



# 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

July 14, 2020

*Sent by Electronic Mail – Document Access Verification Requested*

Jay Chesser  
Station Manager  
Crystal River North Plant and Fuel Operations  
Duke Energy Florida, LLC  
15760 Power Line Street  
Crystal River, Florida 34428  
[Jay.Chesser@duke-energy.com](mailto:Jay.Chesser@duke-energy.com)

RE: Crystal River Energy Complex  
Modification to Conditions of Certification  
DEP Case Number PA 77-09U  
OGC Case Number 20-0912

## **FINAL ORDER OF MODIFICATION**

Dear Mr. Chesser:

On November 21, 1978, the Florida Pollution Control Board issued a Site Certification to the Florida Power Corporation, now known as Duke Energy Florida (DEF), for the construction and operation of Crystal River Energy Complex (CREC) Units 4 and 5. On May 5, 2015, the Secretary of the Department of Environmental Protection (Department) issued a Site Certification to DEF for the construction and operation of the Citrus Combined Cycle Plant (CCCP) Units 1 and 2. The Department has modified the Conditions of Certification (Conditions) for CREC/CCCP by Final Order on twenty other occasions.

On March 9, 2020, the Department's Siting Coordination Office received a petition for modification from DEF for the five-year review of the sodium exemption pursuant to the Conditions, and to request an increase of permitted capacity for the industrial wastewater ponds at the CCCP. The Department has reviewed DEF's petition pursuant to §403.516(1)(c), F.S.

On May 28, 2020, all parties to the Certification proceeding were provided notice of the Department's intent to modify the Conditions for CREC/CCCP. On June 8, 2020, a notice of the Department's intent 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 DEF are modified as described in the Department's Notice of Intent to Modify the Conditions of Certification dated May 28, 2020, which can be downloaded from the following file transfer protocol (ftp) site: [http://publicfiles.dep.state.fl.us/Siting/Outgoing/DEF\\_CREC/Modifications/Mod\\_U\\_Sodium\\_Exemption\\_Increase\\_Capacity\\_IWW\\_Pond/](http://publicfiles.dep.state.fl.us/Siting/Outgoing/DEF_CREC/Modifications/Mod_U_Sodium_Exemption_Increase_Capacity_IWW_Pond/)

The final version of the modified Conditions (including attachments) can be viewed and obtained from the following website: [http://publicfiles.dep.state.fl.us/Siting/Outgoing/Web/Certification/pa77\\_09\\_2020\\_U.pdf](http://publicfiles.dep.state.fl.us/Siting/Outgoing/Web/Certification/pa77_09_2020_U.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 §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: 2020.07.14 11:05:15  
-04'00'

Cindy Mulkey  
Administrator  
Siting Coordination Office

CC by electronic mail:

District Director, FDEP: [mary.yeargan@floridadep.gov](mailto:mary.yeargan@floridadep.gov)

District Liaison, FDEP: [michael.b.miller@floridadep.gov](mailto:michael.b.miller@floridadep.gov)

Duke Energy Florida: [ilia.balcom@duke-energy.com](mailto:ilia.balcom@duke-energy.com)

Executive Director, Tampa Bay Regional Planning Council: [sean@tbrpc.org](mailto:sean@tbrpc.org)

FILING AND ACKNOWLEDGMENT

FILED, on this date, pursuant to §120.52

Florida Statutes, with the designated  
Department Clerk, receipt of which is  
hereby acknowledged.



Digitally signed by Elizabeth Walker  
Date: 2020.07.14 12:13:58 -04'00'

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Clerk

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Date



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

Michael Weiss, Esquire  
Department of Environmental Protection  
3900 Commonwealth Blvd., M.S. 35  
Tallahassee, Florida 32399-3000  
[michael.weiss@dep.state.fl.us](mailto:michael.weiss@dep.state.fl.us)

Denise Dymond Lyn  
Citrus County Attorney  
307 N. Apopka Ave.  
Inverness, Florida 33450  
[Denise.Lyn@citrusbocc.com](mailto:Denise.Lyn@citrusbocc.com)  
[Joanna.Coutu@citrusbocc.com](mailto:Joanna.Coutu@citrusbocc.com)

Emily Norton, Esquire  
Florida Fish & Wildlife Conservation  
Commission  
620 South Meridian Street  
Tallahassee, Florida 32399-1600  
[emily.norton@myfwc.com](mailto:emily.norton@myfwc.com)  
[fwcconservationplanningservices@myfwc.com](mailto:fwcconservationplanningservices@myfwc.com)

Elizabeth Fernandez, Esquire  
Office of General Counsel  
Southwest Florida Water Management District  
7601 US Highway 301 North  
Tampa, Florida 33637-6759  
[Elizabeth.Fernandez@swfwmd.state.fl.us](mailto:Elizabeth.Fernandez@swfwmd.state.fl.us)  
[James.golden@watermatters.org](mailto:James.golden@watermatters.org)

Jon Morris, Esquire  
Scott Rogers  
Assistant General Counsel  
Department of Economic Opportunity  
107 East Madison Street  
Tallahassee, Florida 32399-4128  
[Jon.Morris@deo.myflorida.com](mailto:Jon.Morris@deo.myflorida.com)  
[Scott.Rogers@deo.myflorida.com](mailto:Scott.Rogers@deo.myflorida.com)

Richard Shine, Esquire  
Assistant General Counsel  
Department of Transportation  
605 Suwannee Street, MS 58  
Tallahassee, Florida 32399-0458  
[Richard.Shine2@dot.state.fl.us](mailto:Richard.Shine2@dot.state.fl.us)  
[jasmin.raffington@dot.state.fl.us](mailto:jasmin.raffington@dot.state.fl.us)

Lee Eng Tan, Esquire  
Florida Public Service Commission  
Office of General Counsel  
2450 Shumard Oak Boulevard  
Tallahassee, Florida 32399-0850  
[LTan@psc.state.fl.us](mailto:LTan@psc.state.fl.us)

Carlos A. Rey, Esquire  
Department of the State  
Division of Historical Resources  
500 South Bronough Street  
Tallahassee, Florida 32399-0250  
[Carlos.Rey@dos.myflorida.com](mailto:Carlos.Rey@dos.myflorida.com)  
[Jason.Aldridge@dos.myflorida.com](mailto:Jason.Aldridge@dos.myflorida.com)  
[Robin.Jackson@dos.myflorida.com](mailto:Robin.Jackson@dos.myflorida.com)

Brooke E. Lewis, Esquire  
Hopping Green & Sams  
119 South Monroe Street Suite 300  
Tallahassee, Florida 32301  
[BrookeL@hgslaw.com](mailto:BrookeL@hgslaw.com)