HARDEE POWER PARTNERS LIMITED

June 12, 1996

0490015-001-AV

Mr. John C. Brown, Jr., P.E.
Administrator, Title V Section
Florida Department of Environmental Protection
Twin Towers Office Building
2600 Blair Stone Road
Tallahassee, FL 32399-2400

Re: Hardee Power Station
Title V Permit Application

Dear Mr. Brown:

Hardee Power Partners, Limited (HPP) operates a nominal 295 megawatt (MW) electric generation facility located approximately nine miles northwest of Wachula in Hardee County, Florida. The Hardee Power Station is comprised of two combined cycle General Electric (GE) 7EA combustion turbines (CT 1A and CT 1B), one simple cycle GE 7EA combustion turbine (CT 2A), fuel oil storage, and ancillary support equipment. The facility utilizes pipeline natural gas as its primary fuel source with No. 2 distillate fuel oil serving as a backup fuel.

The Hardee Power Station qualifies as a Title V Source pursuant to Chapter 62-210.200(173), Florida Administrative Code (F.A.C.), because potential emissions of a regulated air pollutant exceed 100 tons per year. Four copies of an application package constituting HPP's Title V permit application for the Hardee Power Station are enclosed to satisfy the requirements of Chapter 62-213.420, F.A.C.

Please contact Paul Carpinone at (813) 228-4858 if there are any questions regarding this application.

Sincerely,

George D. Jennings
Vice President, Engineering & Operations

Enclosures

cc: T, W, Davis, P.E., ECT
L. N. Curtin, H&K

P.O. Box 111 • Tampa, Florida 33601-0111 • 813 / 228-1330 • FAX 813 / 228-1308

TITLE V OPERATION PERMIT APPLICATION

HARDEE POWER STATION

Prepared for:

HARDEE POWER PARTNERS LIMITED

Tampa, Florida

Prepared by:

Environmental Consulting & Technology, Inc.
3701 Northwest 98th Street
Gainesville, Florida 32606

ECT No. 94397-0100

June 1996

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HARDCOPY SUBMITTAL

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ELECTRONIC SUBMITTAL

INTRODUCTION

Hardee Power Partners, Limited (HPP) operates a nominal 295 megawatt (MW) electric generation facility located approximately nine miles northwest of Wauchula in Hardee County, Florida. The Hardee Power Station is comprised of two combined cycle General Electric (GE) 7EA combustion turbines (CT 1A and CT 1B), one simple cycle GE 7EA combustion turbine (CT 2A), fuel oil storage, and ancillary support equipment. The combined cycle combustion turbine (CT) module includes one unfired heat recovery steam generator (HRSG) for each CT and one common steam turbine (ST). The facility utilizes pipeline natural gas as its primary fuel source with No. 2 distillate fuel oil serving as a backup fuel.

Operation of the Hardee Power Station is currently authorized by Florida Department of Environmental Protection (FDEP) Prevention of Significant Deterioration (PSD) permit PSD-FL-140 and Florida Power Plant Siting Act (PPSA) Certification PA 89-25. HPP plans to operate the Hardee Power Station under the terms of the existing permits until the Title V permit is issued in accordance with Rule 62-213.420(1)(b)2., F.A.C.

The Hardee Power Station qualifies as a Title V Source pursuant to Chapter 62-210.200(173), Florida Administrative Code (F.A.C.), because potential emissions of a regulated air pollutant exceed 100 tons per year. This application package, prepared using Electronic Submission of Application (ELSA) Version 1.3b, constitutes HPP's Title V permit application for the Hardee Power Station and is submitted to satisfy the requirements of Chapter 62-213.400, F.A.C.

Owner/Authorized Representative or Responsible Official

1. Name and Title of Owner/Authorized Representative or Responsible Official :

Name : Mr. George D. Jennings
Title : V.P. of Engineering and Operations

2. Owner or Authorized Representative or Responsible Official Mailing Address :

Organization/Firm : Hardee Power Partners, Ltd.
Street Address : P.O. Box 111
City : Tampa
State : FL Zip Code : 33601-0111

3. Owner/Authorized Representative or Responsible Official Telephone Numbers :

Telephone : (813)228-1300 Fax : (813)228-1308

4. Owner/Authorized Representative or Responsible Official Statement :

I, the undersigned, am the owner or authorized representative of the non-Title V source addressed in this Application for Air Permit or the responsible official, as defined in Rule 62-210.200, F.A.C., of the Title V source addressed in this application, whichever is applicable. I hereby certify, based on information and belief formed after reasonable inquiry, that the statements made in this application are true, accurate and complete and that, to the best of my knowledge, any estimates of emissions reported in this application are based upon reasonable techniques for calculating emissions. The air pollutant emissions units and air pollution control equipment described in this application will be operated and maintained so as to comply with all applicable standards for control of air pollutant emissions found in the statutes of the State of Florida and rules of the Department of Environmental Protection and revisions thereof. I understand that a permit, if granted by the Department, cannot be transferred without authorization from the Department, and I will promptly notify the Department upon sale or legal transfer of any permitted emissions units.*

G. D. Jennings
Signature

6/12/96
Date

* Attach letter of authorization if not currently on file.

Application Processing Fee

Check one :

[ ] Attached - Amount : _____ [X] Not Applicable.

Construction/Modification Information

1. Description of Proposed Project or Alterations : N/A
2. Projected or Actual Date of Commencement of Construction :
3. Projected Date of Completion of Construction :

Professional Engineer Certification

1. Professional Engineer Name : Thomas W. Davis Registration Number : 36777
2. Professional Engineer Mailing Address : Organization/Firm : ECT, Inc. Street Address : 3701 NW 98th Street City : Gainesville State : FL Zip Code : 32606-____
3. Professional Engineer Telephone Numbers : Telephone : (352)332-0444 Fax : (352)332-6722

4. Professional Engineer Statement :

I, the undersigned, hereby certified, except as particularly noted herein, that :*

(1) To the best of my knowledge, there is reasonable assurance that the air pollutant emissions unit(s) and the air pollutant control equipment described in this Application for Air Permit, when properly operated and maintained, will comply with all applicable standards for control of air pollutant emissions found in the Florida Statutes and rules of the Department of Environmental Protection; and

(2) To the best of my knowledge, any emission estimates reported or relied on in this application are true, accurate, and complete and are either based upon reasonable techniques available for calculating emissions or, for emission estimates of hazardous air pollutants not regulated for an emissions unit addressed in this application, based solely upon the materials, information and calculations submitted with this application.

If the purpose of this application is to obtain a Title V source air operation permit (check here [X] if so), I further certify that each emissions unit described in this Application for Air Permit, when properly operated and maintained, will comply with the applicable requirements identified in this application to which the unit is subject, except those emissions units for which a compliance schedule is submitted with this application.

If the purpose of this application is to obtain an air construction permit for one or more proposed new or modified emissions units (check here [ ] if so), I further certify that the engineering features of each such emissions unit described in this application have been designed or examined by me or individuals under my direct supervision and found to be in conformity with sound engineering principles applicable to the control of emissions of the air pollutants characterized in this application.

If the purpose of this application is to obtain an initial air operation permit or operation permi revision for one or more newly constructed or modified emissions units (check here [ ] if so), I further certify that, with the exception of any changes detailed as part of this application, each such emissions has been constructed or modified in substantial accordance with the information given in the corresponding application for air construction permit and with all provisions contained in such permit.

