

Jeb Bush
Governor

Department of Environmental Protection

Marjory Stoneman Douglas Building
3900 Commonwealth Boulevard
Tallahassee, Florida 32399-3000

David B. Struhs
Secretary

MAILED
3 Dec 03 *by*

December 3, 2003

- CERTIFIED MAIL - RETURN RECEIPT REQUESTED -

Ms. Barbara P. Linkiewicz
Environmental Licensing Manager
Florida Power & Light Company
Post Office Box 14000
Juno Beach, Florida 33408

RE: FPL Manatee Unit 3, PA 02-44
(Postcertification Amendment dated November 4, 2003)

Dear Ms. Linkiewicz:

On November 5, 2003, the Department received a postcertification amendment to the application for the Manatee Unit 3 to reflect revisions and connections to the existing Manatee Plant site potable water distribution system. The Department has determined pursuant to Section 62-17.205, F.A.C., that the November 4, 2003, post-certification amendment to the application would not require modification to the conditions of certification for the facility. The Department has no objection to the implementation of the proposed installation of a potable water distribution system for Unit 8 connecting to the existing Manatee Plant potable water system.

The Department's Order shall become final unless a timely petition for an administrative hearing is filed under sections 120.569 and 120.57, Florida Statutes ("F.S."), within **21** days of receipt of this Order. The procedures for petitioning for a hearing are set forth below.

Persons affected by this Order have the following options:

If you choose to accept the above decision by the Department concerning the postcertification amendment you do not have to do anything. This Order is final and effective as of the date on the top of the first page of this Order.

If you disagree with the decision, you may do one of the following:

1. File a petition for administrative hearing with the Department's Office of General Counsel within **21** days of receipt of this Order; or
2. File a request for an extension of time to file a petition for hearing with the Department's Office of General Counsel within **21** days of receipt of this Order. Such a request should be made if you wish to meet with the Department in an attempt to informally resolve any disputes without first filing a petition for hearing.

Please be advised that mediation of this decision pursuant to section 120.573, Florida Statutes ("F.S."), is not available.

"More Protection, Less Process"

Printed on recycled paper.

How to Request an Extension of Time to File a Petition for Hearing

For good cause shown, pursuant to rule 62-110.106(4), Florida Administrative Code ("F.A.C."), the Department may grant a request for an extension of time to file a petition for hearing. Such a request must be filed (received) in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida, 32399-3000, within **21** days of receipt of this Order. Petitioner, if different from the addressee, shall mail a copy of the request to the addressee at the time of filing. Timely filing a request for an extension of time tolls the time period within which a petition for administrative hearing must be made.

How to File a Petition for Administrative Hearing

A person whose substantial interests are affected by this Order may petition for an administrative proceeding (hearing) under sections 120.569 and 120.57, F.S. The petition must contain the information set forth below and must be filed (received) in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, MS 35, Tallahassee, Florida, 32399-3000, within **21** days of receipt of this Order. Petitioner, if different from the addressee, shall mail a copy of the petition to the addressee at the time of filing. Failure to file a petition within this time period shall waive the right of anyone who may request an administrative hearing under sections 120.569 and 120.57, F.S.

Pursuant to subsections 120.54(5)(b)4 and 120.569(2), F.S. and rule 28-106.201, F.A.C., a petition for administrative hearing shall contain the following information:

- a) The name, address, and telephone number of each petitioner, the name, address, and telephone number of the petitioner's representative, if any, the site owner's name and address, if different from the petitioner, the DEP facility number, and the name and address of the facility;
- b) A statement of how and when each petitioner received notice of the Department's action or proposed action;
- c) An explanation of how each petitioner's substantial interests are or will be affected by the Department's action or proposed action;
- d) A statement of the material facts disputed by the petitioner, or a statement that there are no disputed facts;
- e) A statement of the ultimate facts alleged, including a statement of the specific facts the petitioner contends warrant reversal or modification of the Department's action or proposed action;
- f) A statement of the specific rules or statutes the petitioner contends requires reversal or modification of the Department's action or proposed action; and
- g) A statement of the relief sought by the petitioner, stating precisely the action petitioner wishes the Department to take with respect to the Department's action or proposed action.

