



# Florida Department of Environmental Protection

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

Rick Scott  
Governor

Jennifer Carroll  
Lt. Governor

Herschel T. Vinyard Jr.  
Secretary

## NOTICE OF ADMINISTRATIVELY CORRECTED PERMIT

In the Matter of Processing an Administrative Correction:

Mr. Randall R. LaBauve  
Vice President  
Florida Power & Light Company  
700 Universe Boulevard  
Juno Beach, Florida 33408

Project No. 0090006-008-AC  
Administrative Correction to Permit No. 0090006-007-AC  
Cape Canaveral Energy Center  
Brevard County

Enclosed is Administratively Corrected Emission Unit Description language contained in Air Construction Permit No. 0090006-007-AC, for the construction of the Cape Canaveral Energy Center located in Brevard County at 6000 North U.S. Highway 1 between Cocoa and Titusville, Florida. This correction is issued pursuant to Rule 62-210.360, Florida Administrative Code (F.A.C.), and Chapter 403, Florida Statutes (F.S.). This change is made with the permittee's concurrence dated December 5, 2011. This corrective action does not alter the effective dates of the existing permit.

The Department of Environmental Protection (Department) will consider the above-noted action final unless a timely petition for an administrative hearing is filed pursuant to Sections 120.569 and 120.57, F.S. Mediation under Section 120.573, F.S., will not be available for this proposed action.

A person whose substantial interests are affected by the proposed permitting decision may petition for an administrative hearing in accordance with Sections 120.569 and 120.57, F.S. The petition must contain the information set forth below and must be filed (received) by the Agency Clerk in the Department's Office of General Counsel, 3900 Commonwealth Boulevard, MS #35, Tallahassee, Florida 32399-3000. Petitions filed by the permit applicant or any of the parties listed below must be filed within 14 (fourteen) days of receipt of this notice. Petitions filed by any other person must be filed within 14 (fourteen) days of receipt of this proposed action. A petitioner must mail a copy of the petition to the applicant at the address indicated above, at the time of filing. The failure of any person to file a petition within the appropriate time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under Sections 120.569 and 120.57, F.S., or to intervene in this proceeding and participate as a party to it. Any subsequent intervention (in a proceeding initiated by another party) will be only at the approval of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205, F.A.C.

A petition that disputes the material facts on which the Permitting Authority's action is based must contain the following information: (a) The name and address of each agency affected and each agency's file or identification number, if known; (b) The name, address, and telephone number of the petitioner; the name, address and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how the petitioner's substantial interests will be affected by the agency determination; (c) A statement of when and how each petitioner received notice of the agency action or proposed decision; (d) A statement of all disputed issues of material fact.

If there are none, the petition must so indicate; (e) A concise statement of the ultimate facts alleged, including the specific facts the petitioner contends warrant reversal or modification of the agency's proposed action; (f) A statement of the specific rules or statutes the petitioner contends require reversal or modification of the agency's proposed action including an explanation of how the alleged facts relate to the specific rules or statutes; and, (g) A statement of the relief sought by the petitioner, stating precisely the action the petitioner wishes the agency to take with respect to the agency's proposed action.

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A petition that does not dispute the material facts upon which the Permitting Authority's action is based shall state that no such facts are in dispute and otherwise shall contain the same information as set forth above, as required by Rule 28-106.301, F.A.C.

Because the administrative hearing process is designed to formulate final agency action, the filing of a petition means that the permitting authority's final action may be different from the position taken by it in this notice. Persons whose substantial interests will be affected by any such final decision of the permitting authority on the application have the right to petition to become a party to the proceeding, in accordance with the requirements set forth above.

Any party to this order (permit) has the right to seek judicial review of it under Section 120.68, F.S., by the filing of a Notice of Appeal, under Rule 9.110 of the Florida Rules of Appellate Procedure, with the Clerk of the Department in the Office of General Counsel, 3900 Commonwealth Boulevard, Mail Station #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 notice is filed with the Clerk of the permitting authority.