Thomas W. Dunn — Signature

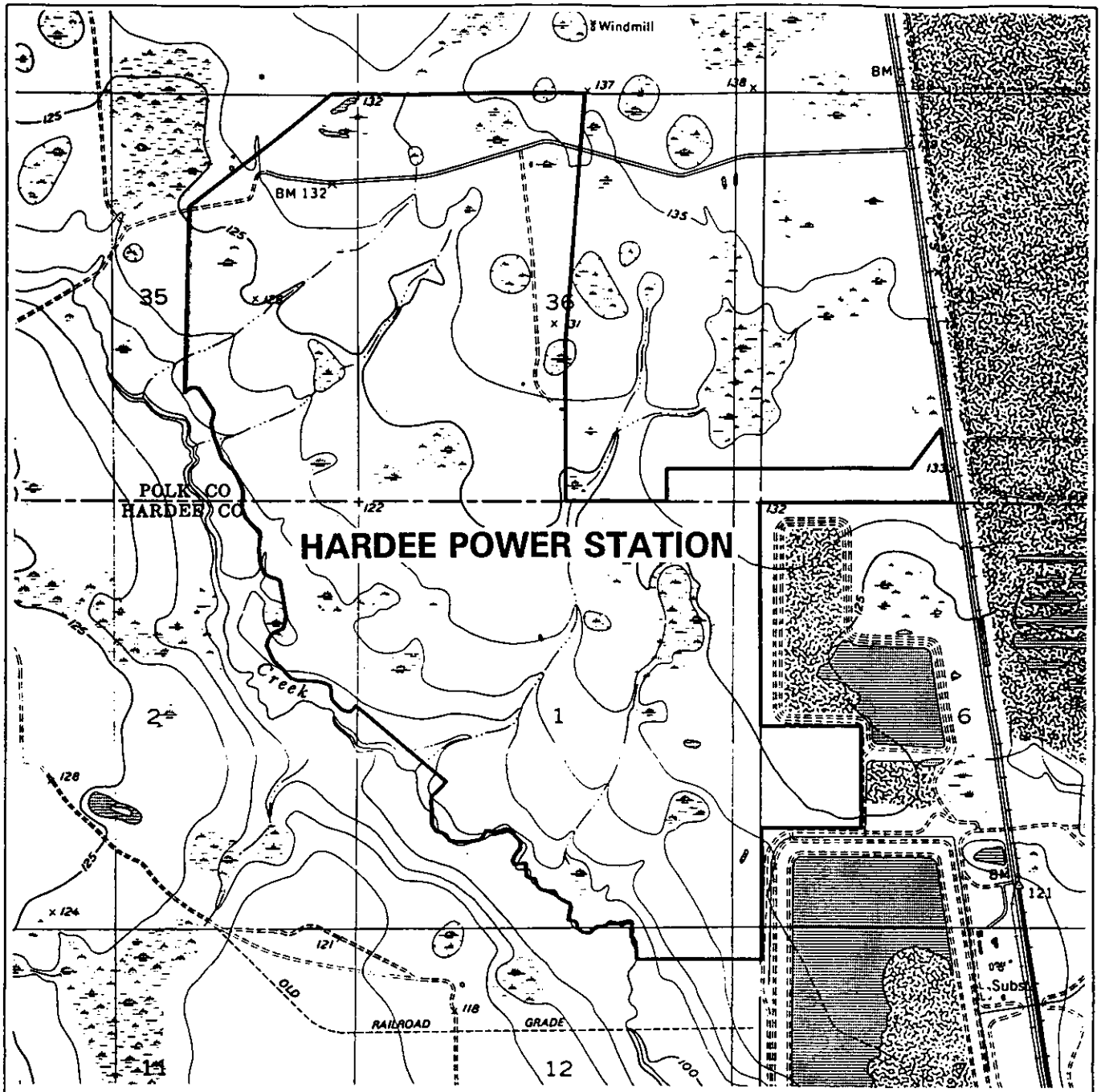
6/8/96 — Date

* Attach any exception to certification statement.

II.E.1

AREA MAP

94397-0100/td



QUADRANGLE LOCATION
STATE OF FLORIDA

N

GRAPHIC SCALE
0 500 1000 2000
SCALE IN FEET

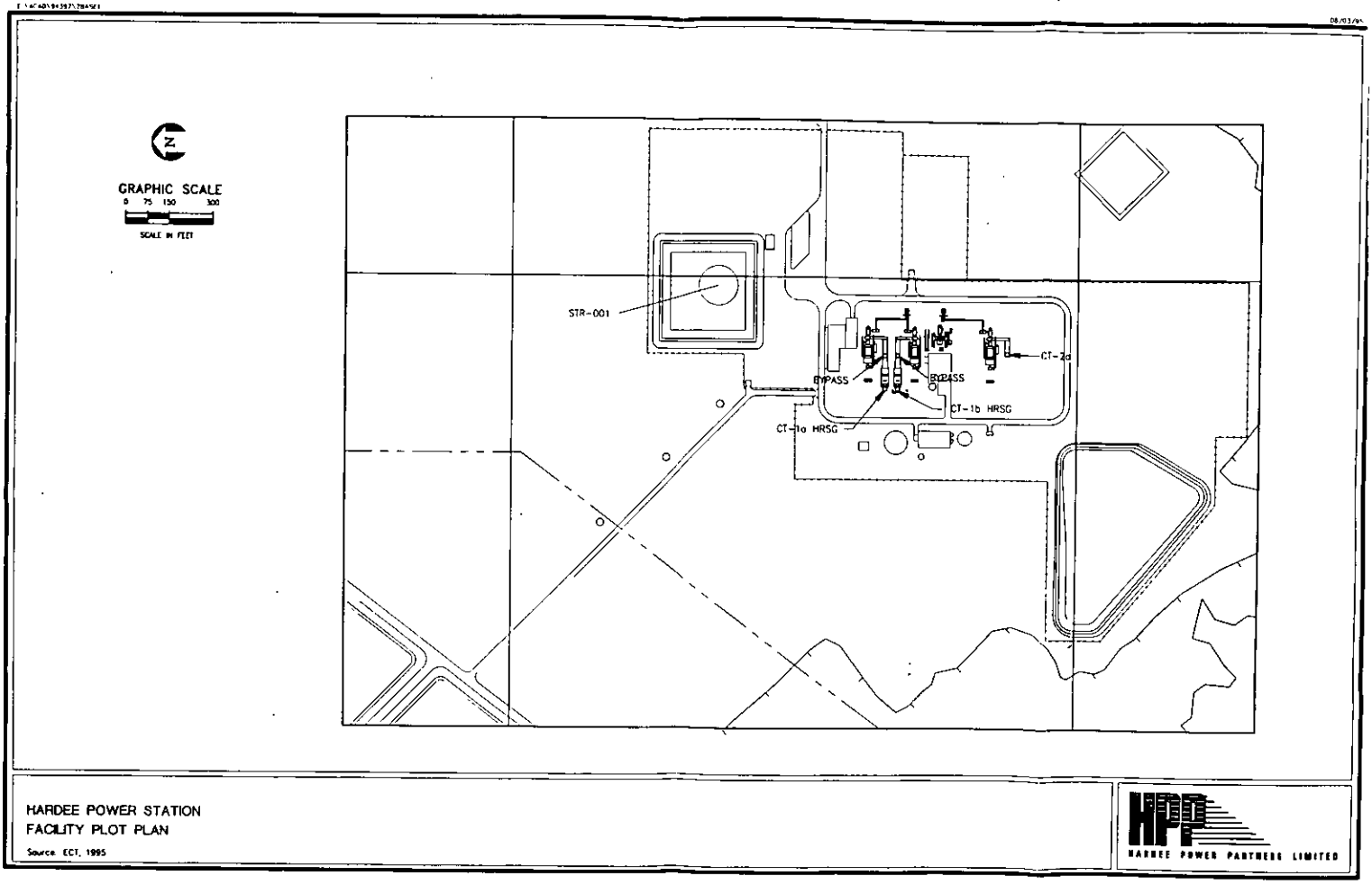
HARDEE POWER STATION AREA MAP

Source: USGS Quad, Baird, FL, 1987.

