



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

November 17, 2021

Sent by Electronic Mail – Document Access Verification Requested

Ryan E. Mahoney
Vice President, CEMEX
Vice President, Brooksville PP Assets Holding Company, LLC
1501 Belvedere Road
West Palm Beach, FL 33406
ryane.mahoney@cemex.com

RE: Brooksville Steam Electric Generating Plant
Relinquishment of Certification
DEP Case Number PA 82-17
OGC Case Number 21-0998

FINAL ORDER ACCEPTING REQUEST FOR RELINQUISHMENT AND TERMINATING CERTIFICATION

Dear Mr. Mahoney:

On March 12, 1984, the Florida Siting Board issued a Site Certification to Florida Crushed Stone Company for the construction and operation of the Florida Crushed Stone Power Plant in Hernando County (Brooksville Steam Electric Generating Plant). In 2009 the Certification was transferred from Florida Crushed Stone Company to CEMEX Construction Materials Florida, LLC (CEMEX). In 2010, the steam electric generating plant portion of the site was transferred to Central Power & Lime, Inc. doing business as Florida Power Development, LLC, as a co-Licensee. In 2021, the steam electric generating plant was transferred from Central Power & Lime, Inc to Florida Power Development, LLC. In 2019 Florida Power Development, LLC transferred Certification to Brooksville PP Assets Holding Company, LLC (BPP).

On August 27, 2021, the Department of Environmental Protection (Department) Siting Coordination Office received a request from CEMEX and BPP as co-licensees to relinquish the Certification Order issued on March 12, 1984, for the steam electric generating plant.

On September 27, 2021, all parties to the certification proceeding were provided notice of the Department's intent to accept relinquishment and terminate the Certification for Brooksville Steam Electric Generating Plant. On October 4, 2021, notice of the Department's intent to accept relinquishment and terminate the Certification for the Brooksville Steam Electric Generating Plant was 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. 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 surrender 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 request to relinquish the Certification have been received by the Department. Therefore, the Conditions of Certification for Brooksville are now terminated and are no longer in effect.

Any party to this Order has a right to seek judicial review 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
Administrator,
Siting Coordination Office

CC by Electronic Mail:

District Director, FDEP: kelley.boatwright@floridadep.gov

District Liaison, FDEP: greg.alba@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.

Clerk

Date

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

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