



FLORIDA DEPARTMENT OF Environmental Protection

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

Ron DeSantis
Governor

Jeanette Nuñez
Lt. Governor

Noah Valenstein
Secretary

November 24, 2020

Sent by Electronic Mail – Document Access Verification Requested

Matthew Capone
Director of Environmental Compliance
New Hope Power Company
Okeelanta Cogeneration Facility
21250 US Highway 27
South Bay, Florida 33493
Matthew.Capone@floridacrystals.com

RE: Okeelanta Cogeneration Facility
Modification to Conditions of Certification
DEP Case Number PA04-46D
OGC Case Number 20-0235

FINAL ORDER MODIFYING CONDITIONS OF CERTIFICATION

Dear Mr. Capone:

The Florida Siting Board issued a Site Certification to the New Hope Power Company (NHPC) for the construction and operation of the Okeelanta Cogeneration Facility (Cogen Facility) on March 31, 2008, in Palm Beach County. The Department of Environmental Protection (Department) has modified the Conditions of Certification (Conditions) for the Cogen Facility by Final Order on three other occasions.

Pursuant to §403.516(1)(c), Florida Statutes (F.S.), the Department has reviewed NHPC's petition for modification, dated March 17, 2020, to the Cogen Facility's Site Certification Application for a revision to the Ground Water Monitoring Plan. This revision will allow the change of well OKC-12 from a compliance monitoring well to an intermediate monitoring well.

On October 8, 2020 all parties to the certification proceeding were provided notice of the Department's intent to modify the Conditions for the Cogen Facility. On October 13, 2020, notice of the Department's intent to modify the Conditions for the Cogen Facility was also published in the Florida Administrative Register (FAR).

Pursuant to §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 §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 timeframe constitutes a waiver of the right to become a party.

These timeframes have expired, and the Department did not receive any objections to the modification. 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/pa04_46_2020_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 §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 electronic mail:

Engineer of Record, Okeelanta Cogeneration Facility: glen@miller-engineer.com

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District Director SD, DEP: jon.iglehart@FloridaDEP.gov

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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

Date

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

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