HPP
HARDEE POWER PARTNERS LIMITED

II.E.3

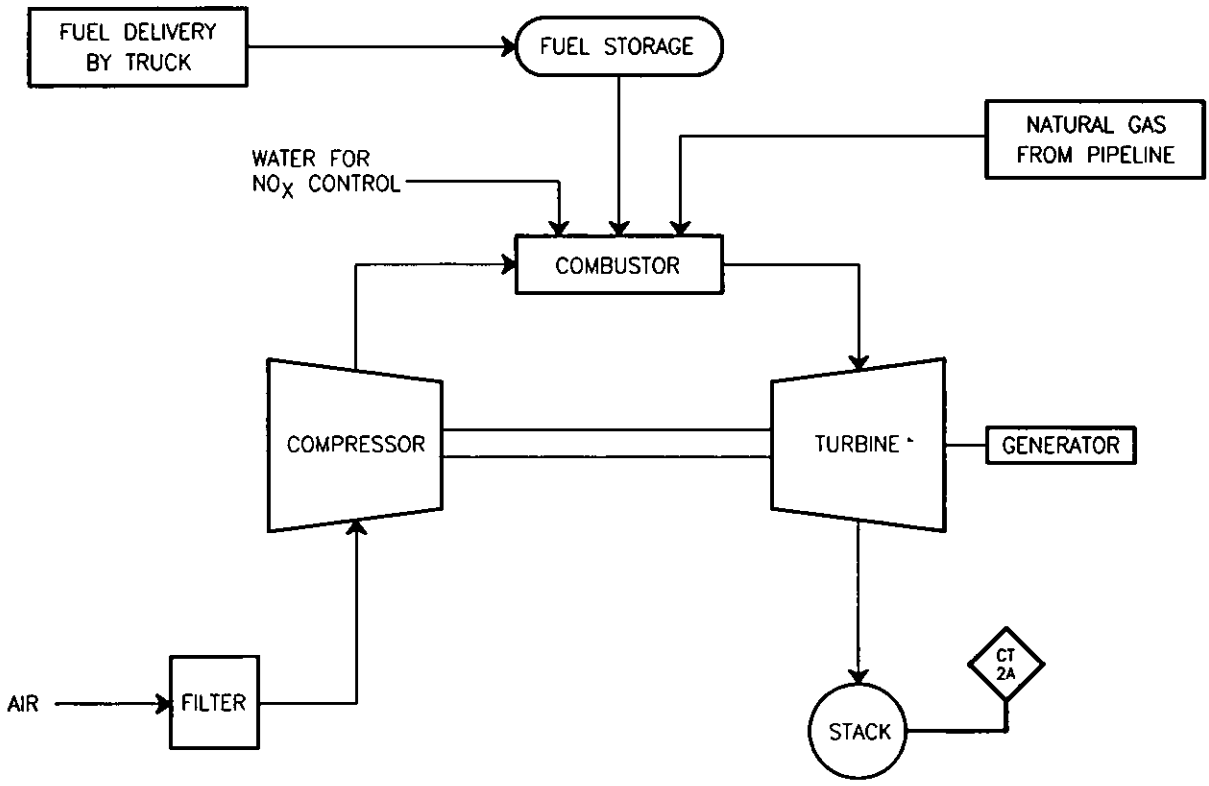
PROCESS FLOW DIAGRAMS



HARDEE POWER STATION
FACILITY PLOT PLAN

Source: ECT, 1995

HARDEE POWER PARTNERS LIMITED



SIMPLE CYCLE COMBUSTION TURBINE, UNIT 2A

HARDEE POWER STATION - COMBUSTION TURBINE 2A
PROCESS FLOW DIAGRAM

Source: ECT, 1995.

HARDEE POWER PARTNERS LIMITED

II.E.14 & 15

COMPLIANCE REPORT, PLAN, AND CERTIFICATION

COMPLIANCE REPORT, PLAN, AND CERTIFICATION

1. Compliance Report and Plan

Appendix A to this application identifies and explains the requirements that are applicable to the emission units that comprise this Title V source. At the date of application submital, each emissions unit is in compliance, and will continue to comply, with the respective applicable requirements.

The emission units that comprise this Title V source will comply with future-effective applicable requirements on a timely basis.

2. Proposed Schedule for the Submission of Periodic Compliance Statements Throughout the Permit Term

Periodic compliance statements are proposed to be submitted on an annual basis, from the date of permit issuance, consistent with FDEP Rule 62-213.440(3)(b), F.A.C.

3. Compliance Certification

I, the undersigned, am the responsible official as defined in Chapter 62-210.200, F.A.C., of the Title V source for which this report is being submitted. I hereby certify, based on information and belief formed after reasonable inquiry, that the statements made and data contained in this report are true, accurate, and complete.

A. D. Jennings

6/12/96

George D. Jennings
Vice President, Engineering and Operations

Date

III.I.2

FUEL ANALYSES

Table 2-5. Typical Natural Gas Specification*

Constituents, Percent by Volume	
Hydrogen (H_2)	--
Methane (CH_4)	83.40
Ethylene (C_2H_4)	--
Ethane (C_2H_6)	15.80
Carbon Monoxide (CO)	--
Carbon Dioxide (CO_2), max.	2.0
Nitrogen (N_2)	0.80
Oxygen (O_2), max.	0.40
Hydrogen Sulfide (H_2S), max.	1 grain/100 SCF
Water (H_2O) Vapor, max.	4 lb/10^6 SCF
Synthetic Lubricants (Phosphate-Ester Based)	Trace
Specific Gravity (relative to air)	0.636
Ultimate, Percent by Weight	
Sulfur (S), max.	20 grains/100 SCF
Hydrogen (H_2)	23.53
Carbon (C)	75.25
Nitrogen (N_2)	1.22
Oxygen (O_2)	--
Btu/ft^3 @ 60 F and 30 inches HgA (HHV)	950 (min) - 1129
Btu/lb of Fuel (HHV)	23,170
(LHV)	20,870

* Pipeline Grade.

Table 2-6. Typical Fuel Oil Specification*

Specific gravity, 60°F	0.82 - 0.86
Viscosity, cSt, 100°F, min.	0.5
Pour point, max, °F	0
Gross heating value, kcal/kg	10,500 - 10,950
Gross heating value, Btu/lb	19,000 - 19,600
Filterable dirt, mg/100 ml	4
Carbon residue (10% Bottoms), %, max.	0.25
Carbon residue (100% Sample), %, max.	1.0
Sulfur, %, maximum	0.5
Nitrogen, %	0.005 - 0.015
Hydrogen, %	12.2 - 13.2
Ash (fuel as delivered), ppm, max.	50
Trace metal contaminants (untreated)	
Sodium plus potassium, ppm, max.	1
Vanadium, ppm, max.	0.5
Lead, ppm, max.	1
Calcium, ppm, max.	2

* Specification is typical of American Society of Testing and Materials (ASTM) Grade of No. 2 (ASTM D-398).

