

NOTICE OF INTENT TO ISSUE PROPOSED
MODIFICATION OF POWER PLANT CERTIFICATION

The Florida Department of Environmental Protection (Department) hereby provides notice of an intent to modify the Conditions of Certification (Conditions) issued pursuant to the Florida Electrical Power Plant Siting Act, 403.501 *et seq.*, Florida Statutes (“F.S.”), for the Crystal River Energy Complex (CREC) Units 3, 4, and 5, Power Plant Siting Application No. PA77-09, OGC Case No. 11-0486. On September 10, 2010, the Department received a petition from Progress Energy Florida to modify the Conditions for Crystal River Units 3, 4 & 5 pursuant to 403.516(1)(c), F.S., for the vertical expansion of the existing ash landfill. The Department proposes to modify the Conditions for CREC to allow a vertical elevation of no greater than +220 ft. NGVD, with slopes no steeper than 3H:1V. A copy of the proposed modification may be obtained by contacting the Department of Environmental Protection, Siting Coordination Office, 3900 Commonwealth Boulevard, MS 48, Tallahassee, Florida 32399-3000, (850) 245-2002. Pursuant to 403.516(1)(c)2, F.S., parties to the certification proceeding have **45 days** from issuance of notice 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 will constitute a waiver of objection to the requested modification. 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 this notice to object in writing. The written objection must be filed (received) in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, M.S. 35, Tallahassee, Florida, 32399-3000. If no objections are received, then a Final Order approving the modification shall be issued by the Department. If objections are raised and agreement can not be reached, then pursuant to Rule 62-17.211, Florida Administrative Code, the applicant may file a petition for modification seeking approval of those portions of the request for modification to which written objections were timely filed. Mediation is not available in this proceeding.