FLORIDA DEPARTMENT OF Environmental Protection

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

Ron DeSantis
Governor

Alexis A. Lambert
Secretary

March 14, 2025

Sent by Electronic Mail – Document Access Verification Requested

David McAgy
Station Manager
Crystal River North Plant & Fuel Operations
Duke Energy Florida
15760 West Power Line Street
Crystal River, Florida 34428
David.McAgy@Duke-Energy.com

RE: Crystal River Energy Complex (PA77-09)
Modification to Conditions of Certification (Mod V)
OGC Case Number 25-0422

NOTICE OF INTENT TO MODIFY CONDITIONS OF CERTIFICATION

Mr. McAgy:

On December 16, 2024, 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 Crystal River Energy Complex Site Certification in accordance with Section 403.516(1)(c), Florida Statutes (F.S.). The petition is to renew an exemption from the Class G-II ground water standard for sodium.

On January 15, 2025, the Department determined the petition complete. The Department intends to modify the Conditions of Certification (Conditions) for Crystal River Energy Complex to incorporate changes associated with DEF's petition. The proposed Conditions (PA77-09V) replace the existing Conditions (PA77-09U) in their entirety. These changes are shown in the Conditions using strikethrough/underline format, and can be downloaded from the following file transfer protocol (ftp) site:
https://publicfiles.dep.state.fl.us/Siting/Outgoing/DEF_CREC/Modifications/ModV_SodiumExemptionRenewal/20250303FinalProposedModVConditions.pdf.
Copies of the Draft 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.

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, F.S. Pursuant to Rules 28-106.201 and 28-106.301, F.A.C., 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, any e-mail address, any facsimile number, and telephone number of the petitioner, if the petitioner is not represented by an attorney or a qualified representative; 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 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.

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, or via electronic correspondence at Agency_Clerk@dep.state.fl.us. Also, a copy of the petition shall be mailed to the applicant at the address indicated above at the time of filing. 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.

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) 245-2257. Such contact with any of the above does not constitute an objection to the modification.

Sincerely,

Cindy Mulkey
Deputy Director Water Resource Management

CC by electronic mail:
Southwest District Director, DEP: Kelley.M.Boatwright@FloridaDEP.gov
Southwest District Liaison, DEP: Robert.Sellers@FloridaDEP.gov
Lead EHS 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.

Kaiden Miller Digitally signed by Kaiden Miller
Date: 2025.03.14 10:33:15 -04'00'

Clerk

3/14/2025
Date

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

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