Western Atlas International
A Litton/Western Company

CORE LABORATORIES

LABORATORY TESTS RESULTS
11/09/92

...ER: 925286 CUSTOMER: CUBIX CORPORATION ATTN: ROD CRUICKSHANK

...T I.D.........:	LABORATORY I.D...: 925286-0002
SAMPLED.......: 10/15/92	DATE RECEIVED....: 11/03/92
SAMPLED.......: 00:00	TIME RECEIVED....: 16:12
DESCRIPTION...: Natural Gas 1A	REMARKS..........:

DESCRIPTION	FINAL RESULT	LIMITS/*DILUTION	UNITS OF MEASURE	TEST METHOD	DATE	TECHN
...sis of Natural Gas		*1		GPA 2261-90	11/09/92	PT
...itrogen	0.47	0.01	Mol %	GPA 2261-90		
...arbon Dioxide	0.81	0.01	Mol %	GPA 2261-90		
...thane	94.98	0.01	Mol %	GPA 2261-90		
...hane	3.42	0.01	Mol %	GPA 2261-90		
...opane	0.26	0.01	Mol %	GPA 2261-90		
...obutane	0.02	0.01	Mol %	GPA 2261-90		
...Butane	0.03	0.01	Mol %	GPA 2261-90		
...opentane	0.01	0.01	Mol %	GPA 2261-90		
...Pentane	<0.01	0.01	Mol %	GPA 2261-90		
...xanes Plus	<0.01	0.01	Mol %	GPA 2261-90		
...tal	100.00	0.01	Mol %			
...lative Ratio	0.58369	0		GPA 2172-86		
...lative Density	0.58471	0		GPA 2172-86		
...mpressibility Factor	0.99784	0		GPA 2172-86		
...oss Heating Value (Dry)	1028.4	0	BTU/CF (Ideal)	GPA 2172-86		
...oss Heating Value (Dry)	1030.6	0	BTU/CF (Real)	GPA 2172-86		
...oss Heating Value (Wet)	1011.3	0	BTU/CF (Ideal)	GPA 2172-86		
...essure Base	14.696	0	psia			
...hane	0.913	0.001	GPM	GPA 2145-91		
...opane	0.070	0.001	GPM	GPA 2145-91		
...obutane	0.007	0.001	GPM	GPA 2145-91		
...utane	0.010	0.001	GPM	GPA 2145-91		
...opentane	0.004	0.001	GPM	GPA 2145-91		
...entane	<0.001	0.001	GPM	GPA 2145-91		
...exanes Plus	<0.001	0.001	GPM	GPA 2145-91		
...tal	1.004	0.001	GPM	GPA 2145-91		
...tal by Microcoulometry	2	1	ppm Wt.	ASTM D-3246	11/09/92	JDP

P. O. Box 34282
Houston, TX 77234-4282
(713) 943-9776

Western Atlas International

CORE LABORATORIES

LABORATORY TESTS RESULTS
11/18/92

JOB NUMBER: 925285 CUSTOMER: CUBIX CORPORATION ATTN: ROD CRUICKSHANK

CLIENT I.D.....:
DATE SAMPLED.....: 10/08/92
TIME SAMPLED.....: 00:00
SAMPLE DESCRIPTION...: Fuel Oil 2A GE, FLA

LABORATORY I.D...: 925285-0001
DATE RECEIVED....: 11/03/92
TIME RECEIVED....: 15:54
REMARKS.....:

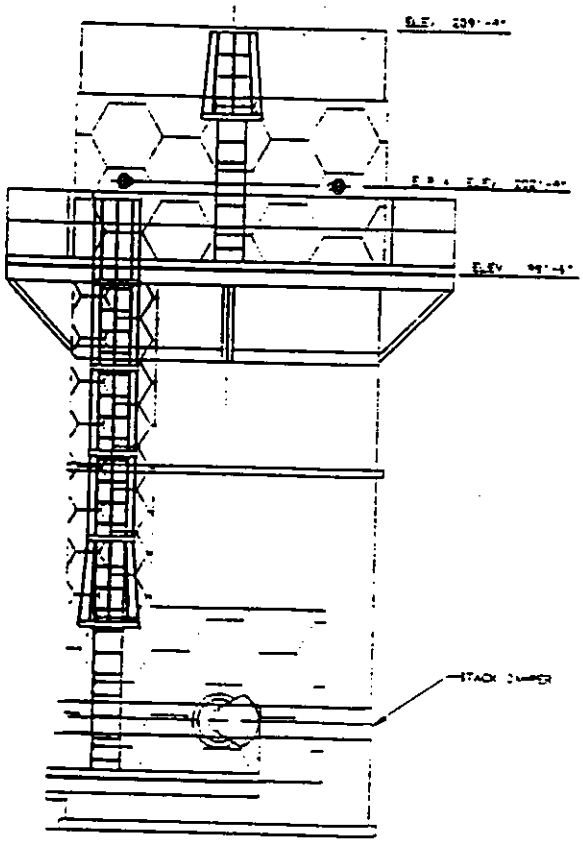
TEST DESCRIPTION	FINAL RESULT	LIMITS/DILUTION	UNITS OF MEASURE	TEST METHOD	DATE	TECHN
Ash Content	<0.01		Wt.% @ 775 C.	ASTM D-482	11/05/92	RRS
Carbon, Hydrogen		*1		Carlo Erba1106	11/18/92	GWM
Carbon Content	84.79	0.05	Wt. %	Carlo Erba 1106		
Hydrogen Content	13.03	0.05	Wt. %	Carlo Erba 1106		
Nitrogen, Total by Chemilum.	138	1	ppm wt.	ASTM 4629	11/11/92	ORW
Specific Gravity	0.8547			ASTM D-1298	11/18/92	
Sulfur, Total by X-ray Fluoresc.	0.13		Wt. %	ASTM D-4294	11/18/92	RME