This Order is final and effective as of the date on the top of the first page of this Order. Timely filing a petition for administrative hearing postpones the date this Order takes effect until the Department issues either a final order pursuant to an administrative hearing or an Order Responding to Supplemental Information provided to the Department pursuant to meetings with the Department.

Judicial Review

Any party to this Order has the right to seek judicial review of it under section 120.68, F.S., by filing a notice of appeal under rule 9.110 of the Florida Rules of Appellate Procedure with the clerk of the Department in the Office of General Counsel, Mail Station 35, 3900 Commonwealth Boulevard, 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 thirty days after this order is filed with the clerk of the Department (see below).

Questions

Any questions regarding the Department's review of your postcertification amendment should be directed to Hamilton S. Oven, P.E. at (850) 245-8002. Questions regarding legal issues should be referred to the Department's Office of General Counsel at (850) 245 - 2242. Contact with any of the above does not constitute a petition for administrative hearing or request for an extension of time to file a petition for administrative hearing.

Sincerely,

Hamilton S. Oven
Hamilton S. Oven, P.E.
Administrator
Siting Coordination Office

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

Janda Kerkows 12/3/03
Clerk Date
(or Deputy Clerk)

cc: Scott Goorland, Esq.
Tim Parker, SW District
James Antista, Esq.
Colin Roopnarine, Esq.
Roger Tucker, Esq.
Bill Priesmeyer

Douglas Roberts, Esq.
Martha Moore, Esq.
Sheauching Yu, Esq.
Martha Carter Brown, Esq.
Jeff Steinsnyder, Esq.
Glenn Compton

Ms. Barbara P. Linkiewicz
Environmental Licensing Manager
Florida Power & Light Company
Post Office Box 1400
Juno Beach, FL 33408

Scott Goorland, Esquire
OGC- MS 35

Tim Parker, Southwest District

Ms. Barbara P. Linkiewicz
Environmental Licensing Manager
Florida Power & Light Company
Post Office Box 1400
Juno Beach, FL 33408

James Antista, Esquire
Fish & Wildlife Conservation
Commission
620 South Meridian Street
Tallahassee, FL 32399-1600

James Antista, Esquire
Fish & Wildlife Conservation
Commission
620 South Meridian Street
Tallahassee, FL 32399-1600

Colin Roopnarine, Esquire
Dept. of Community Affairs
2555 Shumard Oak Blvd
Tallahassee, FL 32399-2100

Colin Roopnarine, Esquire
Dept. of Community Affairs
2555 Shumard Oak Blvd
Tallahassee, FL 32399-2100

Roger Tucker, Esquire
Tampa Bay Regional Planning Council
9455 Koger Blvd., Suit 219
St. Petersburg, FL 33702-2491

Roger Tucker, Esquire
Tampa Bay Regional Planning Council
9455 Koger Blvd., Suit 219
St. Petersburg, FL 33702-2491

Bill Priesmeyer
Manatee County Health Dept.
Drinking Water Division
410 6th Avenue East
Bradenton, FL 34208

Bill Priesmeyer
Manatee County Health Dept.
Drinking Water Division
410 6th Avenue East
Bradenton, FL 34208

Douglas Roberts, Esquire
Hopping Boyd Green & Sams
123 South Calhoun Street
Tallahassee, FL 32314

Douglas Roberts, Esquire
Hopping Boyd Green & Sams
123 South Calhoun Street
Tallahassee, FL 32314

Martha Moore, Esquire
Southwest Florida Water Mngt Dist
2379 Broad Street
Brooksville, FL 324604-6899

Martha Moore, Esquire
Southwest Florida Water Mngt Dist
2379 Broad Street
Brooksville, FL 324604-6899

Sheauching Yu, Esquire
Dept of Transportation
Haydon Burns Bldg
605 Suwannee Street, MS 58
Tallahassee, FL 32399-0450

Sheauching Yu, Esquire
Dept of Transportation
Haydon Burns Bldg
605 Suwannee Street, MS 58
Tallahassee, FL 32399-0450

Martha Carter Brown, Esquire
Public Service Commission
Gerald Gunter Bldg
2450 Shumard Oak Blvd
Tallahassee, FL 32399-0850

