



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
Interim Secretary

March 1, 2016

Sent by Electronic Mail – Document Access Verification Requested

Mr. Stanley M. Kroh
Manager - Land and Water Programs
Environmental, Health, and Safety
Tampa Electric Company
P.O. Box 111
Tampa, Florida 33601-0111

RE: Polk Power Station
Modification to Conditions of Certification
DEP Case Number PA 92-32Q
OGC Case Number 15-0223

FINAL ORDER MODIFYING CONDITIONS OF CERTIFICATION

Dear Mr. Kroh:

On January 27, 1994, the Florida Siting Board issued a Site Certification to Tampa Electric Company (TEC) for the construction and operation of Polk Power Station (PPS) in Polk County. The Department of Environmental Protection (Department) has modified the Conditions of Certification (Conditions) for PPS by Final Order on fifteen other occasions.

The Department has reviewed TEC's petition dated April 10, 2015 for a modification to PPS's Conditions pursuant to Section 403.516(1)(c), Florida Statutes (F.S.), to modify the Polk County corridor of the PPS Reclaimed Water Pipeline Phase II approved under Modification P. The modification request is to further expand the Polk Tie-in Corridor at the north end of the project to provide for maximum flexibility for pipe placement and allow for the potential future use of a pipeline to discharge water from the public access reuse into Lakeland's Water Treatment System.

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On January 12, 2016, all parties to the certification proceeding were provided notice of the Department's intent to modify the Conditions for PPS. On January 15, 2016, notice of the Department's intent to modify the Conditions for PPS 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 PPS are modified as described in the Department's Notice of Intent to Modify the Conditions of Certification dated January 12, 2016, which can be downloaded from the following file transfer protocol (ftp) site: http://publicfiles.dep.state.fl.us/Siting/Outgoing/TECO_Polk/Modification_Q/NOI/.

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/pa92_32_2016_Q.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 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,

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

Cindy Mulkey
Program Administrator,
Siting Coordination Office

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cc by electronic email:

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Adrian Alcoz, TEC: ajalcoz@tecoenergy.com

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. Stanley M. Kroh

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

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