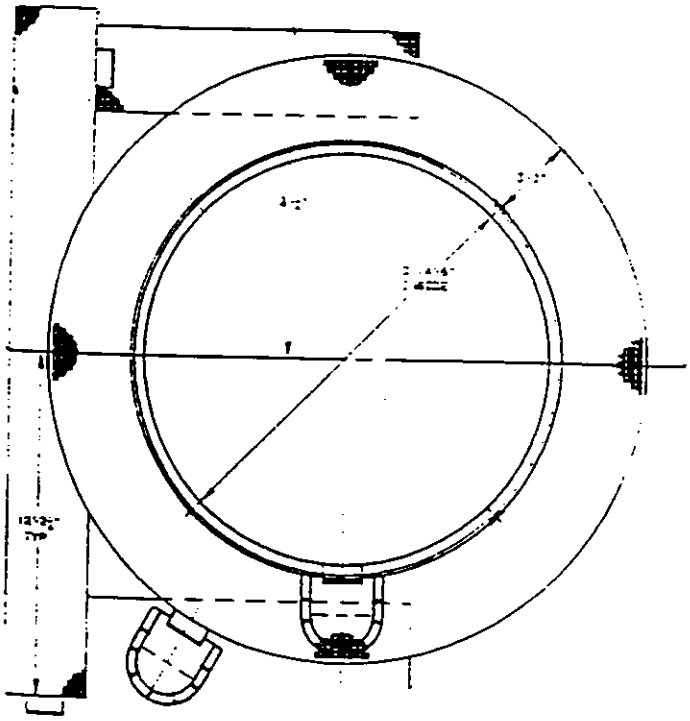
BY: Pat Lucas

P. O. Box 34282
Houston, TX 77234-4282
(713) 943-9776

III.L.4

DESCRIPTION OF STACK SAMPLING FACILITIES

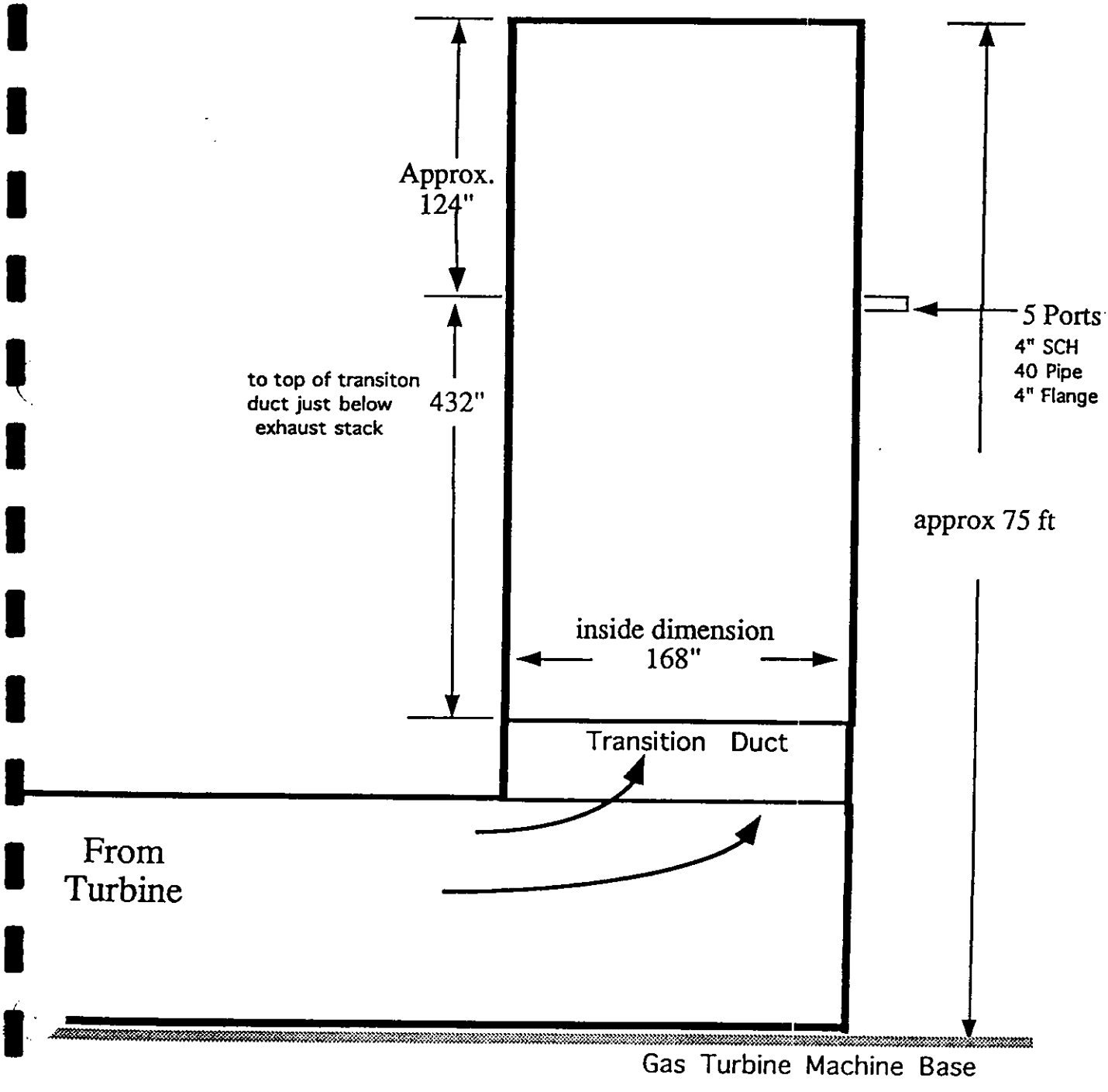




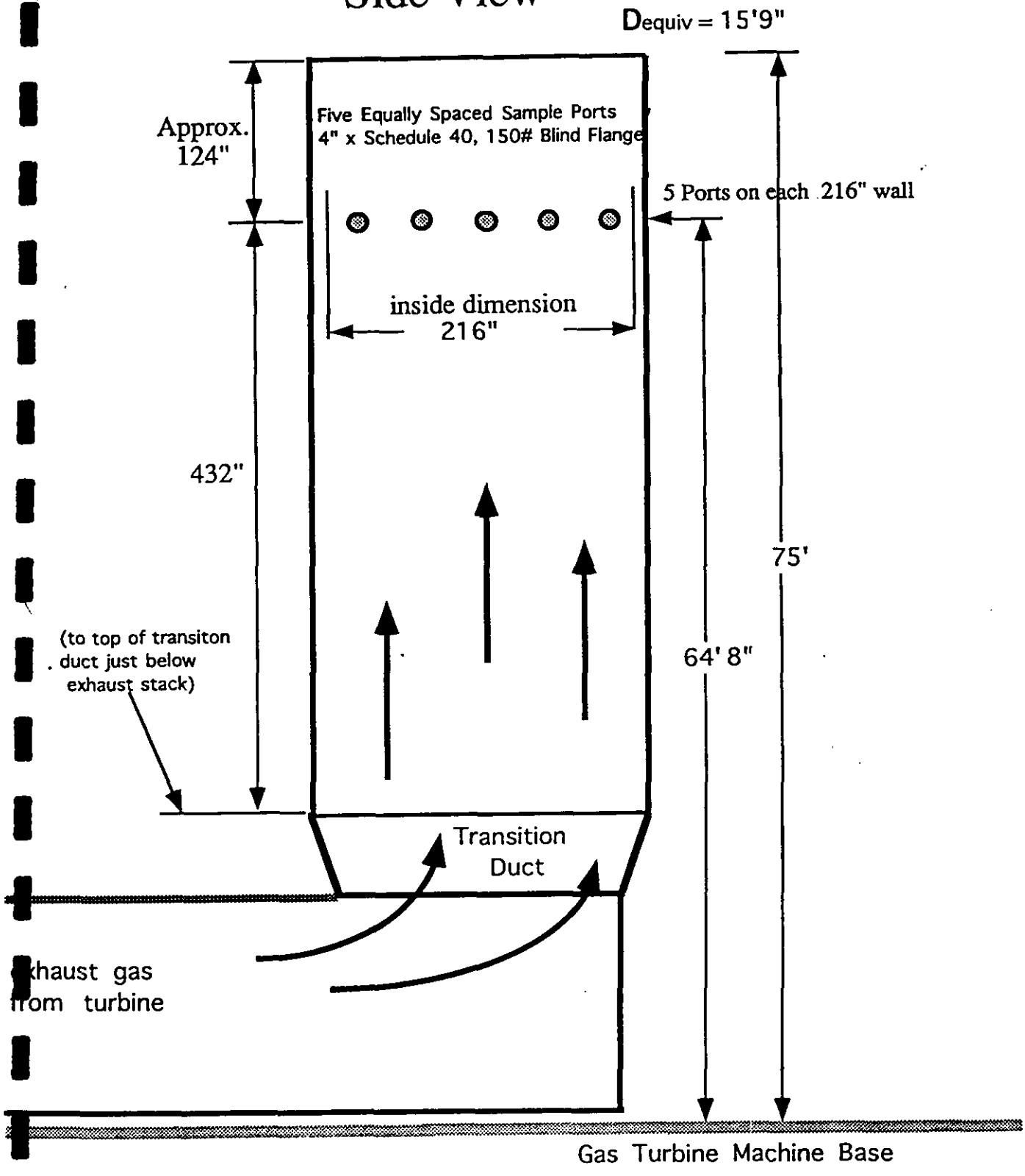
TRAVERSE POINT	PERCENTAGE OF DIAMETER	DISTANCE, INCHES FROM STACK WALL
1	2.1	3.65
2	6.7	11.66
3	11.8	20.53
4	17.7	30.80
5	25.0	43.50
6	35.6	61.94