Executed in Tallahassee, Florida.  
*Electronically Signed*

### CERTIFICATE OF SERVICE

The undersigned duly designated deputy agency clerk hereby certifies that this Notice of Administratively Corrected Permit (including the corrected page) or a link to these documents available electronically on a publicly accessible server, was sent by electronic mail with received receipt requested to the persons listed below:

Mr. Randall R. LaBauve, FPL: [randall.r.labauve@fpl.com](mailto:randall.r.labauve@fpl.com)  
Ms. Mary Archer, FPL: [mary.archer@fpl.com](mailto:mary.archer@fpl.com)  
Mr. Kennard F. Kosky, P.E., Golder Associates, Inc.: [ken\\_kosky@golder.com](mailto:ken_kosky@golder.com)  
Ms. Caroline Shine, DEP Central District: [caroline.shine@dep.state.fl.us](mailto:caroline.shine@dep.state.fl.us)  
Ms. Cindy Mulkey, DEP Siting Office: [cindy.mulkey@dep.state.fl.us](mailto:cindy.mulkey@dep.state.fl.us)  
Ms. Heather Ceron, U.S. EPA Region 4: [ceron.heather@epa.gov](mailto:ceron.heather@epa.gov)  
Ms. Katy Forney, U.S. EPA Region 4: [forney.kathleen@epa.gov](mailto:forney.kathleen@epa.gov)  
Ms. Ana Oquendo, EPA Region 4: [oquendo.ana@epa.gov](mailto:oquendo.ana@epa.gov)  
Ms. Barbara Friday, DEP OPC: [barbara.friday@dep.state.fl.us](mailto:barbara.friday@dep.state.fl.us) (for posting with U.S. EPA, Region 4)  
Ms. Lynn Scarce, DEP OPC: [lynn.scarce@dep.state.fl.us](mailto:lynn.scarce@dep.state.fl.us) (for reading file)

Clerk Stamp

**FILING AND ACKNOWLEDGMENT FILED**, on this date,  
pursuant to §120.52(7), Florida Statutes, with the designated  
Department Clerk, receipt of which is hereby acknowledged.

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**NOTICE OF ADMINISTRATIVELY CORRECTED PERMIT**

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Pursuant to the permittee's concurrence, conditions /requirements contained in permit No. 0090006-007-AC have been corrected as indicated below. ~~Strikethrough~~ is used to denote the deletion of text. Double-underlines are used to denote the addition of text. All changes are emphasized with yellow highlight.

1. The Department recently issued air construction permit No. 0090006-007-AC that revised 0090006-005-AC. In doing the database update, it was discovered that there is a discrepancy between the emissions units (EU) identification numbers listed in the AC permits and our database EU numbers. To correct the problem, this administrative permit correction changes the permit EU numbers in the permit to correspond to the database numbers. Please see the table below.
2. The Emission Unit Description is hereby changed as follows:

**Emission Unit Description**

<b>ID</b>	<b>Emission Unit Description</b>
<u>006-009</u>	Unit 3A – one nominal 265 MW CTG with supplementary-fired HRSG
<u>007010</u>	Unit 3B – one nominal 265 MW CTG with supplementary-fired HRSG
<u>008011</u>	Unit 3C – one nominal 265 MW CTG with supplementary-fired HRSG
<u>009012</u>	One nominal 85,000 pounds per hour (lb/hr) auxiliary boiler (99.8 mmBtu/hr)
<u>010013</u>	Two nominal 9.9 mmBtu/hr natural gas-fired process heaters (one is a spare)
<u>011014</u>	Seven nominal 1,340 horsepower (hp) natural gas compressors
<u>012015</u>	Two nominal 2,250 kilowatts (kW) liquid fueled emergency generators
<u>013016</u>	One nominal 300-hp emergency diesel fire pump engine and 500 gallon fuel oil storage tank
<u>014017</u>	One temporary 110 mmBtu/hr natural gas-fueled boiler to be used only during construction