



Florida Department of Environmental Protection

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

Rick Scott
Governor

Carlos Lopez-Cantera
Lt. Governor

Jonathan P. Steverson
Secretary

December 6, 2016

Sent by Electronic Mail – Document Access Verification Requested

Matthew J. Raffenberg
Sr. Director, Licensing and Permitting
Florida Power & Light Company
700 Universe Boulevard
Juno Beach, Florida 33408

RE: Manatee Electric Power Generation Facility Unit 3
Modification to Conditions of Certification
DEP Case Number PA 02-44D
OGC Case Number 16-1216

FINAL ORDER MODIFYING CONDITIONS OF CERTIFICATION

Dear Mr. Raffenberg:

On April 13, 2003, the Florida Siting Board issued a Site Certification to Florida Power & Light Company (FPL) for the construction and operation of Manatee Electric Power Generation Facility Unit 3 (Manatee Unit 3.) in Manatee County. The Department of Environmental Protection (Department) has modified the Conditions of Certification (Conditions) for Manatee Unit 3 by Final Order on three other occasions.

The Department has reviewed FPL's petition dated August 1, 2016 for a modification to Manatee Unit 3's Conditions of Certification to construct and operate a technician building pursuant to Section 403.516(1)(c), Florida Statutes (F.S.). Additionally, the Department has considered modifications pursuant to 403.516(1)(c), F.S., to incorporate a uniform set of general conditions consistent with recent site certifications, and to update antiquated specific conditions that are no longer applicable or consistent with current regulations.

On October 20, 2016, all parties to the certification proceeding were provided notice of the Department's intent to modify the Conditions for Manatee Unit 3. On October 27,

Mr. Matthew J. Raffenberg

Page 2 of 4

December 6, 2016

2016, notice of the Department's intent to modify the Conditions for Manatee 3 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 Manatee 3 are modified as described in the Department's Notice of Intent to Modify the Conditions of Certification dated October 20, 2016, which can be downloaded from the following file transfer protocol (ftp) site:

http://publicfiles.dep.state.fl.us/Siting/Outgoing/FPL_Manatee_Unit_3/Modifications/Mod_D_Tech_Building/

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/pa02_44_2016_D.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,

A handwritten signature in blue ink, appearing to read "Cindy Mulkey", with a large, sweeping loop at the end.

Cindy Mulkey
Administrator,
Siting Coordination Office

Mr. Matthew J. Raffenberg

Page 3 of 4

December 6, 2016

CC by electronic mail:

District Director, FDEP: mary.yeargan@dep.state.fl.us

District Liaison, FDEP: mark.langford@dep.state.fl.us

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

Date

Mr. Matthew J. Raffenberg

Page 4 of 4

December 6, 2016

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

Benjamin Melnick, Esquire
Department of Environmental Protection
3900 Commonwealth Boulevard, M.S. 35
Tallahassee, Florida 32399-3000
benjamin.melnick@dep.state.fl.us

Keino Young
Florida Public Service Commission
Office of General Counsel
2450 Shumard Oak Boulevard
Tallahassee, Florida 32399-0850
kyoung@psc.state.fl.us

Anthony Pinzino, Esquire
Florida Fish & Wildlife Conservation
Commission
620 South Meridian Street
Tallahassee, Florida 32399-1600
anthony.pinzino@myfwc.com

Scott Rogers
Department of Economic Opportunity
107 East Madison Street
Tallahassee, Florida 32399
scott.rogers@deo.myflorida.com

Sean T. Sullivan
Executive Director
Tampa Bay Regional Planning Council
4000 Gateway Centre Blvd.
Suite 100
Pinellas Park, FL 33782
sean@tbrpc.org

Kimberly Menchion, Esquire
Assistant General Counsel
Department of Transportation
605 Suwannee Street, MS 58
Tallahassee, Florida 32399-0458
kimberly.menchion@dot.state.fl.us
jasmin.raffington@dot.state.fl.us

Deena Woodward
Department of State - DHR
R.A. Gray Building 4th Floor
500 South Bronough Street
Tallahassee, Florida 32399-0250
deena.woodward@dos.myflorida.com

Vivian Arenas-Battles
Assistant General Counsel
Southwest Florida Water Management District
7601 US Highway 301 North
Tampa, Florida 33637-6759
Vivian.Arenas-Battles@swfwmd.state.fl.us

Mitchell Palmer
Manatee County Attorney
1112 Manatee Avenue West
Bradenton, FL 34205
mitchell.palmer@mymanatee.org