FIGURE 1
HARDEE POWER STATION UNITS 1A and 1B
TEST LOCATION AND TRAVERSE POINTS

Units 1A, 1B Bypass Stack
Unit 2A Exhaust Stack
Side View



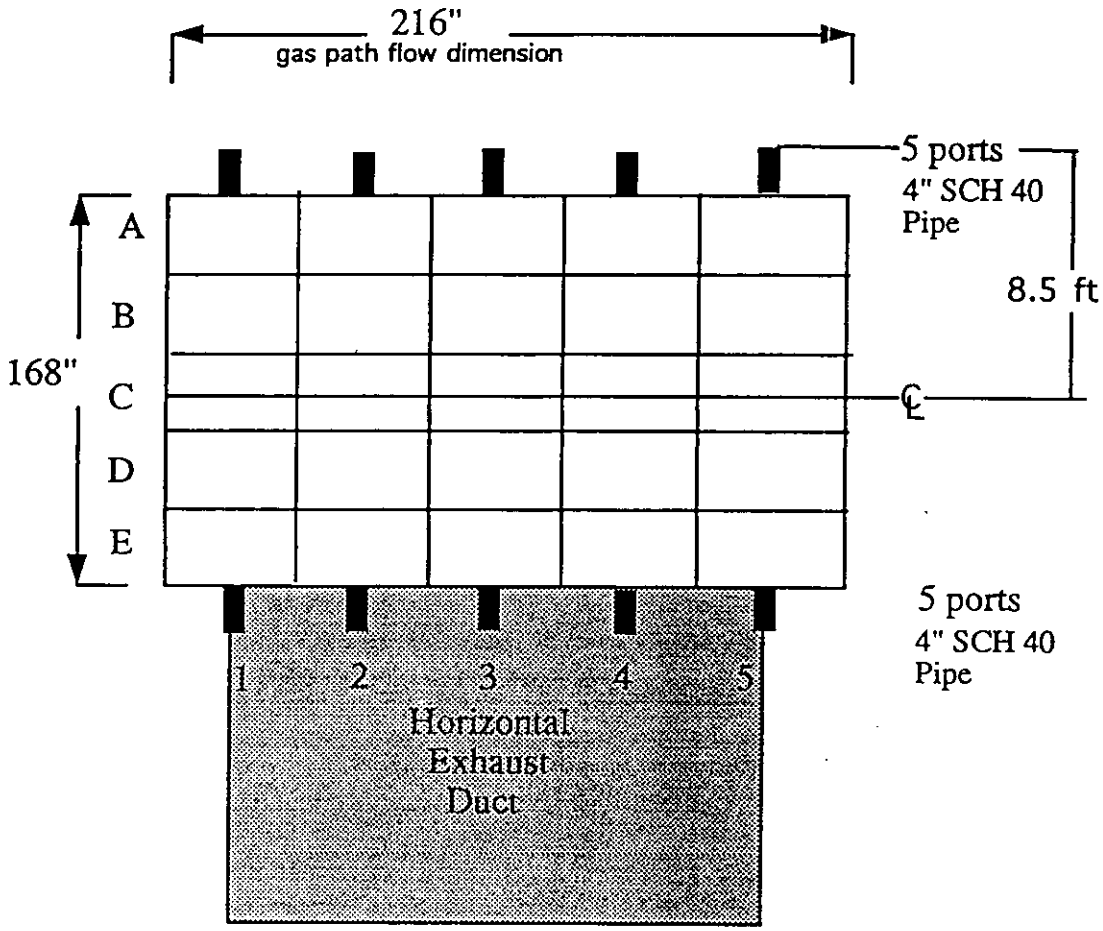
Units 1A, 1B Bypass Stack
Unit 2A Exhaust Stack
Side View



Units 1A, 1B Bypass Stack
Unit 2A Exhaust Stack
Top View

Interior Dimensions
at Sample Port Level

Cross-Sectional View of Stack



APPENDIX B

EMISSION RATE SUMMARY

Hardee Power Partners
Hardee Power Station
Emission Limited Emission Summary

Criteria Pollutants

Pollutant	Potential Emissions (tpy)				
	CT-1A[1]	CT-1B[1]	CT-2A[1]	STR-001	Totals
SO_2	1,741.61	1,741.61	1,741.61	N/A	**5,224.82**
NO_x	1,681.04	1,681.04	1,681.04	N/A	**5,043.13**
PM/PM_{10}	43.80	43.80	43.80	N/A	**131.40**
CO	409.09	409.09	409.09	N/A	**1,227.28**
VOC	45.11	45.11	45.11	3.36	**135.34**

[1] Based on 8,760 hrs/yr combustion of No. 2 fuel oil.

h. Identification of wet season water table elevations for each basin affected by construction.

3. In addition to the requirements of Section 2 above, specific detailed information shall be provided by the Permittees before, during and after construction which will be required to be submitted to the appropriate water management district to demonstrate compliance with recognized standards for reservoir and dam design, safety, construction, operation, and maintenance. The Permittees shall develop technical criteria and requirements which represent commonly recognized and accepted engineering and technical standards for reservoir and earthen dam design, safety, construction, operation, and maintenance. The criteria or standards shall be submitted to the District prior to final design of the dam and reservoir for consideration in accordance with the information submittal and review process outlined in the conditions of certification.

4. The Permittee shall employ culverts or other appropriate techniques and implement suitable maintenance practices where necessary to comply with the applicable regulation of the applicable WMD or DER and to maintain existing drainage patterns, hydroperiods, and sheetflow along the ROWs. The exact number, spacing, diameter, orientation, and length of culvert necessary to maintain existing hydrologic conditions and to maintain surface water flow conditions in the area shall be determined by the Permittee in consultation with applicable WMD or DER based on site-specific information. This information shall be submitted to SFWMD or SWFWMD as applicable for approval prior to construction to ensure that the culverting or other appropriate techniques meets applicable standards within all affected wetlands areas.

XXXVI. WEBB WILDLIFE MANAGEMENT AREA (SECI)

A. Parties to Agreement

Florida Game & Fresh Water Fish Commission (Commission) and Seminole Electric Cooperative, Inc., (Seminole) are parties to the following agreement relating to the location of a ROW in the Cecil M. Webb Wildlife Management Area as generally depicted in Exhibit A.

B. Conditions of Agreement

This Agreement shall bind the parties hereto and their assigns and successors in interest, provided however, that this Agreement is contingent upon the following:

1. Issuance of a Site Certification Order by the Siting Board in accordance with the terms of this Agreement,

2. Approval of this Agreement by the Board of Trustees of the Internal Improvement Trust Fund, in accordance with section 372.023, Florida Statutes.

3. Approval of this Agreement by the United States Department of the Interior, Fish and Wildlife Service, in accordance with the provision of the Federal Aid in Wildlife Restoration Act and regulations promulgated thereunder.

