



FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION

Bob Martinez Center
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

Rick Scott
Governor

Carlos Lopez-Cantera
Lt. Governor

Jonathan P. Steverson
Secretary

May 25, 2016

Responsible Official:

Matthew Raffenberg, Env. Services Director
700 Universe Boulevard
Juno Beach, Florida 33408
Matthew.Raffenberg@FPL.com

Facility:

FPL – Turkey Point Power Plant
9760 Southwest 344th Street
Florida City, Florida

Permittee:

Florida Power & Light Company (FPL)

Permit/Certification

Miami-Dade County UIC
Permit ID Number: [0293962-003-UC/MM](#)
WACS ID Number: [101172](#)

Class I Injection Well System
Minor Modification

RE: Minor Modification to FDEP Permit 0293962-002-UC to allow the inclusion of Biscayne aquifer groundwater disposal directed to the injection well.

Dear Mr. Raffenberg:

The Florida Department of Environmental Protection (Department or FDEP) acknowledges the receipt of your request on April 25, 2015, for modification to FDEP permit number 0293962-002-UC. The request is for the inclusion of hypersaline groundwater from proposed groundwater extraction wells to the permitted injection wastestream components.

Based on the information provided to the Department, the Department hereby approves the above minor modification to FDEP Permit Number 0293962-002-UC under FDEP Permit Modification Number 0293962-003-UC/MM. Permit conditions are added as follows:

1. This modification authorizes the injection of non-hazardous groundwater from extraction wells completed in the Biscayne aquifer at the FPL Turkey Point Facility.
2. This modification authorizes a short-term injection test of up to 24 hours at a rate of approximately 15 million gallons per day using Biscayne aquifer groundwater, as detailed in the May 20, 2016 response to the Department's request for information.
3. A report on the short-term test results with interpretation of the data shall be submitted to the Department within 90 days after completion. Operational testing with Biscayne aquifer groundwater shall not begin until Department authorization has been issued.
4. Prior to operational testing, the permittee shall submit background water quality data from the Biscayne aquifer extraction well to be used for operational testing, analyzed for primary

and secondary drinking water standards (62-550, F.A.C.) excluding asbestos, dioxin, butachlor, acrylamide, and epichlorohydrin.

5. Department authorization to begin operational testing with Biscayne aquifer groundwater will include a revision of the operational testing monitoring schedule of specific condition VI.B.2. of the construction permit no. 293962-002-UC, and will include a revised maximum flow rate and maximum daily volume based on the short-term injection test results.

This minor modification becomes a part of and must be attached to Permit 0293962-002-UC. All other permit conditions and specifications remain in effect

NOTICE OF RIGHTS

This action is final and effective on the date filed with the Clerk of the Department unless a petition for an administrative hearing is timely filed under sections 120.569 and 120.57, Florida Statutes, before the deadline for filing a petition. On the filing of a timely and sufficient petition, this action will not be final and effective until further order of the Department. Because the administrative hearing process is designed to formulate final agency action, the hearing process may result in a modification of the agency action or even denial of the application.

Petition for Administrative Hearing

A person whose substantial interests are affected by the Department's action may petition for an administrative proceeding (hearing) under sections 120.569 and 120.57, Florida Statutes. Pursuant to rule 28-106.201, Florida Administrative Code, a petition for an administrative hearing must contain the following information:

- a) The name and address of each agency affected and each agency's file or identification number, if known;
- b) The name, address, and telephone number of the petitioner; the name, address, and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how the petitioner's substantial interests are or will be affected by the agency determination;
- c) A statement of when and how the petitioner received notice of the agency decision;
- d) A statement of all disputed issues of material fact. If there are none, the petition must so indicate;
- e) A concise statement of the ultimate facts alleged, including the specific facts that the petitioner contends warrant reversal or modification of the agency's proposed action;
- f) A statement of the specific rules or statutes that the petitioner contends require reversal or modification of the agency's proposed action, including an explanation of how the alleged facts relate to the specific rules or statutes; and
- g) A statement of the relief sought by the petitioner, stating precisely the action that the petitioner wishes the agency to take with respect to the agency's proposed action.

