



**FLORIDA DEPARTMENT OF
ENVIRONMENTAL PROTECTION**

BOB MARTINEZ CENTER
2600 BLAIRSTONE ROAD
TALLAHASSEE, FLORIDA 32399-2400

RICK SCOTT
GOVERNOR

CARLOS LOPEZ-CANTERA
LT. GOVERNOR

HERSCHEL T. VINYARD JR.
SECRETARY

May 8, 2014

Sent by Electronic Mail – Document Access Verification Requested
(lenfagan@emienergy.com)

Leonard J. Fagan
Vice President of Engineering
Energy Management, Inc.
20 Park Plaza, Suite 320
Boston, Massachusetts 02116

RE: Gainesville Renewable Energy Center
Modification to Conditions of Certification
DEP Case Number PA 09-55A
OGC Case Number 14-0090

FINAL ORDER MODIFYING CONDITIONS OF CERTIFICATION

Dear Mr. Fagan:

On December 15, 2010, the Florida Siting Board issued a Site Certification to Gainesville Renewable Energy Center, LLC for the construction and operation of Gainesville Renewable Energy Center (GREC). Pursuant to Section 403.516(1)(c), Florida Statutes (F.S.), the Department has initiated a modification to GREC's Conditions to modify Sections B.I.C. and B.I.D which are inconsistent with recent changes in Florida Law and unnecessarily restrict the beneficial reuse of ash generated at the facility from burning forest residue and wood waste.

On March 18, 2014, all parties to the certification proceeding were provided notice of the Department's intent to modify the Conditions for GREC. On April 1, 2014, notice of the Department's intent to modify the Conditions for GREC was also published in the Florida Administrative Register (FAR).

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 notice in which to file a written objection to the modification. Pursuant to Section 403.516, F.S., and Rule 62-17.211, F.A.C., 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 public 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.

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These timeframes have expired and no objections to the modification have been received by the Department. Therefore, the Conditions for GREC are modified as described in the Department's Notice of Intent to Modify the Conditions of Certification dated March 18, 2014, which can be downloaded from the following file transfer protocol (ftp)

site: http://publicfiles.dep.state.fl.us/Siting/Outgoing/GREC/Modifications/Mod_A/ .

The final version of the modified Conditions (including attachments) can be viewed and obtained from the following

website: http://publicfiles.dep.state.fl.us/Siting/Outgoing/GREC/Modifications/Mod_A/2014_05_08_GREC_Mod_A_Final.pdf.

Copies of the Conditions and/or attachments may also be obtained by contacting the Department of Environmental Protection, Siting Coordination Office, 2600 Blair Stone Road, M.S. 5500, Tallahassee, Florida 32399-2400, (850) 717-9000.

Any party to the this Order has a right to seek judicial review of it pursuant to Section 120.68, F.S. by filing a Notice of Appeal, pursuant to Rule 9.110, Florida Rules of Appellate Procedure, with the Clerk of the Department of Environmental Protection 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 Order is filed with the Clerk of the Department of Environmental Protection.

Sincerely,



Justin B. Green
Administrator,
Siting Coordination Office

Sent by Electronic Mail:

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

Essie Turner
Clerk

5-8-2014
Date

Service List: *Sent by Electronic Mail – Received Receipt Requested*

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