4. Approval of the Hardee Power Station Project by the United States Rural Electrification Administration.

C. Actions by Seminole

Upon satisfaction of the conditions listed in paragraph XXXVI. B. hereof, Seminole shall allocate the sum of $1,025,000 (One million, twenty-five thousand dollars) to be expended for the purchase of the 427 acres, more or less, adjacent to the Webb WMA (Hall Acquisition), as shown in Exhibit B. Fee simple title to the Hall Acquisition shall be conveyed to the Commission, by warranty deed, no later than one hundred and twenty (120) days following the granting of an easement of the Commission for the transmission line ROW, or following receipt of all of the approvals listed in paragraph 5, below, whichever is later. Cost of closing, including title insusrance and survey, shall be borne by Seminole.

D. Actions by Commission

Contingent upon paragraph XXXVI. B. hereof, the Commission shall, no later than thirty (30) days following issuance of site certification by the Siting Board, execute and deliver to Seminole a ROW easement for the area described and depicted in Exhibit A, which easement shall convey to Seminole the right and privilege to construct, operate, and maintain the proposed 230 kV transmission line for such period of time as Seminole may use the line or until use thereof is abandoned; this right shall include the right to construct, operate, and maintain necessary communication and other wires, poles, guys, anchors, ground connections, attachments, fixtures, equipment, and accessories in connection with the Lee Transmission Line over, upon and across the ROW in the Webb WMA. The Commission and Seminole reserve the right to mutually agree to minor adjustments in the final ROW location depicted in Exhibit A. Said easement shall also grant Seminole the right to patrol, inspect, alter, improve, repair, rebuild, or remove the Lee Line equipment and accessories, including the right to trim, cut and clear such trees, limbs, and undergrowth along the line and trees adjacent thereto as may endanger the proper operation thereof, including the reasonable right to enter upon lands of the Commission for the purpose of exercising the rights therein granted. The Commission covenants that it has the right to convey said easement, and that Seminole, its successors and assigns shall have quiet and peaceful possession, use and enjoyment of the easement for the consideration set forth in paragraph C. above.

E. Joint Conditions (SECI)

1. The transmission line right-of-way (ROW) in Cecil M. Webb Wildlife Management Area (Webb WMA) shall generally follow the route described and depicted in Exhibit A, and shall, except

where specifically agreed to by the Commission, directly adjoin the property boundary of the Webb WMA.

2. Yellow aviation markers balls or their equivalent shall be placed on each of the two groundwires at 100 foot intervals in a staggered fashion in any area, identified by the Commission, and as shown generally on the transmission line location map contained in Exhibit A, where bird collisions are reasonably possible. Final locations of marker balls may be adjusted depending upon field surveys.

3. Single pole transmission structures shall be utilized in the area of the I-75/Tucker's Grade interchange as generally depicted in Exhibit A, the ROW in this area shall not, absent Commission approval, exceed 75 (seventy-five) feet in width.

4. Seminole shall install and, in conjunction with the Commission's prescribed burning plans for the Webb WMA, annually (by November 1 of each year) maintain fire lanes, (which may include the access road) no less than 15 feet in width, along and within the ROW boundary.

5. Seminole shall control vegetation in the ROW as dictated by fire safety consideration; provided, however, that no herbicides shall be used in the Webb WMA without written approval of the Commission.

6. Seminole shall coordinate with Commission personnel during any prescribed burns so as to minimize the possibility of interference between use of the ROW by Seminole and the prescribed burning activities of the Commission.

7. Seminole shall control exotic vegetation species such as Melaleuca and Australian Pine within the ROW during the construction process, in coordination with the Commission personnel.

8. Seminole shall install gates with high security locks at the entrance and exit of the ROW through the Webb WMA, and at all interior fences crossed by the ROW, in order to prevent unauthorized user access.

9. Seminole shall protect all affected Commission boundary and interior fences during construction and utilization of the ROW, and shall be responsible for all fence repairs necessitated by utilization of the ROW.

10. To the extent necessary to maintain the natural flow of water through the ROW, Seminole shall, in consultation with the Commission, install culverts or such other water control structures as may be required.

11. Seminole shall coordinate with the FGFWFC to assure that construction and maintenance of the transmission line and its right-of-way on the Webb Wildlife Management Area shall, to the extent practicable, be conducted in a manner which does not interfere with public hunting or other recreational use of the

area. Activities occurring during established hunting seasons for the area shall, in consultation with the FGFWFC, be scheduled and coordinated in order to avoid interference with public use or hazards to area users or Seminole employees or agents.

XXXVII. PEACE RIVER (SECI) AND EAGLES NEST (TEC) RESTRICTIONS

A. In the area of the Peace River floodplain, west of the City of Arcadia, the Lee transmission line ROW shall be located in a manner which avoids those areas designated as Zone "A" on Exhibit C, attached hereto. In addition, to the extent practicable, the ROW shall avoid those areas designated as Zone "B" on the attached Exhibit C. To the extent avoidance of areas designated as Zone "B" is impracticable, SECI shall take all reasonable measures to avoid or minimize the loss or modification of wildlife habitat in such areas.

B. Within the proposed corridor for the Hardee Power Station to Pebbledale substation transmission line, adjacent to Polk County Road 663, in Township 32 South, Range 23 East, Section 1, the 150 foot ROW shall be located a minimum of 750 feet from the eagle's nest as shown on the attached Exhibit D.

XXXVIII. CHARLOTTE COUNTY CONDITIONS (SECI)

A. The Lee transmission line shall span Shell Creek without emplacing transmission line structures within the minimum buffer zone required by Section 5.A. of Ordinance No. 89-53. Moreover, the Lee transmission line shall comply with the upland buffer zone requirement set forth at Section 7.B. of Ordinance No. 89-54. The natural vegetative buffer adjacent to Shell Creek shall be managed in accordance with environmentally acceptable techniques given the site specific conditions of the transmission line ROW.

B. The Permittees shall perform the work authorized under the certification in a manner so as to minimize any adverse impact of the work on fish, wildlife, and water quality. The Permittees shall institute necessary measures during the construction period, including necessary compaction of any fill material placed around newly installed structures, to reduce erosion, turbidity, nutrient loading and sedimentation in the receiving waters.

C. The Permittees shall be responsible for the correction of any sedimentation, turbidity, erosions, and/or shoaling problems that result from the construction, operation and/or maintenance of the project.

D. It is the responsibility of the Permittees to provide reasonable measures to assure that unauthorized adverse off-site water resource related impacts do not occur during construction, operation and/or maintenance of the project.

E. The Permittees shall, where practicable, utilize adjacent existing roads for access to the linear facility ROWs for construction, operation and/or maintenance purposes.

F. Access road construction in Charlotte County shall include culverts as necessary and feasible to preserve pre-construction hydric flows.

XXXIX. DESOTO COUNTY CONDITIONS (HPS)

A. Seminole Electric Cooperative, Inc. shall comply with DeSoto County Ordinance No. 87-19, Sec. 2-6.

B. Consistent with sound transmission line design and ROW location practices, the Lee and Vandolah transmisison lines shall be located and constructed in a manner that minimizes impacts on adjacent land uses. To the extent feasible, Permittee shall locate the ROWs so as to avoid the taking of homes.

XL. HARDEE COUNTY CONDITIONS (SECI)

A. The Hardee Power Station and all associated facilities shall be operated in conformance with the substantive performance standards set forth in Section 2.13 of Hardee County Ordinance No. 82-2.

B. Consistent with sound transmission line design and ROW location practices, the Lee and Vandolah transmission lines shall be located and constructed in a manner that minimizes impacts on adjacent land uses. To the extent feasible, Permittee shall locate the ROWs so as to avoid the taking of homes.