Martha Carter Brown, Esquire
Public Service Commission
Gerald Gunter Bldg
2450 Shumard Oak Blvd
Tallahassee, FL 32399-0850

Jeff Steinsnyder, Esquire
Manatee County Attorney's Office
Post Office Box 1000
Bradenton, FL 34206

Jeff Steinsnyder, Esquire
Manatee County Attorney's Office
Post Office Box 1000
Bradenton, FL 34206

Glenn Compton, Chairman
ManaSota-88, Inc.
419 Rubens Drive
Nokomis, FL 34275

Glenn Compton, Chairman
ManaSota-88, Inc.
419 Rubens Drive
Nokomis, FL 34275

SENDER: COMPLETE

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Bill Priesmeyer
Manatee County Health Dept.
Drinking Water Division
410 6th Avenue East
Bradenton, FL 34208

2. Article Number

7003 0500 0004 0141 8078

(Transfer from service label)

PS Form 3811, August 2001

Domestic Return Receipt

2ACPRI-03-P-4081

SENDER: COMPLETE THIS

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Douglas Roberts, Esquire
Hopping Boyd Green & Sams
123 South Calhoun Street
Tallahassee, FL 32314

2. Article Number

7003 0500 0004 0141 8085

(Transfer from service label)

PS Form 3811, August 2001

Domestic Return Receipt

2ACPRI-03-P-4081

SENDER: COMPLETE

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Martha Moore, Esquire
Southwest Florida Water Mngt Dist
2379 Broad Street
Brooksville, FL 324604-6899

2. Article Number

7003 0500 0004 0141 8092

(Transfer from service label)

PS Form 3811, August 2001

Domestic Return Receipt

2ACPRI-03-P-4081

SENDER: COMPLETE

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Glenn Compton, Chairman
ManaSota-88, Inc.
419 Rubens Drive
Nokomis, FL 34275

2. Article Number

7003 0500 0004 0141 8139

(Transfer from service label)

PS Form 3811, August 2001

Domestic Return Receipt

2ACPRI-03-P-4081

A. Signature

x Sandra Kelly

☐ Agent☐ Addressee

B. Received by (Printed Name)

Sandra Kelly

C. Date of Delivery

12-8-03

D. Is delivery address different from item 1?

☐ Yes

if YES, enter delivery address below:

☐ No

3. Service Type

☒ Certified Mail☐ Express Mail☒ Registered☒ Return Receipt for Merchandise☐ Insured Mail☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

A. Signature

x Greg

☐ Agent☐ Addressee

B. Received by (Printed Name)

Greg

C. Date of Delivery

12-8-03

D. Is delivery address different from item 1?

☐ Yes

if YES, enter delivery address below:

☐ No

3. Service Type

☒ Certified Mail☐ Express Mail☐ Registered☒ Return Receipt for Merchandise☐ Insured Mail☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

A. Signature

x D. Valle

☐ Agent☐ Addressee

B. Received by (Printed Name)

D. Valle

C. Date of Delivery

12-8-03

D. Is delivery address different from item 1?

☐ Yes

if YES, enter delivery address below:

☐ No

3. Service Type

☒ Certified Mail☐ Express Mail☐ Registered☒ Return Receipt for Merchandise☐ Insured Mail☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

A. Signature

x Glen Compton

☐ Agent☐ Addressee

B. Received by (Printed Name)

Glen Compton

C. Date of Delivery

12/6/03

D. Is delivery address different from item 1?

☐ Yes

if YES, enter delivery address below:

☐ No

3. Service Type

☒ Certified Mail☐ Express Mail☐ Registered☒ Return Receipt for Merchandise☐ Insured Mail☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

UNITED STATES POSTAL SERVICE



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USPS
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Holidays

• Sender: Please print your name, address, and ZIP+4 in this box •

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DEPARTMENT OF ENVIRONMENTAL PROTECTION
TWIN TOWERS OFFICE BUILDING
2600 BLAIR STONE ROAD, MS 48
TALLAHASSEE, FLORIDA 32399-2400

32399/2400

UNITED STATES POSTAL SERVICE



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USPS
Permit No. G-10

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DEPARTMENT OF ENVIRONMENTAL PROTECTION
TWIN TOWERS OFFICE BUILDING
2600 BLAIR STONE ROAD, MS 48
TALLAHASSEE, FLORIDA 32399-2400

