



# Florida Department of Environmental Protection

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

Charlie Crist  
Governor

Jeff Kottkamp  
Lt. Governor

Michael W. Sole  
Secretary

September 8, 2008

## CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Mr. Robert Yarborough  
Senior Environmental Engineer  
Seminole Electric Coop., Inc.  
16313 North Dale Mabry Highway  
Tampa, FL 33688-2000

Re: Seminole Generating Station 1&2  
Amendment to PA78-10  
Potable Well Installation - ID 2541450

Dear Mr. Yarborough;

On June 20, 2008, the Siting Coordination Office received a request from Seminole Electric Cooperative, Inc. (SECI) for an amendment to the Seminole Generating Station (SGS) Units 1 & 2. The amendment request addressed installation of three new potable wells to be installed at SGS. Seminole intends to use these wells for its sole source of potable water. The wells will be connected to the potable water system through existing lines designed for potable water.

Pursuant to Section 403.5113(1)(b), Florida Statutes (F.S.), the Department has determined that this request is an amendment to the application that will not require modification to the Conditions of Certification (COC) for the facility. The Department's Order shall become final unless a timely petition for an administrative hearing is filed under sections 120.569 and 120.57, F.S., within 21 days of receipt of this Order.

The procedures for petitioning for a hearing are set forth below. Persons affected by this Order have the following options:

- If you choose to accept the above decision by the Department concerning the postcertification amendment you do not have to do anything. This Order is final and effective as of the date on the top of the first page of this Order.
- If you disagree with the decision, you may do one of the following:

1. File a petition for administrative hearing with the Department's Office of General Counsel within 21 days of receipt of this Order; or
2. File a request for an extension of time to file a petition for hearing with the Department's Office of General Counsel within 21 days of receipt of this Order. Such a request should be made if you wish to meet with the Department in an attempt to informally resolve any disputes without first filing a petition for hearing.

Please be advised that mediation of this decision pursuant to section 120.573, Florida Statutes (F.S.), is not available.

#### How to Request an Extension of Time to File a Petition for Hearing

For good cause shown, pursuant to rule 62-110.106(4), Florida Administrative Code (F.A.C.), the Department may grant a request for an extension of time to file a petition for hearing. Such a request must be filed (received) in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida, 32399-3000, within 21 days of receipt of this Order. Petitioner, if different from the addressee, shall mail a copy of the request to the addressee at the time of filing.

Timely filing a request for an extension of time tolls the time period within which a petition for administrative hearing must be made.

#### How to File a Petition for Administrative Hearing

A person whose substantial interests are affected by this Order may petition for an administrative proceeding (hearing) under sections 120.569 and 120.57, F.S. The petition must contain the information set forth below and must be filed (received) in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, MS 35, Tallahassee, Florida, 32399-3000, within 21 days of receipt of this Order. Petitioner, if different from the addressee, shall mail a copy of the petition to the addressee at the time of filing. Failure to file a petition within this time period shall waive the right of anyone who may request an administrative hearing under sections 120.569 and 120.57, F.S.

Pursuant to subsections 120.54(5)(b)4 and 120.569(2), F.S. and rule 28-106.201, F.A.C., a petition for administrative hearing shall contain the following information:

- The name, address, and telephone number of each petitioner, the name, address, and telephone number of the petitioner's representative, if any, the site owner's name and address, if different from the petitioner, the DEP facility number, and the name and address of the facility;
- A statement of how and when each petitioner received notice of the Department's action or proposed action;
- An explanation of how each petitioner's substantial interests are or will be affected by the Department's action or proposed action;

- A statement of the material facts disputed by the petitioner, or a statement that there are no disputed facts;
- A statement of the ultimate facts alleged, including a statement of the specific facts the petitioner contends warrant reversal or modification of the Department's action or proposed action;
- A statement of the specific rules or statutes the petitioner contends requires reversal or modification of the Department's action or proposed action; and
- A statement of the relief sought by the petitioner, stating precisely the action petitioner wishes the Department to take with respect to the Department's action or proposed action.

