FLORIDA DEPARTMENT OF Environmental Protection

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

Ron DeSantis
Governor

Jay Collins
Lt. Governor

Alexis A. Lambert
Secretary

May 7, 2026

Sent by Electronic Mail – Document Access Verification Requested

Jay Chesser
Station Manager, Hines Energy Complex
7700 County Road 555
Bartow, FL 33830
Jay.Chesser@duke-energy.com

RE: Duke Energy Florida Hines Energy Complex
Modification to Conditions of Certification
DEP Case Number PA 92-33L
OGC Case Number 25-0799

NOTICE OF INTENT TO MODIFY CONDITIONS OF CERTIFICATION

Mr. Chesser:

On April 3, 2025, the Department of Environmental Protection (Department), Siting Coordination Office received a petition from Duke Energy Florida (DEF), and the associated fee for a modification to the Hines Energy Complex (Hines) Site Certification in accordance with section 403.516(1)(c), Florida Statutes (F.S.). The petition is requesting authorization to construct a brine handling system including lined evaporation ponds, forced evaporators, tanks, and pumps to support reverse osmosis facilities at the site.

On January 14, 2026, the Department determined the petition to be complete. The Department intends to modify the Conditions of Certification (Conditions) for Hines to incorporate changes associated with DEF's petition. Additionally, the Conditions will be modified to remove requirements that are no longer applicable to the facility. The proposed Conditions (PA92-33L) will replace the existing Conditions (PA92-33K) in their entirety. These changes can be viewed in the existing and the proposed Conditions, which can be downloaded from the following file transfer protocol (ftp) site: https://publicfiles.dep.state.fl.us/Siting/Outgoing/DEF%20Hines/Modifications/ModL_BrineSystem/Conditions/

Copies of the Conditions and/or attachments may also be obtained by contacting the Department of Environmental Protection, Siting Coordination Office, 2600 Blair Stone Rd, Tallahassee, Florida 32399-3000, (850) 717-9000.

Pursuant to Section 403.516, F.S., and Rule 62-17.211, Florida Administrative Code (F.A.C.), all parties to the certification proceeding have 45 days from the issuance of this notice in which to file a written objection to the modification. A public notice will also be published in the Florida Administrative Register (FAR) regarding this Intent to Modify the Conditions. Any person who is not already a party to the certification proceeding and whose substantial interests will be affected by the requested modification has 30 days from the date of publication of the notice in the FAR to object in writing. Failure to act within the time frame constitutes a waiver of the right to become a party. The Department will issue a Final Order Modifying the Conditions of Certification for Hines if no written objections are received by the Department.

Written objections must be filed (received) in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, MS 35, Tallahassee, Florida 32399-3000. If the Department does not receive any written objections, then an Order Modifying the Conditions of Certification shall be issued by the Department. If written objections are timely filed which address only a portion of the modification, then pursuant to subparagraph 62-17.211(1)(b)5, F.A.C., the Department shall issue an Order approving that portion of the modification to which no objections were filed, unless that portion of the modification is substantially related to or necessary to implement the portion to which written objections are filed. If objections are raised, or the Department denies the request, then pursuant to Section 403.516(1)(c)3, F.S., the applicant or Department may file a request for a hearing on the modification with the Department of Administrative Hearings. Such a request will be handled pursuant to Chapter 120, F.S.

Mediation is not available in this proceeding.

Any questions regarding this Intent to Modify Conditions of Certification should be directed to Nate Senn at (850) 717-9111. Questions regarding legal issues should be referred to the Department's Office of General Counsel at (850) 245-2677. Such contact with any of the above does not constitute an objection to the modification.

Sincerely,

Robert Robertson Digitally signed by Robert Robertson
Date: 2026.05.07 16:19:44 -04'00'

Rob Robertson, Environmental Administrator
Siting Coordination Office

CC by electronic mail:
Kelley Boatwright, Southwest District Director, DEP: Kelley.M.Boatwright@FloridaDEP.gov
Bob Sellers, Southwest District Liaison, DEP: Robert.Sellers@FloridaDEP.gov
Ilia Balcom, Lead Environmental Consultant, DEF: Ilia.Balcom@duke-energy.com

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

Service List: ***Sent by Electronic Mail – Document Access Verification Requested***

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