01



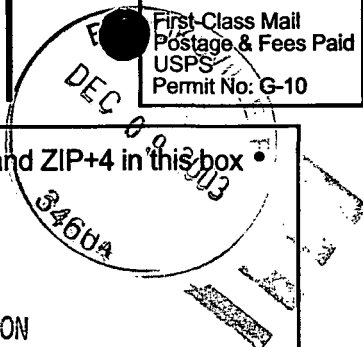
UNITED STATES POSTAL SERVICE



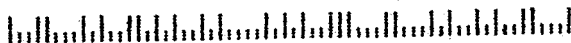
First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

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STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
TWIN TOWERS OFFICE BUILDING
2600 BLAIR STONE ROAD, MS 48
TALLAHASSEE, FLORIDA 32399-2400



01



UNITED STATES POSTAL SERVICE



First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

• Sender: Please print your name, address, and ZIP+4 in this box •

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
TWIN TOWERS OFFICE BUILDING
2600 BLAIR STONE ROAD, MS 48
TALLAHASSEE, FLORIDA 32399-2400

32399/2400

SENDER: COMPLETE

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Ms. Barbara P. Linkiewicz
Environmental Licensing Manager
Florida Power & Light Company
Post Office Box 1400-14000
Juno Beach, FL 33408

A. Signature

X *Tom Raw*

B. Received by (Printed Name)

Tom Raw

C. Date of Delivery

D. Is delivery address different from item 1?

if YES, enter delivery address below:

☐ Yes
☒ No

3. Service Type

☒ Certified Mail ☐ Express Mail
☐ Registered ☒ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

2. Article Number

(Transfer from)

7003 0500 0004 0141 8030

PS Form 3811, August 2001

Domestic Return Receipt

2ACPRI-03-P-4081

SENDER: COMPLETE

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Colin Roopnarine, Esquire
Dept. of Community Affairs
2555 Shumard Oak Blvd
Tallahassee, FL 32399-2100

A. Signature

X

☐ Agent
☐ Addressee

B. Received by (Printed Name)

RECEIVED

C. Date of Delivery

D. Is delivery address different from item 1?

if YES, enter delivery address below:

☐ Yes
☒ No

3. Service Type

☒ Certified Mail ☐ Express Mail
☐ Registered ☒ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

2. Article

(Transfer from)

7003 0500 0004 0141 8047

PS Form 3811, August 2001

Domestic Return Receipt

2ACPRI-03-P-4081

SENDER: COMPLETE

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

James Antista, Esquire
Fish & Wildlife Conservation
Commission
620 South Meridian Street
Tallahassee, FL 32399-1600

A. Signature

X *Bobbi Jaray*

☐ Agent
☐ Addressee

B. Received by (Printed Name)

Bobbi Jaray

C. Date of Delivery

D. Is delivery address different from item 1?

if YES, enter delivery address below:

☐ Yes
☒ No

3. Service Type

☒ Certified Mail ☐ Express Mail
☐ Registered ☒ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

2. Article Number

(Transfer from service)

7003 0500 0004 0141 8054

PS Form 3811, August 2001

Domestic Return Receipt

2ACPRI-03-P-4081

SENDER: COMPLETE

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Roger Tucker, Esquire
Tampa Bay Regional Planning Council
9455 Koger Blvd., Suite 219
St. Petersburg, FL 33702-2491

A. Signature

X *Bobbi Jaray*

☐ Agent
☐ Addressee

B. Received by (Printed Name)

Bobbi Jaray

C. Date of Delivery

D. Is delivery address different from item 1?

if YES, enter delivery address below:

☐ Yes
☒ No

3. Service Type

☒ Certified Mail ☐ Express Mail
☐ Registered ☒ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

2. Article Number

(Transfer from service)

7003 0500 0004 0141 8054

PS Form 3811, August 2001

Domestic Return Receipt

2ACPRI-03-P-4081

UNITED STATES FATAL SERVICE



First-Class Mail
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USPS
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2600 BLAIR STONE ROAD, MS 48
TALLAHASSEE, FLORIDA 32399-2400