XLI. LEE COUNTY CONDITIONS (SECI)

A. After Lee County portions of the Lee transmission line ROW have been selected, following certification of the corridor and prior to any project related land clearing or ground disturbing activities, any level two archaeological areas crossed by the ROW, as identified in An Archaeological Site Inventory and Zone Mangement Plan for Lee County, Florida (1987), will be subjected to a professional archaeological survey. Prior to conducting this survey, SECI's project archaeologist will consult with Lee County staff and coordinate regarding appropriate field methodology. The survey report shall be forwarded to the Lee County Department of Community Development. If avoidance is not feasible, SECI shall mitigate impacts through archaeological salvage excavation or by other methods acceptable to Lee County.

B. New access roads providing entry into previously inaccessible areas of Lee County north of Cape Coral shall be gated, if the owner of the subject property consents.

C. Access road construction within wetlands regulated under the Lee County Wetlands Protection Ordinance shall be at grade where feasible; culverts shall be included as necessary and feasible to preserve preconstruction hydric flows.

D. Where not inconsistent with restraints imposed under the Lee County Protected Species Ordinance, as many shrubs as practicable shall be retained within the Lee County portion of the Lee transmission line ROW.

E. The Lee transmission line ROW shall be sited, to the extent feasible, so as to avoid scrub inhabited by Florida scrub jays near the Lee substation.

F. After portions of the Lee transmission line ROW in Lee County, north and east of Cape Coral, have been selected, following certification of the corridor and prior to any project related land clearing or ground disturbing activities, the ROW will be surveyed for plant and animal species of special concern, and threatened or endangered species as identified in the Protected Species Ordinance (No. 89-29). Prior to conducting this survey, SECI's project biologist will consult with Lee County staff and coordinate regarding proper survey areas and methodology. The resulting survey report shall include aerial depictions of appropriate FLUCCS registers, transects walked and applicable visibility limits, and locations of sitings within the ROW. The survey report shall also include tables indicating the percentage of the area surveyed, calculated densities and abundance, dates and times the survey was conducted, and the name(s) of the surveyor(s). The survey report shall be submitted to Lee County's Department of Community Development. If listed species are determined to be present within the Lee transmission line ROW, SECI shall consult with the Lee County Department of Community Development to determine whether appropriate steps need to be taken to minimize and/or mitigate for any adverse impacts.

XLII. ROAD CROSSINGS CONDITIONS (TPS)

A. All crossings of highways, streets, and roads shall be as nearly perpendicular to, and all transmission line structures shall be as far from, state, county, and city road ROW's as practicable, while still maintaining proper road clearance, in order to allow future widening of those roads.

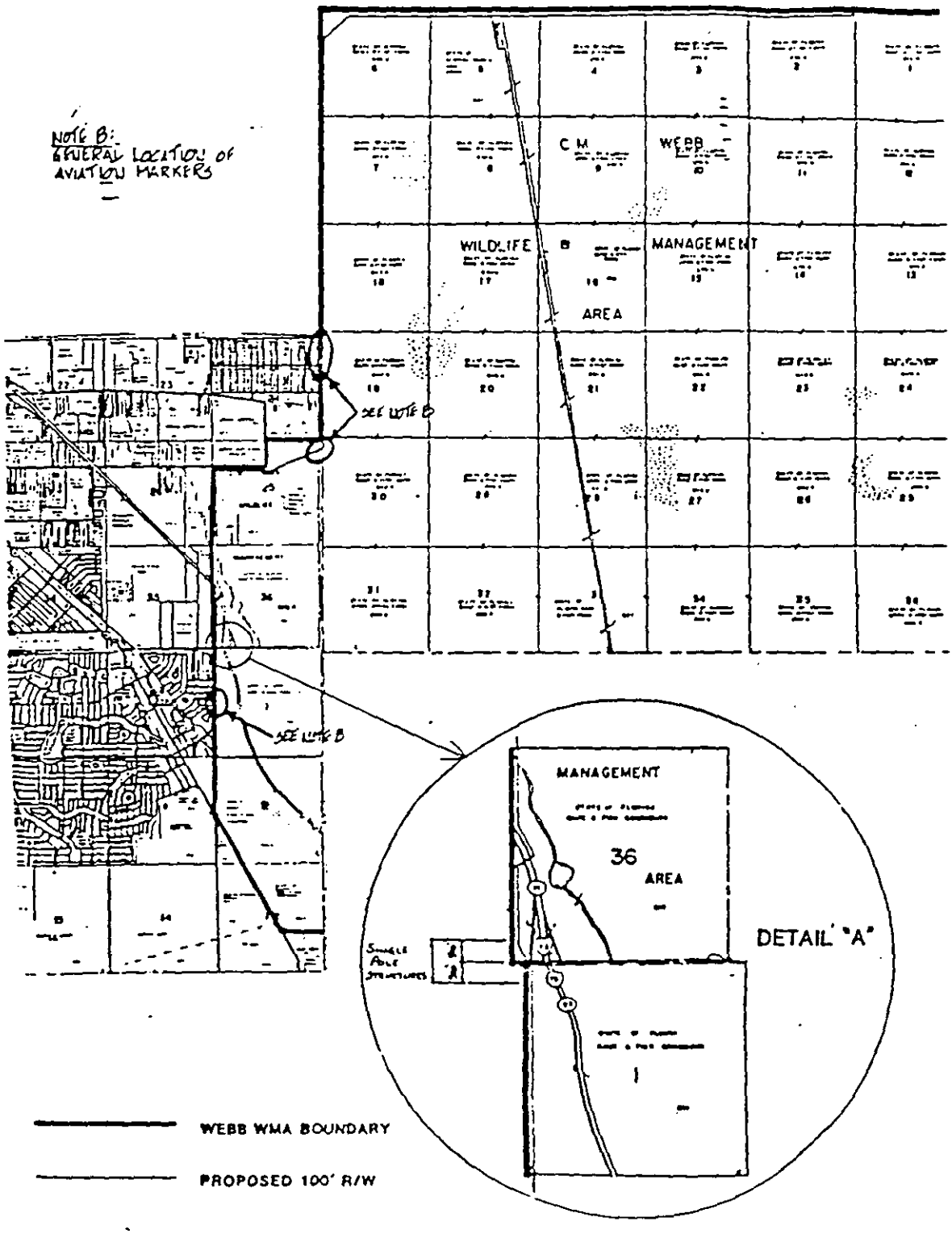
B. In accordance with Section 403.509(3), Florida Statutes, within 30 days of entry of certification, DOT and cities and counties that are parties to this proceeding shall issue any required permits or other approvals required for use, connection to, or crossing of highways, streets, and roads.

C. For all locations where permits or other approvals to use, cross, or connect to county or city highways, streets, or roads are required generally for transmission lines and access roads, the applicant shall submit the applicable and required information to the county or city engineer 30 days prior to construction so that the county or city may monitor compliance with applicable requirements. The permittee shall comply with all applicable nonprocedural county or city regulations pertaining to roadway crossings or connections by transmission lines and access roads.

EXHIBIT A

TRANSMISSION LINE LOCATION MAP

(NOT TO SCALE)



D. For all locations where the transmission line will cross state highways, the applicant shall submit the data requested pursuant to the Department of Transportation's (DOT) "Utility Accommodate Guide" to DOT within 30 days prior to starting construction for a particular crossing. The permittee shall comply with the criteria in the Utility Accommodation Guide and with all applicable regulations pertaining to roadway crossings by transmission lines, including these conditions of certification, unless the DOT and the permittee agree to change those requirements for good cause shown.