62-302.530(42), F.A.C., ~~17-3.121(18)~~ for mercury, and Rule 62-302.530(60), F.A.C., ~~Section 17-3.121(27)~~ for silver, are granted pursuant to the provisions of Sections 403.201 (1)(c) and 403.511 (2), F.S., at the spoil area site overflow for a period not to exceed a cumulative total of twelve months starting with commencement of dredging activities. Concentrations at the boundary of a 150 meter radius mixing zone shall not exceed the following:

No change to list.

D. – E. No change.

XII. Solid Waste Landfill

A. The proposed solid waste landfill area shall be monitored and studied pursuant to a detailed groundwater testing and monitoring program as defined in Condition III.G. The results of the program will be used by the Department in determining whether JEA has affirmatively demonstrated that Florida water quality criteria (Chapter 62-302 ~~17-3~~, F.A.C.) will not be violated.

B. – C. No change.

D. Construction of perimeter berms shall be in conformance with the provisions of Chapter 62-672 ~~17-9~~, F.A.C., regarding earthen dams.

E. Prior to the commencement of operation of solid waste disposal area the following shall be submitted to the Director of DEP's Northeast District Office ~~St. Johns River Subdistrict Manager~~ for review and approval:

1. – 5. No change.

6. An indication by discussion or drawings or both of how the site is designed to meet water quality standards of Chapter 62-302 ~~17-3 and 17-4~~, F.A.C., at the boundary of the zone of discharge.

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.

XIII. Transmission Lines

A. General

1. Filling and construction in ~~In~~ waters of the State shall be minimized to the extent practicable. No such activities shall take place without obtaining lease, title or easement from the Department of Environmental Protection ~~Natural Resources~~ and/or TIITF where

required. Construction and access roads should avoid wetlands and be located in surrounding uplands.

2. – 9. No change.

B. – G. No change.

H. Compliance

Construction and maintenance shall comply with the applicable rules and regulations of the Department and those agencies specified in 403.508(4), F.S. ~~17-17.54(2)(a) and (b), F.A.C.~~

XIV. No change.

XV. Noncompliance 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 Director ~~manager~~ of the DEP' s Northeast District Office ~~DER's St. Johns River Subdistrict office~~ by telephone during the working day in which permittee becomes aware of said noncompliance and shall confirm this situation in writing within seventy-two (72) hours supplying the following information:

A. – B. No change.

XVI. – XVII. No change.

XVIII. Right of Entry

The permittee shall allow the Secretary of the Florida Department of Environmental Protection ~~Regulation~~ and/or authorized representatives, upon the presentation of credentials:

A. – D. No change.

XIX. – XXIX. No change.

XXX. Blount Island Materials ~~Coal~~ Unloading Facility

Area drainage and rainfall runoff from the lined coal pile on Blount Island shall be directed to a lined treatment system designed to process the runoff from the 24-hour, ten-year storm. Wastewater treatment shall consist of, as a minimum, removal of solids and metals by precipitation and sedimentation, followed by pH adjustment to no less than 8.0 and final disposal by percolation. Sufficient capacity shall be provided to allow for accumulation of settled solids of up to 20 percent of the total pond volume. Solids removed from the sedimentation pond shall be disposed in a properly designed landfill.

The sedimentation pond liner shall be impervious and designed for the life of the facility. The liner shall be installed in such a manner as to prevent rupture during cleaning or removal of solids.

XXXI. Materials ~~Coal~~ Conveyor Construction

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

B. Construction of the conveyor system, access road and railroad berm shall be done in a manner to minimize erosive loss of sediments to waters of the

State. All applicable erosion control methods, including but not limited to, staked hay bales, silt fences, floating silt curtains, and sodding, seeding and mulching of slopes, shall be used at the work sites. Sampling for turbidity shall be carried out by JEA on a once daily basis for background, and twice daily (once in the morning and once in the afternoon) for compliance. Samples shall be taken at a point not less than 500 meters from the work site for background and 50 meters waterward of the last erosion control device for compliance.