This Order is final and effective as of the date on the top of the first page of this Order. Timely filing a petition for administrative hearing postpones the date this Order takes effect until the Department issues either a final order pursuant to an administrative hearing or an Order Responding to Supplemental Information provided to the Department pursuant to meetings with the Department.

#### Judicial Review

Any party to this Order has the right to seek judicial review of it under section 120.68, F.S., by filing a notice of appeal under rule 9.110 of the Florida Rules of Appellate Procedure with the clerk of the Department in the Office of General Counsel, Mail Station 35, 3900 Commonwealth Boulevard, 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 thirty days after this order is filed with the clerk of the Department (see below).

#### Questions

Any questions regarding the Department's review of your postcertification amendment should be directed to Michael P. Halpin, P.E. at (850) 245-8002. Questions regarding legal issues should be referred to the Department's Office of General Counsel at (850) 245-2242. Contact with any of the above does not constitute a petition for administrative hearing or request for an extension of time to file a petition for administrative hearing.

Sincerely,



Michael P. Halpin, P.E.  
Administrator,  
Siting Coordination Office

FILING AND ACKNOWLEDGMENT

FILED, on this date, pursuant to §120.52  
Florida Statutes, with the designated  
Department Clerk, receipt of which is  
hereby acknowledged.

Denise Cunningham 9/8/08  
Clerk Date

CC by email (return receipt requested):

James Antista, Esquire  
Fish and Wildlife Conservation Commission  
6230 South Meridian Street  
Tallahassee, FL 32399-1600  
[james.antista@fwc.state.fl.us](mailto:james.antista@fwc.state.fl.us)

Mark Scruby, Esq.  
Clay County Attorney  
P.O. Box 1366  
Green Cove Springs, FL 32043  
[mark.scruby@co.clay.fl.us](mailto:mark.scruby@co.clay.fl.us)

James Alves, Esq.  
Hopping Green & Sams, P.A.  
POB 6526  
Tallahassee, FL 32314  
[jalves@hgslaw.com](mailto:jalves@hgslaw.com)

Mr. Ronald Williams, Chairman  
Board of County Commissioners  
Columbia County Courthouse  
Post Office Drawer 1529  
Lake City, FL 32056

Kelly Martinson, Esquire  
Department of Community Affairs  
2555 Shumard Oak Blvd.  
Tallahassee, Florida 32399-2100  
[kelly.martinson@dca.state.fl.us](mailto:kelly.martinson@dca.state.fl.us)

Jennifer Brubaker, Esq.  
Florida Public Service Commission  
Gerald Gunter Building  
2540 Shumard Oak Boulevard  
Tallahassee, FL 32399-0850  
[JBrubake@PSC.STATE.FL.US](mailto:JBrubake@PSC.STATE.FL.US)

Mr. Scott Koons  
Executive Director  
North Central Florida Regional Planning  
Council  
2009 Northwest 67th Place – Ste A  
Gainesville, FL 32653-1603  
[koons@ncfrpc.org](mailto:koons@ncfrpc.org)

Russell Castleberry, Esq.  
County Attorney, Putnam County  
POB 758  
Palatka, FL. 32178-0758  
[rleary@putnam-fl.com](mailto:rleary@putnam-fl.com)

Kris Davis, Esq.  
St. Johns River Water Management District  
P.O. Box 1429  
Palatka, FL 32178-1429  
[khDavis@sjrwmd.com](mailto:khDavis@sjrwmd.com)

Mr. Wayne Smith, Chairman  
Board of County Commissioners  
Union County  
15 Northeast First ST  
Lake Butler, FL 32054  
[ddj@circuit8.org](mailto:ddj@circuit8.org)

Mr. Steve Fry, Esq.  
Marion County Attorney  
601 Southeast 25th Ave  
Ocala, FL 34471  
[sfry@martin.fl.us](mailto:sfry@martin.fl.us)

