

**NOTICE OF FILING APPLICATION FOR ELECTRICAL POWER PLANT SITE CERTIFICATION TO BE LOCATED IN
GLADES AND HENDRY COUNTY, FLORIDA
FPL GLADES POWER PARK**

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1. Application number PA16-49 for certification to authorize construction and operation of two 980 megawatt (MW) solid fuel-fired electrical power generating units, associated electrical transmission lines, a water supply pipeline and site access roads, was filed by Florida Power & Light Company (FPL) with the Florida Department of Environmental Protection (FDEP) on December 22, 2006. The Project is known as the FPL Hendry-Florida Power Park (Project). The 4,900 acre power plant site is located about 2.3 miles northwest of Moore Haven in an unincorporated area of Glades County, Florida. Associated transmission lines are proposed to be located in Glades and Hendry Counties. The plant site, the locations of the water supply pipeline and site access roads, and the corridor within which the transmission line right-of-way will be acquired are shown on the accompanying map. FPL is seeking certification of the Project under the Florida Electrical Power Plant Siting Act (FPPSA or Act). The case is now pending before the Florida Division of Administrative Hearings (DOAH), Case No. 06-5144PFP prior to action by the Florida Governor and Cabinet, pursuant to the Florida Electrical Power Plant Siting Act, Chapter 403, Part II, Florida Statutes (F.S.) (2006).

Each of the two new generating units will consist of an ultra-supercritical pulverized coal-fired boiler, a steam turbine generator, and a mechanical draft-cooling tower. The air pollution control equipment will consist of selective catalytic reduction (SCR) to control nitrogen oxides, fabric filter for particulate control, wet limestone flue gas desulfurization (FGD) for control of sulfur dioxide, a wet electrostatic precipitator (WESP) to control fine particulates and wet scrubber for additional mercury control. The FGPP will utilize coal and co-firing up to 20 percent petroleum coke with coal facilities for handling and storage of coal, ammonia, limestone, bottom ash, fly ash and FGD byproduct (gypsum) will be constructed onsite. The raw materials will be received by train delivery using existing rail lines. The solid byproducts generated from the combustion process (fly ash, bottom ash and FGD byproduct) will be recycled to the greatest extent possible or stored onsite. Cooling water and other process waters will be obtained from onsite stormwater, nearby canal, reclaimed surface water, the surficial aquifer and the Upper Floridan Aquifer. The Project will include new 500 kilovolt (KV) transmission lines to connect the Project to FPL's existing electrical transmission system. The proposed transmission line corridor will be narrowed later to a final right-of-way between 250 feet and 500 feet in width prior to final construction. A new 3.4 mile-long water supply pipeline will be constructed between the FGPP use and the C-19 Canal, where a water intake structure will be installed. The proposed Project, including the electrical transmission line corridor and other associated facilities, and their potential impacts are more fully described in the Site Certification Application, which is available for review at the locations identified below.

3. The Florida Electrical Power Plant Act (Sections 403.501 - 403.518, F.S.), under which the Project application has been filed, involves several procedural steps. Various state, regional and local agencies are reviewing the application for site certification and preparing reports on the Project. The affected local governments will be issuing determinations on the consistency of the Project site and any directly associated facilities with existing land use plans and zoning ordinances that were in effect on the date the application was filed. Additional public notice of the local government land use determinations will be provided. A land use and zoning hearing will be held if those determinations are disputed. The Florida Department of Environmental Protection (FDEP) will prepare a Project

Analysis which will contain copies of studies and reports prepared by the reviewing agencies, and the recommendations of the Department as to the disposition of the application for site certification, along with any proposed conditions of certification. A certification hearing will be held at a later date at a location in proximity to the Project site unless the parties to this proceeding agree that there are no disputed issues of fact or law to be raised at the certification hearing. If held, the final site certification hearing will be conducted by an administrative law judge from the Division of Administrative Hearings at a location near the Project site. The administrative law judge will then issue a recommended order for consideration by the Siting Board which will render the final decision whether to grant certification for the Project under the FPPSA. If certification hearing is required, final action on the application for site certification will be taken by the FDEP Secretary.

4. The Application for Site Certification is available for public inspection during normal business hours at the addresses listed below:

Florida Department of Environmental Protection
Office of Siting Coordination
Mike Hajos
2608 Blair Stone Road
Tallahassee, Florida 32399-2400
(850) 245-8002

HYP ERLINK
http://www.dep.state.fl.us/siting/highlights/application_projects.htm
http://www.dep.state.fl.us/siting/highlights/application_projects.htm

- Florida Department of Environmental Protection
South District Office
Andrea Wright
2285 Victoria Avenue, Suite 304W
P.O. Myers, FL 32902-1382
(239) 332-4975
- Clewiston Public Library
120 W. Overhill Avenue
Clewiston, FL 33440
- Glades County Public Library
11 Riverside Drive
Moore Haven, FL 33471
- Labelle Public Library
461 N. Main Street
Labelle, FL 33935-4610
- Florida Power & Light Company
Okeechobee Service Center
825 NE 34th Avenue
Okeechobee, FL 34973
Contact: Dennis Padgett
863-467-3708
Available during business hours
Please call for appointment
- Florida Power & Light Company
Jane Reuch, FL 33408
120 W. Overhill Avenue
Clewiston, FL 33440
Contact: Karly Salvador
Available during business hours
Please call for appointment

The business address of the applicant for the Project is:
Florida Power & Light Company
700 Universe Blvd.
Jane Reuch, FL 33408
120 W. Overhill Avenue
Clewiston, FL 33440
Contact: Karly Salvador
Available during business hours
Please call for appointment

5. FDEP and other state, regional, and local agencies will be studying the application and preparing reports and recommendations on the Project. Interested persons should review the application and bring any matters of concern to the attention of the appropriate agency and FPL as soon as possible. Information regarding the appropriate contact persons in the reviewing agencies may be obtained from Mike Hajos at the Department of Environmental Protection, Siting Coordination Office, 2608 Blair Stone Road, Tallahassee, Florida 32399, (850) 245-8002.

