



**Environmental Consulting & Technology, Inc.**

DEPARTMENT OF  
ENVIRONMENTAL PROTECTION

JUN 21 2010

SITING COORDINATION

June 18, 2010

Ms. Jessica Dalton  
Florida Department of Environmental Protection  
Siting Coordination Office (SCO)  
3900 Commonwealth Blvd. MS 48  
Tallahassee, FL 32399-3000

**Re: Gainesville Renewable Energy Center  
Site Certification Application PA09-55  
Affidavit of Newspaper Notice of Certification Hearing**

Dear Ms. Dalton:

Pursuant to the requirements of Rule 62-17.281(7), Florida Administrative Code and Section 403.5115(1)(e), Florida Statutes, a notice of certification hearing for the Gainesville Renewable Energy Center Site Certification Application was published in the Gainesville Sun on June 10, 2010.

A copy of the published notice of filing and the newspaper's affidavit of publication is attached for your records.

Please contact me at (352) 248-3351 or by email at [tdavis@ectinc.com](mailto:tdavis@ectinc.com) if you have any questions.

Sincerely,

**ENVIRONMENTAL CONSULTING & TECHNOLOGY, INC.**

Thomas W. Davis, P.E.  
Principal Engineer

Attachment

cc: David Dee, Young van Assenderp, P.A

3701 Northwest  
98th Street  
Gainesville, FL  
32606

(352)  
332-0444

FAX (352)  
332-6722

NO: GF06283816

Acct # 435515

Environmental Consulting & Technology Inc.

THE GAINESVILLE SUN

Published Daily and Sunday  
GAINESVILLE, FLORIDA  
STATE OF FLORIDA

Before the undersigned authority appeared: Vonda Jackson,  
Who on oath says that she is Retail Advertising Executive of THE GAINESVILLE SUN,  
a daily newspaper published at Gainesville in Alachua County, Florida, that the attached  
copy of advertisement, being

Notice of Certification Hearing on an Application to Construct and Operate and Electrical  
Power Plant Located in Alachua County, Florida

In the matter of  
Notice of Filing Application for Electrical Power Plant Site Certificate was published in  
said newspaper in the issues of June 10, 2010

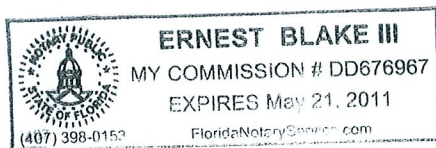
Affidavit further says that the said THE GAINESVILLE SUN is a newspaper published  
at Gainesville, in said Alachua County, Florida, and that the said newspaper has  
heretofore been continuously published in said Alachua County, each day, and has been  
entered as second class mail matter at the post office in Gainesville, in Said Alachua  
County, Florida, for a period of one year next preceding the first publication  
of the attached copy Of advertisement; and affiant further says that he has neither paid  
nor promised any person, firm or corporation any discount for publication in the said  
newspaper.

Sworn to and subscribed before me this

16<sup>th</sup> day of June A.D., 2010

Vonda Jackson

[Signature]  
(seal) Notary Public



# NOTICE OF A CERTIFICATION HEARING ON AN APPLICATION TO CONSTRUCT AND OPERATE AN ELECTRICAL POWER PLANT LOCATED IN ALACHUA COUNTY, FLORIDA

On November 30, 2009, application number PA09-55 was filed with the Florida Department of Environmental Protection (Department) for certification to authorize construction and operation of the Gainesville Renewable Energy Center (GREC). The Gainesville Renewable Energy Center will use biomass material (e.g., ground/chipped wood waste) to generate electricity. The applicant (Gainesville Regional Energy Center, LLC or GREC LLC) will provide the electricity to Gainesville Regional Utilities (GRU) for distribution to GRU's customers. GREC will consist of a 100 megawatt (net) electrical power plant, associated facilities, and the site. The associated facilities will include an access road, a storage yard for biomass materials, two electrical switchyards, electrical transmission lines, a cooling tower, and related systems and facilities. The GREC site is leased from GRU. The site is approximately 131 acres in size and it is contained within the 1,146 acre site of GRU's existing Deerhaven Generating Station. The GREC site is located east of U.S. 441, approximately 8 miles northwest of downtown Gainesville and approximately 7 miles southeast of the City of Alachua downtown area.

The GREC application and case are pending before the Division of Administrative Hearings, DOAH Case No. 09-6641EPP, prior to action by the Governor and Cabinet, or the Secretary of the Department, pursuant to the Florida Electrical Power Plant Siting Act, Chapter 403, Part II, Florida Statutes (F.S.).

Pursuant to Section 403.508, F.S., the certification hearing will be held by the Division of Administrative Hearings in order to take written or oral testimony concerning the effects of the proposed electrical power plant and any other matter appropriate to the consideration of the site and associated facilities. The Public Service Commission has previously determined the need for GREC at a separate hearing and need for the facility will not be an issue at the certification hearing.

The certification hearing will start on August 23, 2010, at 9:00 a.m. or as soon thereafter as the matter can be heard, and the hearing will continue from day-to-day until completed. The certification hearing will be held in the Alachua County Civil Courthouse, 201 East University Avenue, Gainesville, Florida. Report to Room 400 for assignment of a specific courtroom for the hearing.

Written comments concerning GREC may be sent to:

Judge C.A. Stampelos  
Administrative Law Judge  
Division of Administrative Hearings  
The DeSoto Building  
1230 Apalachee Parkway  
Tallahassee, Florida 32399-3060

on or before August 13, 2010.

The application for certification is available for public inspection during normal business hours at the following locations:

Department of Environmental Protection  
Siting Coordination Office  
The Douglas Building  
3900 Commonwealth Boulevard  
Tallahassee, Florida 32399

before the 90th day prior to the certification hearing, such party shall be deemed to have waived its right to be a party.

