



FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION

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TALLAHASSEE, FLORIDA 32399-2400

RICK SCOTT
GOVERNOR

HERSCHEL T. VINYARD JR.
SECRETARY

June 18, 2013

Sent by Electronic Mail – Document Access Verification Requested

Micah Leis
Environmental Coordinator
New Hope Power Company
21250 US Highway 27
South Bay, Florida 33493

RE: Okeelanta Cogeneration Facility
Modification to Conditions of Certification
DEP Case Number PA 04-46B
OGC Case Number 13-0876

FINAL ORDER MODIFYING CONDITIONS OF CERTIFICATION

Dear Mr. Leis:

On May 26, 2005, the Florida Siting Board issued a Site Certification to New Hope Power Company (NHPC) for the construction and operation of Okeelanta Cogeneration Facility (Okeelanta) in Palm Beach County. The Department of Environmental Protection (Department) has modified the Conditions of Certification (Conditions) for Okeelanta by Final Order on one other occasion.

The Department has reviewed NHPC's petition dated February 5, 2013 for a modification to Okeelanta's Conditions pursuant to Section 403.516(1)(c), Florida Statutes (F.S.), to connect the existing two cooling tower ponds to allow water allocations from the existing South Florida Water Management District (SFWMD) to be used at both existing cooling towers 1 and 2. There will be no increase in the total SFWMD water allocations.

On May 3, 2013, all parties to the certification proceeding were provided notice of the Department's intent to modify the Conditions for Okeelanta. On May 6, 2013, notice of the Department's intent to modify the Conditions for Okeelanta 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 Okeelanta are modified as described in the Department's Notice of Intent to Modify the Conditions of Certification dated May 3, 2013, which can be downloaded

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from the following file transfer protocol (ftp) site:

http://publicfiles.dep.state.fl.us/Siting/Outgoing/New_Hope_Okeelanta/New_Hope_Okeelanta_Mod_B/

The final version of the modified Conditions (including attachments) can be viewed and obtained from the following website: <http://www.dep.state.fl.us/siting/certification.htm>

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,



Cindy Mulkey
Administrator,
Siting Coordination Office

CC by email:

Jon Iglehart, District Director, FDEP: Jon.Iglehart@dep.state.fl.us

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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.


Clerk

6-18-2013
Date

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

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