



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

XXXX XX, 2019

Sent by Electronic Mail – Document Access Verification Requested

Roy S. Belden
Vice President
Shady Hills Energy Center, LLC
901 Main Avenue
Norwalk, Connecticut 06851

RE: Shady Hills Combined-Cycle Facility
Modification to Conditions of Certification
DEP Case Number PA18-59A
OGC Case Number 19-0085

DRAFT FINAL ORDER MODIFYING CONDITIONS OF CERTIFICATION

Dear Mr. Belden:

On December 3, 2018, the Florida Siting Board issued a Site Certification to the Shady Hills Energy Center, LLC (SHEC) for the construction, operation, and maintenance of the Shady Hills Combined-Cycle Facility (SHCCF) in Pasco County.

The Department of Environmental Protection (Department) has reviewed SHEC's petition, dated January 15, 2019, for a modification to SHCCF's Site Certification order pursuant to §403.516(1)(c), Florida Statutes (F.S.), to authorize the expansion of the certified corridor for SHCCF's interconnection tie-line.

On XXXX XX, 2019, all parties to the certification proceeding were provided notice of the Department's intent to modify the Conditions of Certification (Conditions) for SHCCF. On XXXXX XX, 2019, notice of the Department's intent to modify the Conditions for SHCCF 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 no objections to the modification have been received by the Department. Therefore, the Conditions for SHCCF are hereby modified as follows (words ~~stricken~~ are deletions; words underlined are additions):

SECTION A: GENERAL CONDITIONS

I. SCOPE

A. Pursuant to the Florida Electrical Power Plant Siting Act (PPSA), Sections 403.501-518, Florida Statutes (F.S.), and Chapter 62-17, Florida Administrative Code (F.A.C.), this certification is issued to Shady Hills Energy Center, LLC (SHEC) as owner/operator and Licensee of the Shady Hills Combined Cycle Facility (SHCCF). Subject to the requirements contained in these Conditions of Certification (Conditions), SHEC will operate a 573-megawatt (MW) (winter) facility consisting of a natural gas-fired one-on-one combined cycle electrical power plant, comprised of one combustion turbine generator with an associated heat recovery system generator, one steam turbine generator, and associated facilities as described in the Site Certification Application (SCA). The electric generating unit is located on an approximately 14-acre site at 14240 Merchant Energy Way in Pasco County, Florida. A utility right-of-way (ROW) is (located on approximately 0.4 acres) and an interconnection tie-line corridor are also certified. ~~ROW is located on approximately 7 acres. These three areas, totaling approximately 22 acres, are all part of the SHCCF. The Universal Transverse Mercator (UTM) coordinates are: Zone 17; 347.44 kilometers (km) East; 3,138.8 km North.~~

B. The SHCCF includes but is not limited to the following major associated facilities:

- Combustion turbine and auxiliary skids;
- Steam turbine and auxiliary skids;
- Generator and auxiliary skids;
- Heat recovery steam generator and auxiliary skids;
- Steam surface condenser;
- Pumps and heat exchangers;
- ~~0.6-mile~~ Interconnection tie-line;
- 6-cell mechanical draft cooling tower;
- Exhaust stack;
- Generator step-up transformer;
- Auxiliary boiler;
- Electrical equipment enclosures;
- Administration building with control room and maintenance area;
- Warehouse;
- Parking;

Diesel-fired emergency generator;
Diesel-fired emergency fire water pump;
Storage tanks for water, and aqueous ammonia, and diesel fuel;
High voltage circuit breakers and disconnect switches;
On-site switchyard;
Stormwater management system;
Zero liquid discharge system, including tankage, water treatment building, and solids loading facilities;
Fire protection systems; and
On-site reclaimed water, sanitary sewer, and potable water conveyance Infrastructure.

C.-D. NO CHANGE

II.-XXXV. NO CHANGE

SECTION B: SPECIFIC CONDITIONS

I.-VI. NO CHANGE

VII. PASCO COUNTY

A.-B. NO CHANGE

C. *Interconnection Tie-Line*

1. Pasco County intends to grant a 100-foot-wide right-of-way (ROW as defined in Section A, Condition IV.P.) easement to the Licensee for construction and operation of an a 0.6 mile long interconnection tie-line.

a. This 100-foot-wide ROW easement will be located within the certified corridor ~~the 200 foot wide, approximately 0.6 mile long corridor addressed in the SCA~~ and will be a part of the SHCCF.

b.-c. NO CHANGE

d. The Licensee shall determine the location of the remaining ROW length within the 200-foot-wide certified corridor. The Licensee's engineers shall submit to the County as a post-certification submittal, the finalized route of the interconnection tie-line.

[Agreement between Pasco County and Licensee]

2. NO CHANGE

3. Within the 200-foot-wide certified interconnection tie-line corridor, the Licensee is prohibited from erecting any poles or placing any guy-wires closer than 100 feet to the east of the eastern edge of the existing access road to the PCRRF and 100 feet to the west of the western edge of the existing access road at the entrance to the adjacent PCRRF.

[Agreement between Pasco County and Licensee]

4. NO CHANGE

D. – O. NO CHANGE

HISTORY

Certification Issued 12/3/18, signed by Secretary Valenstein

Modified (A) XX/XX/2019; signed by Siting Administrator Mulkey

The complete Conditions of Certification (including attachments) may be viewed and obtained from the following website: *To be inserted*

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
Administrator,
Siting Coordination Office

CC by Electronic Mail:

District Director, DEP: mary.yeargan@dep.state.fl.us

District Liaison, DEP: mark.langford@dep.state.fl.us

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

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 michael.weiss@dep.state.fl.us</p>	<p>Kimberly Menchion, Esquire Jasmin Raffington Department of Transportation 605 Suwannee Street, MS 58 Tallahassee, Florida 32399-0458 kimberly.menchion@dot.state.fl.us jasmin.affington@dot.state.fl.us</p>
<p>Andrew S. Grayson, Esquire Florida Fish & Wildlife Conservation Commission 620 South Meridian Street Tallahassee, Florida 32399-1600 andrew.grayson@myfwc.com FWCConservationPlanningServices@myfwc.com</p>	<p>Luna Phillips, Esquire Gunster, Yoakley, &Steward, P.A. 450 East Las Olas Boulevard, Suite 1400 Fort Lauderdale, Florida 33301 lphillips@gunster.com mmcleod@gunster.com</p>
<p>Jon Morris, Esquire Scott Rogers Department of Economic Opportunity 107 East Madison Street Tallahassee, Florida 32399 Jon.Morris@deo.myflorida.com Scott.Rogers@deo.myflorida.com</p>	<p>Jeffery Steinsnyder, Esquire Joseph Richards, Esquire Pasco County Attorney's Office 8731 Citizens Drive, Suite 340 New Port Richey, Florida 34654 jsteinsnyder@pascocountyfl.net jrichards@pascocountyfl.net</p>
<p>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</p>	<p>Vivian Arenas-Battles, Esquire Southwest Florida Water Management District Office of General Counsel 7601 U.S. Highway 301 North Tampa, Florida 33637 Vivian.Arenas-Battles@swfwmd</p>
<p>Jason Aldridge Robin Jackson Department of State Division of Historical Resources R.A. Gray Building 4th Floor 500 South Bronough Street Tallahassee, Florida 32399-0250 jason.aldridge@dos.myflorida.com Robin.Jackson@dos.myflorida.com</p>	<p>Sean Sullivan Executive Director Tampa Bay Regional Planning Council 4000 Gateway Centre Boulevard, Suite 100 Pinellas Park, Florida 33782 sean@tbrpc.org</p>