- (c) Notwithstanding the provisions of Chapter 120, upon the filing with the administrative law judge of a notice of intent to be a party no later than 75 days after the application is filed, the following shall also be parties to the proceeding:

1. Any agency not listed in paragraph (a) [Section 403.508(3)(a)] as to matters within its jurisdiction.

2. Any domestic nonprofit corporation or association formed, in whole or in part, to promote conservation or natural beauty; to protect the environment, personal health, or other biological values; to preserve historical sites; to promote consumer interests; to represent labor, commercial or industrial groups; or to promote comprehensive planning or orderly development of the area in which the proposed electrical power plant is to be located.

- (d) Notwithstanding paragraph (e) [Section 403.508(3)(e)], failure of an agency described in subparagraph (c)(1) [Section 403.508(3)(c)1.] to file a notice of intent to be a party within the time provided herein shall constitute a waiver of the right of that agency to participate as a party in the proceeding.

- (e) Other parties may include any person, including those persons enumerated in paragraph (c)[Section 403.508(3)(c)] who have failed to timely file a notice of intent to be a party, whose substantial interests are affected and being determined by the proceeding and who timely file a motion to intervene pursuant to chapter 120 and applicable rules. Intervention pursuant to this paragraph may be granted at the discretion of the designated administrative law judge and upon such conditions as he or she may prescribe any time prior to 30 days before the commencement of the certification hearing.

- (f) Any agency, including those whose properties or works are being affected pursuant to Section 403.509(6), shall be made a party upon the request of the department or the applicant.

Failure to follow the requirements and meet the timetables set forth in Section 403.508(3), F.S., shall constitute a waiver of any right a person may have to participate as a party to this proceeding.

Section 403.508(4)(b), F.S., states:

When appropriate, any person may be given an opportunity to present oral or written communications to the designated administrative law judge. If the designated administrative law judge proposes to consider such communications, then all parties shall be given an opportunity to cross-examine or challenge or rebut such communications.

Any notice of intent to be a party or motion to intervene must be sent to:

Judge C.A. Stampelos  
Administrative Law Judge  
Division of Administrative Hearings  
The DeSoto Building  
1230 Apalachee Parkway  
Tallahassee, Florida 32399-3060

and must contain the following: reference to the application number; the case number of the Division of Administrative Hearings; the name, address, and telephone number of the agency or person filing the motion; and allegations sufficient to demonstrate the agency or person is entitled to participate in the proceeding. The notice or motion must be sent by mail to the applicant and to all parties. (A list of parties may be obtained from the Department's Office of Siting Coordination at the address above.) Those wishing to intervene in these proceedings, unless appearing on their own behalf, must be represented by an attorney or other person who can be determined to be qualified to appear in administrative proceedings pursuant to Chapter 120, F.S., or Rule 28-106.106, F.A.C.

Pursuant to Section 403.508(6), F.S., the certification hearing may be cancelled if, within 29 days of the certification hearing, all parties to the proceeding stipulate that there are no disputed issues of fact or law to be raised, and the Department or the applicant requests that the administrative law judge cancel the certification hearing. If the administrative law judge grants the request, the Department shall prepare and issue a final order in accordance with Section 403.509(1)(a), F.S.

Certification of this power plant would allow construction and operation of a new source of air pollution which would consume an increment of air quality resources. The certification hearing may be consolidated with any proceeding relating to the Department of Environmental Protection's preliminary determination for granting a federally required new source review permit.

This public notice is also provided in compliance with the federal Coastal Zone Management Act, as specified in 15 CFR Part 930, Subpart D. Public comments on the applicant's federal consistency certification should be directed to the Federal Consistency Coordinator, Department of Community Affairs, Sadowski Building, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399.

The Department's report and Written Analysis concerning the project, and any written direct testimony that a party intends to submit at the certification hearing, shall be made available for public inspection at least five days prior to the hearing. Such Written Analysis and written testimony shall be made available for inspection at the Department's Office of Siting Coordination in Tallahassee, the Department's Northeast District Office in Jacksonville, the Alachua County Library, and the offices of GREC LLC, at the addresses provided above. It is anticipated that the Department's report and Written Analysis will be available for public inspection at these locations on or about July 12, 2010.

Department of Environmental Protection  
Northeast District Office  
7825 Baymeadows Way, Suite B200  
Jacksonville, Florida 32256

Gainesville Renewable Energy Center, LLC  
3701 Northwest 98th Street  
Gainesville, Florida 32606

Alachua County Library District  
District Headquarters  
401 East University Avenue  
Gainesville, Florida 32601

Alachua County Library District  
Alachua Branch  
14913 Northwest 140th Street  
Alachua, Florida 32615

Alachua County Library District  
Millhopper Branch  
3145 Northwest 43rd Street  
Gainesville, Florida 32606

Any person wishing to participate in the proceedings, either as a party or without party status, must follow either Section 403.508(3) or (4)(b), F.S. Under Section 403.508(3)(a), F.S., the parties to the proceeding shall include:

1. The applicant, Gainesville Renewable Energy Center, LLC.
2. The Florida Public Service Commission.
3. The Florida Department of Community Affairs.
4. The Florida Fish and Wildlife Conservation Commission.
5. The Suwannee River Water Management District.
6. The Florida Department of Environmental Protection.
7. The North Central Florida Regional Planning Council.
8. The City of Gainesville.
9. The Florida Department of Transportation.

The remainder of Section 403.508(3), F.S., states:

- (b) Any party listed in paragraph (a) [Section 403.508(3)(a)] other than the Department or the applicant may waive its right to participate in these proceedings. If such listed party fails to file a notice of its intent to be a party on or