Kimberly Menchion, Esq.  
Assistant General Counsel  
Department of Transportation  
605 Suwannee Street, MS 58  
Tallahassee, FL 32399-0458  
[kimberly.menchion@dot.state.fl.us](mailto:kimberly.menchion@dot.state.fl.us)

Allen Erickson, Esq.  
Assistant County Attorney  
Orange County  
P.O. Box 1393  
Orlando, FL 32802-1393  
[allen.erickson@ocfl.net](mailto:allen.erickson@ocfl.net)

Mr. Patrick Gilligan  
Attorney for the City of Ocala  
1531 SE 36th Avenue  
Ocala, Florida 34471  
[pgilligan@ocalalaw.com](mailto:pgilligan@ocalalaw.com)

Lynne C. Capehart, Esq.  
1601 Northwest 35th Way  
Gainesville, FL 32605

Toni Sturtevant, Esquire  
Department of Environmental Protection  
3900 Commonwealth Blvd.  
Mail Station 35  
Tallahassee, FL 32399-3000  
[toni.sturtevant@dep.state.fl.us](mailto:toni.sturtevant@dep.state.fl.us)

## Cunningham, Denise

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**From:** Stephen Fry [sfry@martin.fl.us]  
**To:** Cunningham, Denise  
**Sent:** Monday, September 08, 2008 12:34 PM  
**Subject:** Read: PA78-10 Potable Well Installation - ID 2541450

Your message

**To:** sfry@martin.fl.us  
**Subject:**

was read on 9/8/2008 12:34 PM.

## Cunningham, Denise

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**From:** James Alves [JimA@hgslaw.com]  
**To:** Cunningham, Denise  
**Sent:** Monday, September 08, 2008 11:55 AM  
**Subject:** Read: PA78-10 Potable Well Installation - ID 2541450

Your message

**To:** JimA@hgslaw.com  
**Subject:**

was read on 9/8/2008 11:55 AM.

## Cunningham, Denise

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**From:** Sturtevant, Toni  
**To:** Cunningham, Denise  
**Sent:** Monday, September 08, 2008 11:48 AM  
**Subject:** Read: PA78-10 Potable Well Installation - ID 2541450

### Your message

**To:** james.antista@fwc.state.fl.us; mark.scruby@co.clay.fl.us; jalves@hgslaw.com; kelly.martinson@dca.state.fl.us; jbrubake@psc.state.fl.us; koons@ncfrpc.org; rleary@putnam-fl.com; khdavis@sjrwmd.com; ddj@circuit8.org; sfry@martin.fl.us; kimberly.menchion@dot.state.fl.us; allen.erickson@ocfl.net; pgilligan@ocalalaw.com; Sturtevant, Toni  
**Cc:** Seiler, Ann  
**Subject:** PA78-10 Potable Well Installation - ID 2541450  
**Sent:** 9/8/2008 11:27 AM

was read on 9/8/2008 11:48 AM.

## Cunningham, Denise

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**From:** Kris Davis [khdavis@sjrwmd.com]  
**To:** Cunningham, Denise  
**Sent:** Monday, September 08, 2008 11:34 AM  
**Subject:** Read: PA78-10 Potable Well Installation - ID 2541450

Your message

**To:** khdavis@sjrwmd.com  
**Subject:**

was read on 9/8/2008 11:34 AM.

## Cunningham, Denise

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**From:** Seiler, Ann  
**To:** Cunningham, Denise  
**Sent:** Monday, September 08, 2008 11:34 AM  
**Subject:** Read: PA78-10 Potable Well Installation - ID 2541450

### Your message

**To:** james.antista@fwc.state.fl.us; mark.scruby@co.clay.fl.us; jalves@hgslaw.com; kelly.martinson@dca.state.fl.us; jbrubake@psc.state.fl.us; koons@ncfpc.org; rleary@putnam-fl.com; khdavis@sjrwmd.com; ddj@circuit8.org; sfry@martin.fl.us; kimberly.menchion@dot.state.fl.us; allen.erickson@ocfl.net; pgilligan@ocalalaw.com; Sturtevant, Toni  
**Cc:** Seiler, Ann  
**Subject:** PA78-10 Potable Well Installation - ID 2541450  
**Sent:** 9/8/2008 11:27 AM

was read on 9/8/2008 11:34 AM.

