



FLORIDA DEPARTMENT OF Environmental Protection

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

Ron DeSantis
Governor

Jeanette Nuñez
Lt. Governor

Shawn Hamilton
Secretary

October 5, 2023

Sent by Electronic Mail – Document Access Verification Requested

Daniela Delpino
Environmental Engineer
Florida Municipal Power Agency
8553 Commodity Circle
Orlando, Florida 32819-9002
Daniela.Delpino@FMFA.com

RE: Treasure Coast Energy Center
Modification to Conditions of Certification
DEP Case Number PA 05-48B
OGC Case Number 23-1205

FINAL ORDER MODIFYING CONDITIONS OF CERTIFICATION

Dear Ms. Delpino:

On May 25, 2006, the Governor and Cabinet issued a Site Certification to Florida Municipal Power Agency for the Treasure Coast Energy Center (Treasure Coast). The Department has modified the Conditions of Certification (Conditions) for Treasure Coast by Final Order on one other occasion. Pursuant to Section 403.516(1)(c), Florida Statutes (F.S.), the Department has initiated a modification to Treasure Coast's Conditions to incorporate a uniform set of general conditions consistent with recent site certifications, and to update antiquated specific conditions that are no longer applicable or consistent with current regulations.

On August 18, 2023, all parties to the certification proceeding were provided notice of the Department's intent to modify the Conditions for Treasure Coast. On August 21, 2023, notice of the Department's intent to modify the Conditions for Treasure Coast 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 Treasure Coast are modified as described in the Department's Notice of Intent to Modify the Conditions of Certification dated August 18, which can be downloaded from the following file transfer protocol (ftp) site: <http://publicfiles.dep.state.fl.us/Siting/Outgoing/Treasure%20Coast/Mod%20B/>.

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/Treasure%20Coast/Mod%20B/20231002FMPA_TCEC_ModB.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. 3500, 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

Deputy Director Water Resource Management

CC by electronic mail:

District Director, FDEP: Sirena.Davila@FloridaDEP.gov

District Liaison, FDEP: Indarjit.Jagnarine@FloridaDEP.gov

FILING AND ACKNOWLEDGMENT

FILED, on this date, pursuant to §120.52

Florida Statutes, with the designated

Department Clerk, receipt of which is

hereby acknowledged.

Lisa Williams

Clerk

10/05/2023

Date

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

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