PERMITTEE: Mr. Matthew Raffenberg, Env. Services Director
Florida Power & Light – Turkey Point Power Plant
Class I Injection Well System

Facility ID No.: 101172
Permit ID No.: 0293962-003-UC/MM
Date: May 25, 2016

The petition must be filed (**received by the Clerk**) in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000. Also, a copy of the petition shall be mailed to the applicant at the address indicated above at the time of filing.

Time Period for Filing a Petition

In accordance with rule 62-110.106(3), Florida Administrative Code, petitions for an administrative hearing by the applicant must be filed within 21 days of receipt of this written notice. Petitions filed by any persons other than the applicant, and other than those entitled to written notice under section 120.60(3), Florida Statutes, must be filed within 21 days of publication of the notice or within 21 days of receipt of the written notice, whichever occurs first. Under section 120.60(3), Florida Statutes, however, any person who has asked the Department for notice of agency action may file a petition within 21 days of receipt of such notice, regardless of the date of publication. The failure to file a petition within the appropriate time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under sections 120.569 and 120.57, Florida Statutes, or to intervene in this proceeding and participate as a party to it. Any subsequent intervention (in a proceeding initiated by another party) will be only at the discretion of the presiding officer upon the filing of a motion in compliance with rule 28-106.205, Florida Administrative Code.

Extension of Time

Under rule 62-110.106(4), Florida Administrative Code, a person whose substantial interests are affected by the Department's action may also request an extension of time to file a petition for an administrative hearing. The Department may, for good cause shown, grant the request for an extension of time. Requests for extension of time must be filed with the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000, before the applicable deadline for filing a petition for an administrative hearing. A timely request for extension of time shall toll the running of the time period for filing a petition until the request is acted upon.

Mediation

Mediation is not available in this proceeding.

Judicial Review

Once this decision becomes final, any party to this action has the right to seek judicial review pursuant to section 120.68, Florida Statutes, by filing a Notice of Appeal pursuant to rules 9.110 and 9.190, Florida Rules of Appellate Procedure, with the Clerk of the Department 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 action is filed with the Clerk of the Department.

PERMITTEE: Mr. Matthew Raffenberg, Env. Services Director
Florida Power & Light – Turkey Point Power Plant
Class I Injection Well System

Facility ID No.: 101172
Permit ID No.: 0293962-003-UC/MM
Date: May 25, 2016

Should you have any questions, please contact the undersigned or [Neil I. Campbell](#) of this office at 850.245.8612. When referring to this authorization, please reference the above date and file number.

Sincerely,



Joseph Haberfeld, P.G.
Aquifer Protection Environmental Administrator
Tallahassee
JH/NIC

PERMITTEE: Mr. Matthew Raffenberg, Env. Services Director
Florida Power & Light – Turkey Point Power Plant
Class I Injection Well System

Facility ID No.: 101172
Permit ID No.: 0293962-003-UC/MM
Date: May 25, 2016

CERTIFICATE OF SERVICE

The undersigned designated clerk hereby certifies that this NOTICE OF PERMIT and all copies were mailed before the close of business on Wednesday, May 25, 2016, to the listed persons.

FILING AND ACKNOWLEDGMENT

FILED, on this date, pursuant to Section.120.52, Florida Statutes, with the designated Department Clerk, receipt of which is hereby acknowledged



Clerk

May 25, 2016

Date

Copies Furnished To:

Joseph Haberfeld, FDEP/TLH

joe.haberfeld@dep.state.fl.us

Neil Campbell, FDEP/TLH

neil.i.campbell@dep.state.fl.us

George Heuler, FDEP/TLH

george.heuler@dep.state.fl.us

Len Fishkin, FDEP/SED

len.fishkin@dep.state.fl.us

Pat Brunette, ES/EC

pbrunette@enercon.com

David McNabb, P.G./ MHC, Inc.

david@mcnabbhydroconsult.com

Richard Cowles, ES/EC

rcowles@Enercom.com

Hope Cates, FDEP/TLH

hope.cates@dep.state.fl.us

Mary Genung, FDEP/TLH

mary.genung@dep.state.fl.us

Nancy Marsh, USEPA/ATL

marsh.nancy@epa.gov