6. (a) Any person wishing to participate in the proceedings, either as a party or without party status must follow Section 403.508(3), F.S. Notwithstanding the provisions of Chapter 120, F.S., upon the filing with the administrative law judge of a notice of intent to be a party no later than 75 days after the application was filed on December 22, 2006, the following shall also be parties to the proceeding:

1. Any agency not listed in Section 403.508(3)(a), F.S., as to matters within its jurisdiction.
2. Any domestic nonprofit corporation or association formed, in whole or in part, to promote conservation or natural beauty, to protect the environment, personal health, or other biological values; to preserve historical sites; to promote consumer interests; to represent labor, commercial, or industrial groups; or to promote comprehensive planning or orderly development of the area in which the proposed electrical power plant is to be located.
- (b) Other parties may include any person, including those persons enumerated in paragraph 5 who have failed to timely file a notice of intent to be a party, whose substantial interests are affected and being determined by the proceeding and who timely file a motion to intervene pursuant to Chapter 120, F.S., and applicable rules. Intervention pursuant to this paragraph may be granted at the discretion of the designated administrative law judge and upon such conditions as he may prescribe any time prior to 30 days before the commencement of the certification hearing. Those wishing to intervene in this proceeding, unless appearing on their own behalf, must be represented by an attorney or other person who can be determined to be qualified to appear in administrative proceedings pursuant to Chapter 120, F.S., or Rule 28.100(1)(b), Florida Administrative Code.
- (c) When appropriate, any person may be given an opportunity to present oral or written communications to the designated administrative law judge. If the designated administrative law judge proposes to consider such communications, then all parties shall be given an opportunity to cross-examine or challenge or rebut such communications.
7. Any notice of intent to be a party, motion to intervene or other pleadings must be sent to:
Hon. J. Lawrence Johnston
Administrative Law Judge
Division of Administrative Hearings
The DeSoto Building
1238 Apalachee Parkway
Tallahassee, Florida 32399-3040
- and must contain the following reference to the application and DOAH case numbers (PA06-49, DOAH Case No. 06-5144PFP, the name, address and telephone number of the agency or person making the filing. A notice of intent to be a party or a motion to intervene must contain allegations sufficient to demonstrate the agency or person is entitled to participate in the proceeding. The notice or motion must be sent by mail to the applicant and to all parties (A list of parties may be obtained from the Department's Office of Siting Coordination at the address and telephone number listed above.)
8. (a) Subject to the conditions set forth herein, any certification shall constitute the sole license of the state and any agency as to the approval of the site and the construction and operation of the proposed electrical power plant,

including the associated transmission lines and other facilities, except for the issuance of short-term licenses required under any federally delegated or approved permit program and except as otherwise provided in subject case 403.511(4), Florida Statutes, which relates to certain powers of the Florida Public Service Commission and rights of local government.

(b) The certification shall authorize FPL to construct and operate the proposed electrical power plant, including the associated transmission lines and other facilities, subject only to the conditions of certification set forth in such certification, and except for the issuance of EDP licenses or permits required under any federally delegated or approved permit program.

(c) In regard to variances or other relief, Section 403.907(3)(f), F.S. and Rule 62-17.1(3)(2), F.A.C. require that agencies identify in their report on the Project any needed variances or other relief from nonprocedural standards of the agencies. Failure to provide such notice shall be treated as a waiver from nonprocedural requirements of FDEP or any other agency. However, no variance shall be granted from standards or regulations of the FDEP applicable under any federally delegated or approved permit program, except as expressly allowed in such program.

9. FPL has also submitted applications to FDEP for a prevention of significant deterioration (PSD) permit and an underground

injection control exploratory well permit for the FGPP. Those two applications are included in the application. Those permits will be issued by DLP separately from any site certification. A separate 404 Wetlands Permit application was submitted to the U.S. Army Corps of Engineers and will be reviewed and issued separately from the certification as a federal action.

10. The Project will require the use of, connection to, or the crossing of properties and works of the following state, regional or local agencies and those issues will be addressed under certification Florida Department of Transportation, Florida Board of Trustees of the Internal Improvement Trust Fund, South Florida Water Management District, Glades County, Hendry County, and the Hendry-Hillside Water Control District.

11. This public notice is also provided in compliance with the Federal Coastal Zone Management Act, as amended in 15 CFR Part 930, Subpart D. Public comment on the Applicant's federal consistency certification should be directed to Lynn Griffin, Coordinator, Florida Coastal Management Program, Department of Environmental Protection, 3607 Commonwealth Blvd., M.S. 27, Douglas Building, Tallahassee, Florida 32399-3000.

