



Florida Department of Environmental Protection

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

Rick Scott
Governor

Carlos Lopez-Cantera
Lt. Governor

Noah Valenstein
Secretary

July 12, 2017

Sent by Electronic Mail – Document Access Verification Requested

Marybeth Morrison
Director, Environmental Programs
Solid Waste Authority of Palm Beach County
7501 North Jog Road
West Palm Beach, Florida 33412
mmorrison@swa.org

RE: Palm Beach County Renewable Energy Park
Modification to Conditions of Certification
DEP Case Number PA 84-200
OGC Case Number 17-0232

FINAL ORDER MODIFYING CONDITIONS OF CERTIFICATION

Dear Ms. Morrison:

The Florida Siting Board issued a Site Certification to the Solid Waste Authority of Palm Beach County for the construction and operation of the Palm Beach County Renewable Energy Park (PBCREP) Facility 1 and Facility 2 expansion on July 29, 1986 and September 1, 2011, respectively. The Department of Environmental Protection (Department) has modified the Conditions of Certification (Conditions) for PBCREP by Final Order on fourteen other occasions. Pursuant to Section 403.516(1)(c), Florida Statutes (F.S.), the Department has initiated a modification to PBCREP's Conditions to reconfigure the authorized withdrawal facilities and to allow greater flexibility for South Florida Water Management District approval of future withdrawal facility changes.

On May 22, 2017, all parties to the certification proceeding were provided notice of the Department's intent to modify the Conditions for PBCREP. On May 31, 2017, notice of the Department's intent to modify the Conditions for PBCREP 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 PBCREP are modified as described in the Department's Notice of Intent to Modify the Conditions of Certification dated May 22, 2017, which can be downloaded from the following file transfer protocol (ftp) site: http://publicfiles.dep.state.fl.us/Siting/Outgoing/PBC%20SWA/Mod_O_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/pa84_20_2017_O.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 stylized flourish at the end.

Cindy Mulkey
Administrator,
Siting Coordination Office

CC by electronic mail:

District Director, FDEP: jennifer.k.smith@dep.state.fl.us

District Liaison, FDEP: paul.wierzbiicki@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

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

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