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 16, 2025

Sent by Electronic Mail – Document Access Verification Requested

Ken Proctor, PMP
Sr. Project Manager
Environmental Services
Florida Power & Light Company
700 Universe Boulevard
Juno Beach, Florida 33408
kennard.proctorjr@fpl.com

RE: Cape Canaveral Energy Center
Modification to Conditions of Certification
DEP Case Number PA 08-53C
OGC Case Number 24-3028

FINAL ORDER MODIFYING CONDITIONS OF CERTIFICATION

Dear Mr. Proctor:

On October 9, 2009, the Secretary of the Department of Environmental Protection, pursuant to 403.509(1)(a), Florida Statutes (F.S.), issued a Site Certification to Florida Power and Light Company (FPL) for the construction and operation of the Cape Canaveral Energy Center (CCEC) in Brevard County. The Department has modified the Conditions of Certification (Conditions) for CCEC by Final Order on two other occasions. Pursuant to Section 403.516(1)(c), Florida Statutes (F.S.), the Department has initiated a modification to CCEC'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of general conditions consistent with recent site certifications, and to update antiquated specific conditions that are no longer applicable or consistent with current regulations.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 November 26, 2024, all parties to the certification proceeding were provided the notice of the Department's intent to modify the Conditions for CCEC. On December 3, 2024, notice of the Department's intent to modify the Conditions for CCEC 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 CCEC are modified as described in the Department's Notice of Intent to Modify the Conditions of Certification dated November 26, 2024, which can be downloaded from the following file transfer protocol (ftp) site: https://publicfiles.dep.state.fl.us/Siting/Outgoing/FPL_Cape_Canaveral/Modifications/Mod_C_DEP_Initiated/20241126CCECModC_DEP_InitiatedNOI_Clerked.pdf

The final version of the modified Conditions (including attachments) can be viewed and obtained from the following website: https://publicfiles.dep.state.fl.us/Siting/Outgoing/FPL_Cape_Canaveral/Conditions/20250116FPL_CCEC_ModC_Conditions.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. 5500, 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:
District Director, FDEP: aaron.watkins@floridadep.gov
District Liaison, FDEP: cindy.stafford@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.

Marjane C. Taylor
Digitally signed by Marjane C. Taylor
Date: 2025.01.16 14:25:49 -05'00'

Clerk

1/16/2025
Date

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

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