2578/2400

UNITED STATES POSTAL SERVICE



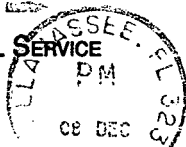
~~First-Class Mail~~
~~Postage & Fees Paid~~
~~USPS~~
~~Permit No. G-10~~

• Sender: Please print your name, address, and ZIP+4 in this box •

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
TWIN TOWERS OFFICE BUILDING
2600 BLAIR STONE ROAD, MS 48
TALLAHASSEE, FLORIDA 32399-2400

0333/2400

UNITED STATES POSTAL SERVICE



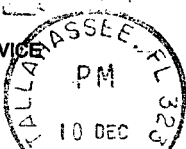
First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

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STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
TWIN TOWERS OFFICE BUILDING
2600 BLAIR STONE ROAD, MS 48
TALLAHASSEE, FLORIDA 32399-2400

01

UNITED STATES POSTAL SERVICE



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• Sender: Please print your name, address, and ZIP+4 in this box •

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
TWIN TOWERS OFFICE BUILDING
2600 BLAIR STONE ROAD, MS 48
TALLAHASSEE, FLORIDA 32399-2400

2399+6742

SENDER: COMPLETE THIS

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Martha Carter Brown, Esquire
Public Service Commission
Gerald Gunter Bldg
2450 Shumard Oak Blvd
Tallahassee, FL 32399-0850

X

B. Received by (Printed Name)

☐ Agent

☐ Addressee

C. Date of Delivery

12-5

D. Is delivery address different from item 1? ☐ Yes
if YES, enter delivery address below: ☐ No

3. Service Type

☒ Certified Mail

☐ Express Mail

☐ Registered

☐ Return Receipt for Merchandise

☐ Insured Mail

☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

2. Article Number

(Transfer from s)

7003 0500 0004 0141 8115

PS Form 3811, August 2001

Domestic Return Receipt

2ACPRI-03-P-4081

SENDER: COMPLE

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Jeff Steinsnyder, Esquire
Manatee County Attorney's Office
Post Office Box 1000
Bradenton, FL 34206

B. Received by (Printed Name)

☐ Agent

☐ Addressee

C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes
if YES, enter delivery address below: ☐ No

3. Service Type

☒ Certified Mail

☐ Express Mail

☐ Registered

☐ Return Receipt for Merchandise

☐ Insured Mail

☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

2. Article Number

(Transfer from service)

7003 0500 0004 0141 8122

PS Form 3811, August 2001

Domestic Return Receipt

2ACPRI-03-P-4081

SENDER: COMPLETE

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Sheauching Yu, Esquire
Dept of Transportation
Haydon Burns Bldg
605 Suwannee Street, MS 58
Tallahassee, FL 32399-0450

A. Signature

X

B. Received by (Printed Name)

☐ Agent

☐ Addressee

C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes
if YES, enter delivery address below: ☐ No

3. Service Type

☒ Certified Mail

☐ Express Mail

☐ Registered

☒ Return Receipt for Merchandise

☐ Insured Mail

☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

2. Article Number

(Transfer from)

7003 0500 0004 0141 8108

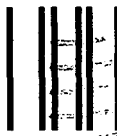
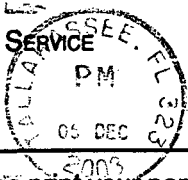
PS Form 3811, August 2001

Domestic Return Receipt

2ACPRI-03-P-4081

UNITED STATES F

AL SERVICE



First-Class Mail
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USPS
Permit No. G-10

• Sender: Please print your name, address, and ZIP+4 in this box •

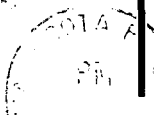
STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
TWIN TOWERS OFFICE BUILDING
2600 BLAIR STONE ROAD, MS 48
TALLAHASSEE, FLORIDA 32399-2400

2399+6342



UNITED STATES F

AL SERVICE

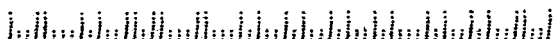


First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

• Sender: Please print your name, address, and ZIP+4 in this box •

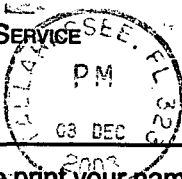
STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
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