FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION
BOB MARTINEZ CENTER
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TALLAHASSEE, FLORIDA 32399-2400

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JONATHAN P. STEVERSON
SECRETARY

February 5, 2015

Sent by Electronic Mail – Document Access Verification Requested

Mr. James O. Vick
Director, Environmental Affairs
Gulf Power Company
One Energy Place
Pensacola, Florida 32520-0100

RE: Gulf Power Lansing Smith Unit 3
Modification to Conditions of Certification
DEP Case Number PA 99-40B
OGC Case Number 10-2811

FINAL ORDER MODIFYING CONDITIONS OF CERTIFICATION

Dear Mr. Vick:

On July 28, 2000, the Florida Siting Board issued a Site Certification to Gulf Power Company (GPC) for the construction and operation of Lansing-Smith Unit 3 (LS3). The Department of Environmental Protection (Department) has modified the Conditions of Certification (Conditions) for LS3 by Final Order on one other occasion. Pursuant to Section 403.516(1)(c), Florida Statutes (F.S.), the Department has initiated a modification to LS3 Conditions to reflect recent rule and General Condition language changes for the Department.

On December 19, 2014, all parties to the certification proceeding were provided notice of the Department's intent to modify the Conditions for LS3. On December 10, 2014, notice of the Department's intent to modify the Conditions for LS3 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.

These timeframes have expired and no objections to the modification have been received by the Department. Therefore, the Conditions for LS3 are modified as described in the Department's Notice of Intent to Modify the Conditions of Certification dated December 19, 2014, which can be downloaded from the following file transfer protocol (ftp) site: http://publicfiles.dep.state.fl.us/Siting/Outgoing/GPC_Lansing%20Simth%20Unit3/Modifications/Mod%20B_DEP_Initiated/.

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/Web/Certification/pa99_40_2015_B.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 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 Green
Administrator,
Siting Coordination Office

CC by electronic mail:
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Ashley Jansen, GPC: adjansen@southern.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

2/5/15
Date

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

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