

Hopping Green & Sams

Attorneys and Counselors

July 15, 2021

Via Electronic Mail

Ms. Lea Crandall, Agency Clerk
Florida Department of Environmental Protection
3900 Commonwealth Boulevard
Tallahassee, Florida 32399-3000
lea.crandall@dep.state.fl.us

Re: Notice of Proposed Rule- Coal Combustion Residuals Permits
Chapter 62-701, Florida Administrative Code
July 30, 2021, Rule Adoption Hearing

Dear Ms. Crandall:

On behalf of the Florida Electric Power Coordinating Group, Inc., in accordance with Rule 62-110.103, Florida Administrative Code, I am enclosing proposed rule amendments in response to the above-referenced Notice of Proposed Rule published in the July 8, 2021, Florida Administrative Register.

Should you have any questions, please contact me at 850-425-2254 or mikep@hgslaw.com.

Sincerely,

HOPPING GREEN & SAMS, P.A.



Michael P. Petrovich

cc: Ashanti McBride, Esq., FDEP (ashanti.mcbride@dep.state.fl.us)
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Name: Michael P. Petrovich
Hopping Green & Sams

Representing: Florida Electric Power
Coordinating Group, Inc.
Date Submitted: July 15, 2021

Form for Proposed Rule Amendment

FAC Rule No. 62-701.805(7)(a)
FAR Notice of Proposed Rulemaking Draft Date: July 8, 2021

On page 3092, modify the proposed language as follows:

Proposed Language as Published on July 8, 2021:
Rule 62-701.805, F.A.C.

(7) Financial Assurance.

(a) For any CCR unit or units, closure cost estimate updates and financial mechanisms are required to be prepared for each unit and shall comply with the provisions of subsections 62-701.630(1) through (4), F.A.C., except that the costs shall be based upon compliance with Rules 62-701.804 and 62-701.805, F.A.C. “Landfill” shall mean CCR landfill or CCR surface impoundment when used in Rules 62-701.804 and 62-701.805, F.A.C.

Proposed Amendment:

62-701.805(7)(a) F.A.C.

1 (7) Financial Assurance.
2 (a) For any CCR unit or units, closure cost estimate updates and financial mechanisms are
3 required to be prepared for each unit and shall comply with the provisions of subsections 62-
4 701.630(1) through (4), F.A.C., except that the costs shall be based upon compliance with
5 Rules 62-701.804 and 62-701.805, F.A.C. For purposes of this subsection, references to
6 “Landfill” in subsections 62-701.630(1) through (4), F.A.C., shall mean CCR landfill or
7 CCR surface impoundment, when used in Rules 62-701.804 and 62-701.805, F.A.C.

Explanation: Technical amendment. Clarifies agency intent.

CODING: Deletions are ~~stricken~~; additions are underlined.

Name: Michael P. Petrovich
Hopping Green & Sams

Representing: Florida Electric Power
Coordinating Group, Inc.
Date Submitted: July 15, 2021

Form for Proposed Rule Amendment

FAC Rule No. 62-701.805(10)(d)
FAR Notice of Proposed Rulemaking Draft Date: July 8, 2021

On page 3093, modify the proposed language as follows:

Proposed Language as Published on July 8, 2021:

Rule 62-701.805, F.A.C.

(10) Requirements for Recordkeeping, Notification and Posting of Information on the Internet.

(d) All documents, plans, reports, and certifications required in 40 CFR 257.105 shall be submitted to the Department per timeframes specified in the federal rule.

Proposed Amendment:

Rule 62-701.805(10)(d), F.A.C.

1	(10) Requirements for Recordkeeping, Notification and Posting of Information on the
2	Internet.
3	***
4	(d) All documents, plans, reports, and certifications required in 40 CFR 257.105 shall be
5	submitted to the Department per <u>the</u> timeframes specified in <u>40 CFR 257.106</u> the federal rule .
6	

Explanation: Technical amendment. Clarifies agency intent.

CODING: Deletions are ~~stricken~~; additions are underlined.