



Florida Department of Environmental Protection

Marjory Stoneman Douglas Building
3900 Commonwealth Boulevard
Tallahassee, Florida 32399-3000

Charlie Crist
Governor

Jeff Kottkamp
Lt. Governor

Michael W. Sole
Secretary

August 26, 2010

Mr. Jason Goodwin
Calpine Power Company
Director—EHS
717 Texas Avenue Suite 1000
Houston, TX 77002

Re: Calpine Osprey Energy Center
Modification to Conditions of Certification
DEP Case Number PA 00-41B
OGC Case Number 10-0747

FINAL ORDER MODIFYING CONDITIONS OF CERTIFICATION

Dear Mr. Godwin:

The Governor and Cabinet (Siting Board) issued the Site Certification for the Calpine Osprey Energy Center on June 27, 2001. This certification authorized the construction and operation of a 540 MW facility consisting of two combustion turbine generators (170 MW each), two heat recovery steam generators, one steam turbine electric generator (200 MW), and ancillary. The Department of Environmental Protection (Department) has modified the Conditions of Certification by Final Order on one other occasion.

Pursuant to 403.516(1)(c), F.S., the Department has initiated a modification to the Conditions of Certification of Osprey Energy Center. The modification is to incorporate a uniform set of General Conditions consistent with recent Site Certifications inclusive of revised rule language.

On or before July 8, 2010, all parties to the certification proceeding were provided with notice by certified mail of the Department's intent to modify the Conditions of Certification for this facility, along with a copy of the proposed Order Modifying Conditions of Certification. On July 23, 2010, notice of the Department's intent to modify the Conditions of Certification for this facility was published in the Florida Administrative Weekly (FAW). Pursuant to Section 403.516, Florida Statutes ("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 by mail to such party's last address of record in which to file a written objection to the modification; that 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 Florida Administrative Weekly to object in writing; that failure to act within the time frame constitutes a waiver of the right to become a party; and that the Department

will issue an Order Modifying the Conditions of Certification for this facility if no written objections are received by the Department.

No objections to the modification have been received by the Department. The Conditions of Certification for the Osprey Energy Center are hereby modified as follows;

The modified Conditions of Certification PA 00-41B (Attachment A to this document) replace the existing Conditions of Certification PA 00-41A (Attachment B) in its entirety. Several existing Conditions have been updated and incorporated into the more uniform set of General Conditions. Many existing Conditions have been moved to different sections of the document.

The existing Conditions (Attachment B) contain cross references to the corresponding conditions in the modified Conditions (Attachment A) appearing in red following each section of the document. In the electronic Adobe pdf file of the existing Conditions (Attachment B), the cross references have been electronically linked to the corresponding condition in the Adobe pdf file of the modified Conditions (Attachment A). In order to toggle between the two documents on your screen, copy both files (Attachment A and Attachment B) from http://publicfiles.dep.state.fl.us/Siting/Outgoing/Calpine_Osprey/Mod%20B_DEP%20initiated%20Mod/ and paste them into a single folder. (If you open the documents from the ftp site and “Save As”, the links will not work. You must copy and paste with the same file names.) Clicking on a link in Attachment B will take you directly to the corresponding condition in Attachment A.

The complete set of the Conditions of Certification (including attachments) can be viewed and downloaded from the following website: <http://www.dep.state.fl.us/siting/certification.htm> Copies of the Conditions of Certification and/or attachments may also be obtained by contacting Michael P. Halpin, P.E., Administrator, Siting Coordination Office, Department of Environmental Protection, 3900 Commonwealth Blvd., M.S. 48, Tallahassee, Florida 32399-3000, (850) 245-2007.

Any party to the this Order has a right to seek judicial review of it pursuant to Section 120.68, Florida Statutes 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 thirty days from the date this Order is filed with the Clerk of the Department of Environmental Protection.

Executed in Tallahassee, Florida.

Sincerely,

A handwritten signature in blue ink that reads "Michael P. Halpin, P.E." with a stylized flourish at the end.

Michael P. Halpin, P.E.
Administrator
Siting Coordination Office

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

8/26/10

Date

CC by certified mail:

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Also send copy via email to;

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