FLORIDA DEPARTMENT OF Environmental Protection

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

Ron DeSantis
Governor

Jeanette Nuñez
Lt. Governor

Alexis A. Lambert
Secretary

January 9, 2025

Sent by Electronic Mail – Document Access Verification Requested

Jay Chesser
Station Manager, Hines Energy Complex
7700 County Road 555
Bartow, FL 33830
Jay.Chesser@duke-energy.com

RE: FPL Hines Energy Complex
Modification to Conditions of Certification
DEP Case Number PA 92-33K
OGC Case Number 24-2798

FINAL ORDER MODIFYING CONDITIONS OF CERTIFICATION

Mr. Chesser:

On January 27, 1994, the Governor and Cabinet issued a Site Certification to Florida Power Corporation, now Duke Energy Florida (DEF), for the Hines Energy Complex (Hines). On June 5, 2001; September 11, 2003; and June 8, 2005, the Governor and Cabinet issued subsequent Supplemental Certifications for Units 2, 3, and 4, respectively, at Hines. The Department has modified the Conditions of Certification (Conditions) for Hines by Final Order on ten other occasions.

The Department has reviewed DEF's petition dated June 20, 2024, for a modification to Hines' Conditions pursuant to Section 403.516(1)(c), Florida Statutes (F.S.), to construct a reverse osmosis filtration system for treating cooling pond water and to convert an underground injection control well to a backup water production well.

On November 21, 2024, all parties to the certification proceeding were provided notice of the Department's intent to modify the Conditions for Hines. On December 3, 2024, notice of the Department's intent to modify the Conditions for Hines 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 Hines are modified as described in the Department's Notice of Intent to Modify the Conditions of Certification dated November 21, 2024. The Notice of Intent can be viewed and downloaded from the following site: https://publicfiles.dep.state.fl.us/Siting/Outgoing/DEF%20Hines/Modifications/ModK2024CoolingPondRO_UICWellConversion/20241121DEFHinesModK_NOI.pdf

The final version of the modified Conditions can be viewed and downloaded from the following website: https://publicfiles.dep.state.fl.us/Siting/Outgoing/DEF%20Hines/Modifications/ModK2024CoolingPondRO_UICWellConversion/Conditions/20250109DEFHinesModK-Final.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 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
Division of Water Resource Management

CC by electronic mail:
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FILING AND ACKNOWLEDGMENT
FILED, on this date, pursuant to §120.52 Florida Statutes, with the designated Department Clerk, receipt of which is hereby acknowledged.

Brittany Lamb

Digitally signed by Brittany Lamb
Date: 2025.01.09 11:46:30 -05'00'
Adobe Acrobat version: 2024.005.20320

Clerk

1/9/2025
Date

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

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