## Cunningham, Denise

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**From:** Donna Jackson [JacksonD@circuit8.org]  
**To:** Cunningham, Denise  
**Sent:** Monday, September 08, 2008 11:31 AM  
**Subject:** Read: PA78-10 Potable Well Installation - ID 2541450

Your message

**To:** JacksonD@circuit8.org  
**Subject:**

was read on 9/8/2008 11:31 AM.

## **Cunningham, Denise**

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**From:** Jennifer Brubaker [JBrubake@PSC.STATE.FL.US]  
**To:** Cunningham, Denise  
**Sent:** Monday, September 08, 2008 11:28 AM  
**Subject:** Read: PA78-10 Potable Well Installation - ID 2541450

Your message

**To:** JBrubake@PSC.STATE.FL.US  
**Subject:**

was read on 9/8/2008 11:28 AM.

## Cunningham, Denise

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**From:** Mencion, Kimberly [Kimberly.Mencion@dot.state.fl.us]  
**To:** Cunningham, Denise  
**Sent:** Monday, September 08, 2008 1:52 PM  
**Subject:** Read: PA78-10 Potable Well Installation-- ID 2541450

Your message

**To:** Kimberly.Mencion@dot.state.fl.us  
**Subject:**

was read on 9/8/2008 1:52 PM.

## Cunningham, Denise

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**From:** Allen.Erickson@ocfl.net  
**Sent:** Monday, September 08, 2008 2:13 PM  
**To:** Cunningham, Denise  
**Subject:** RE: PA78-10 Potable Well Installation - ID 2541450

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**From:** Cunningham, Denise [mailto:Denise.Cunningham@dep.state.fl.us]  
**Sent:** Monday, September 08, 2008 11:27 AM  
**To:** james.antista@fwc.state.fl.us; mark.scruby@co.clay.fl.us; jalves@hgslaw.com;  
kelly.martinson@dca.state.fl.us; jbrubake@psc.state.fl.us; koons@ncfrpc.org; rleary@putnam-fl.com;  
khdavis@sjrwmd.com; ddj@circuit8.org; sfry@martin.fl.us; kimberly.menchion@dot.state.fl.us; Erickson, Allen;  
pgilligan@ocalalaw.com; Sturtevant, Toni  
**Cc:** Seller, Ann  
**Subject:** PA78-10 Potable Well Installation - ID 2541450

Dear Sir/Madam:

Please send a "reply" message verifying receipt of the attached document(s); this may be done by selecting "Reply" on the menu bar of your e-mail software and then selecting "Send". We must receive verification of receipt and your reply will preclude subsequent e-mail transmissions to verify receipt of the document(s).

The document is in Adobe Portable Document Format (pdf). Adobe Acrobat Reader can be downloaded for free at the following internet site:  
<http://www.adobe.com/products/acrobat/readstep.html>.

The Siting Coordination Office is issuing electronic documents for modifications and other correspondence in lieu of hard copies through the United States Postal System to provide greater service to the applicant, agencies and other parties. Please advise this office of any changes to your e-mail address.

Thank you,  
Denise Cunningham

Denise Cunningham  
Government Operations Consultant I  
Department of Environmental Protection  
Siting Coordination Office  
2600 Blain Stone Road, MS 43  
Tallahassee, FL 32399-2400  
Ph. (850) 245-8002  
Fax: (850) 245-8003  
Email: [denise.cunningham@dep.state.fl.us](mailto:denise.cunningham@dep.state.fl.us)

9/8/2008