All monitoring data shall be submitted within one week of analysis with documents containing the following information: (1) certification number: (2) dates of sampling and analysis; (3) a statement describing the methods used in collection, handling, storage and analysis of the samples; (4) a map indicating the sampling locations; and (5) a statement by the individual responsible for implementation of the sampling program describing the authenticity, precision, limits of detection and accuracy of the data.

Monitoring reports shall also include the following information for each sample that is taken:

(1) – (8) No change.

If the monitoring reveals apparent violations of State Water Quality Standards for turbidity (29 Nephelometric Turbidity Units <u>above background</u>), construction activities shall cease immediately and not resume until corrective measures have been taken and turbidity has returned to acceptable levels. Any such occurrence shall also be immediately reported to the Department of Environmental Protection, Northeast District, Jacksonville, Florida.

Monitoring reports shall be submitted to the ~~Bureau of Permitting in Tallahassee and to the~~ Department of Environmental Protection ~~Regulation~~, Northeast District, Jacksonville, Florida. Failure to submit reports in a timely manner constitutes grounds for revocation of the permit.

C. No change.

XXXII. Materials ~~Coal~~ Conveyor System

JEA shall submit to ~~DER~~ DEP information concerning location, design, construction and operation of any materials ~~coal~~ conveyor system from Blount Island to the main plant site at least 120 days prior to construction of the materials ~~coal~~ conveyor system. The Secretary of DEP ~~DER~~ shall indicate DEP's ~~DER's~~ approval or disapproval within 90 days of receipt. DEP ~~DER~~ may also impose reasonable conditions on the construction and operation of this conveyor system. These conditions may impose appropriate restrictions on construction, operation and maintenance of the materials ~~coal~~ conveyor system in order to comply with applicable nonprocedural standards of any agency. DEP's ~~DER's~~ decision shall be final unless further review is timely sought by any party pursuant to Sections 120.569 and 120.57 or Section 403.516, Florida Statutes. The DEP ~~DER~~ may retain up to $10,000.00 of the unexpended application fee to assist in the review of this materials ~~coal~~ conveyor.

Any party to this Order has a 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 of Environmental Protection in the Office of General Counsel, 3900 Commonwealth Boulevard, M. S. 35, Tallahassee, Florida 32399-3000, and by filing a copy of the Notice of Appeal accompanied by the applicable filing fees with the appropriate district court of appeal. The Notice of Appeal must be filed within 30 days from the date this Order is filed with the Clerk of the Department of Environmental Protection.

DONE AND ORDERED this 12th day of April 2000, in Tallahassee, Florida.

STATE OF FLORIDA, DEPARTMENT
OF ENVIRONMENTAL PROTECTION

KIRBY B. GREEN, III
DEPUTY SECRETARY
3900 Commonwealth Boulevard
Tallahassee, FL 32399-3000
Telephone: (850) 488-7131

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

CLERK DATE 4/12/00

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Final Order Modifying Conditions of Certification was sent by U.S. Mail to:

Kathryn L. Mennella, Esquire
St. Johns River Water Management District
Post Office Box 1429
Palatka, Florida 32178-1429

Gary P. Sams, Esquire
Hopping Green Sams & Smith
P. O. Box 6526
Tallahassee, FL 32314

James Robinson, Esquire
Department of Community Affairs
2555 Shumard Oak Boulevard
Tallahassee, FL 32399-2100

Gregory K. Radlinski, Esquire
Office of General Counsel
Room 1300 - City Hall
220 West Bay Street
Jacksonville, FL 32202

Robert V. Elias, Esquire
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee FL 32399-0850

W.O. Birchfield, Esquire
Martin, Ade, Birchfield & Johnson
3000 Independent Square
Jacksonville, FL 32202

Jay Worley
St. Johns River Power Park
11201 New Berlin Road
Jacksonville, FL 32226

James V. Antista
General Counsel
Florida Fish and Wildlife
Conservation Commission
Bryant Building, 620 South Meridian Street
Tallahassee, Florida 32399-1600

and by interoffice mail to:

Ernest Frey, Director
DEP Northeast District Office

Hamilton "Buck" Oven, P.E. Admin.
DEP Siting Coordination Office

this 12th day of April 2000.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION

Martha S. Nebelsick
for Scott Goorland
Senior Assistant General Counsel
Florida Bar No. 0066834

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