



# FLORIDA DEPARTMENT OF Environmental Protection

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

**Ron DeSantis**  
Governor

**Jeanette Nuñez**  
Lt. Governor

**Noah Valenstein**  
Secretary

May 22, 2019

*Sent by Electronic Mail – Document Access Verification Requested*

Russell Wider  
Environmental Engineer  
City of Tallahassee  
300 South Adams Street  
Tallahassee, Florida 32301-1731  
[Russell.Wider@talgov.com](mailto:Russell.Wider@talgov.com)

RE: Arvah B. Hopkins Generating Station  
Modification to Conditions of Certification  
DEP Case Number PA74-03Q  
OGC Case Number 19-0092

## **FINAL ORDER MODIFYING CONDITIONS OF CERTIFICATION**

Dear Mr. Wider:

On May 20, 1975, the Florida Pollution Control Board issued a Site Certification to the City of Tallahassee (COT) for the construction, operation, and maintenance of the Arvah B. Hopkins Generating Station (Hopkins) in Leon County. The Department of Environmental Protection (Department) has modified the Conditions of Certification (Conditions) for Hopkins by Final Order on sixteen other occasions.

The Department has reviewed COT's petition, dated January 8, 2019, for a modification to Hopkin's Site Certification order pursuant to §403.516(1)(c), Florida Statutes (F.S.), to authorize the installation of a fifth natural gas-fired reciprocating internal combustion engine.

On April 5, 2019, all parties to the certification proceeding were provided notice of the Department's intent to modify the Conditions for Hopkins. On April 9, 2019, a notice of the Department's intent to modify the Conditions for Hopkins was also published in the Florida Administrative Register (FAR).

Pursuant to §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 §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 the Department has received no objections to the modification. Therefore, the Conditions for Hopkins are modified as shown in strike-through/underline notation in the proposed Conditions of Certification for Modification Q, which can be downloaded at the following file transfer protocol (ftp) site:

[http://publicfiles.dep.state.fl.us/Siting/Outgoing/COT%20Hopkins/Modifications/Mod\\_Q\\_2019\\_5th\\_RICE\\_Inclusion/Conditions/Proposed\\_Conditions\\_Mod\\_Q.pdf](http://publicfiles.dep.state.fl.us/Siting/Outgoing/COT%20Hopkins/Modifications/Mod_Q_2019_5th_RICE_Inclusion/Conditions/Proposed_Conditions_Mod_Q.pdf).

The final Conditions of Certification (including attachments) may be viewed and obtained from the following website:

[http://publicfiles.dep.state.fl.us/Siting/Outgoing/Web/Certification/pa74\\_03\\_2019\\_Q.pdf](http://publicfiles.dep.state.fl.us/Siting/Outgoing/Web/Certification/pa74_03_2019_Q.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 Rd., M.S. 5500, Tallahassee, Florida, (850) 717-9000.

Any party to the this Order has a right to seek judicial review of it pursuant to §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**  
Digitally signed by Cindy Mulkey  
Date: 2019.05.22 10:45:09 -04'00'

Cindy Mulkey  
Administrator,  
Siting Coordination Office

***CC by Electronic Mail:***

District Director, DEP: [shawn.hamilton@dep.state.fl.us](mailto:shawn.hamilton@dep.state.fl.us)

District Liaison, DEP: [brad.hartshorn@dep.state.fl.us](mailto:brad.hartshorn@dep.state.fl.us)

Apalachee Regional Planning Council: [Chris.Rietow@thearp.com](mailto:Chris.Rietow@thearp.com)

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

**Lynn Searce** Digitally signed by Lynn Searce  
Date: 2019.05.22 09:57:14 -04'00'

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Clerk

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Date

**Service List: *Sent by Electronic Mail – Document Access Verification Requested***

<p>Michael Weiss, Esquire  Department of Environmental Protection  3900 Commonwealth Blvd., M.S. 35  Tallahassee, Florida 32399-3000  <a href="mailto:michael.weiss@dep.state.fl.us">michael.weiss@dep.state.fl.us</a></p>	<p>Susan Schwartz Esquire  Jasmin Raffington  Department of Transportation  605 Suwannee Street, MS 58  Tallahassee, Florida 32399-0458  <a href="mailto:susan.schwartz@dot.state.fl.us">susan.schwartz@dot.state.fl.us</a>  <a href="mailto:jasmin.raffington@dot.state.fl.us">jasmin.raffington@dot.state.fl.us</a></p>
<p>Andrew S. Grayson, Esquire  Florida Fish &amp; Wildlife Conservation Commission  620 South Meridian Street  Tallahassee, Florida 32399-1600  <a href="mailto:andrew.grayson@myfwc.com">andrew.grayson@myfwc.com</a>  <a href="mailto:FWCConservationPlanningServices@myfwc.com">FWCConservationPlanningServices@myfwc.com</a></p>	<p>Brooke Lewis, Esquire  Hopping Green &amp; Sams, P.A.  119 South Monroe Street, Suite 300  Tallahassee, Florida 32301  <a href="mailto:brookel@hgslaw.com">brookel@hgslaw.com</a></p>
<p>Jon Morris, Esquire  Scott Rogers  Department of Economic Opportunity  107 East Madison Street  Tallahassee, Florida 32399  <a href="mailto:Jon.Morris@deo.myflorida.com">Jon.Morris@deo.myflorida.com</a>  <a href="mailto:Scott.Rogers@deo.myflorida.com">Scott.Rogers@deo.myflorida.com</a></p>	<p>Herbert Thiele, Esquire  Leon County Attorney  301 South Monroe Street, Suite 202  Tallahassee, Florida 32301  <a href="mailto:thiele@leoncountyfl.gov">thiele@leoncountyfl.gov</a></p>
<p>Lee Eng Tan, Esquire  Florida Public Service Commission  Office of General Counsel  2450 Shumard Oak Boulevard  Tallahassee, Florida 32399-0850  <a href="mailto:LTan@psc.state.fl.us">LTan@psc.state.fl.us</a></p>	<p>Breck Brannen, Esquire  Northwest Florida Water Management District  Office of Counsel  215 South Monroe Street, Suite 200  Tallahassee, Florida 32301  <a href="mailto:breck@penningtonlaw.com">breck@penningtonlaw.com</a></p>
<p>Carlos A. Rey, Esquire  Department of State  Division of Historical Resources  R.A. Gray Building 4th Floor  500 South Bronough Street  Tallahassee, Florida 32399-0250  <a href="mailto:carlos.rey@dos.myflorida.com">carlos.rey@dos.myflorida.com</a>  <a href="mailto:jason.aldridge@dos.myflorida.com">jason.aldridge@dos.myflorida.com</a>  <a href="mailto:Robin.Jackson@dos.myflorida.com">Robin.Jackson@dos.myflorida.com</a></p>	