

DEP ROUTING AND TRANSMITTAL SLIP

TO: (NAME, OFFICE, LOCATION)

3. \_\_\_\_\_

1. Oliver Lacey

4. \_\_\_\_\_

2. MS. 5505

5. \_\_\_\_\_

PLEASE PREPARE REPLY FOR:

- SECRETARY'S SIGNATURE
- DIV/DIST DIR SIGNATURE
- MY SIGNATURE
- YOUR SIGNATURE
- DUE DATE \_\_\_\_\_

ACTION/DISPOSITION

- DISCUSS WITH ME
- COMMENTS/ADVISE
- REVIEW AND RETURN
- SET UP MEETING
- FOR YOUR INFORMATION
- HANDLE APPROPRIATELY
- INITIAL AND FORWARD
- SHARE WITH STAFF
- FOR YOUR FILES

COMMENTS:

Syed ?

There's more  
than 1 Semurle  
etc. - this is  
Unit 3

PSD-214  
#0490340

FROM: Lenny

DATE: 8/17/95

PHONE: 1-8642

STATE OF FLORIDA  
DIVISION OF ADMINISTRATIVE HEARINGS

IN RE: SEMINOLE ELECTRIC )  
COOPERATIVE, INC., POWER PLANT )  
SITING APPLICATION NO. 89-25SA )

DOAH CASE NO. 94-25EPP  
OGC CASE NO. 94-05

Hardee Unit 3  
RECEIVED  
AUG 17 1995  
Bureau of  
Air Regulation

FINAL ORDER APPROVING CERTIFICATION

On August 8, 1995, this matter came before the Governor and Cabinet, sitting as the Siting Board, pursuant to the Florida Electrical Power Plant Siting Act (PPSA), Section 403.501 et seq., Florida Statutes (1993), for final agency action concerning a recommended order dated June 30, 1995, attached as Exhibit 1, which recommends site certification for the Seminole Electric Power Plant Hardee County site. By order dated January 6, 1995, the Board found the Seminole site to be consistent and in compliance with existing land use plans and zoning ordinances. On June 21, 1994, the Public Service Commission certified the need for 440 MW of natural gas and oil-fired generating capacity at the site.

No party has filed exceptions to the Recommended Order.

Having reviewed the recommended order and otherwise being fully advised, it is ORDERED:

1. Pursuant to Section 120.57(1)(b)(10), Florida Statutes (1993), the Recommended Order dated June 30, 1995 (Exhibit 1), is APPROVED and ADOPTED by the Board.

2. The Board APPROVES certification for the location, construction and operation of Hardee Unit 3, a 440 MW natural gas and oil-fired, combined cycle generating plant at the Seminole

Hardee County Site as proposed in the Site Certification Application, subject to the Conditions of Certification contained in Appendix I to Exhibit 1.

3. The Board certifies the Hardee Power Station Site for an increase in the ultimate site capacity from 660 MW to 880 MW, fueled by natural gas and fuel oil, subject to supplemental application proceedings required by Section 403.517, Florida Statutes, and the previous site certification order for the Hardee Power Station.

4. The Board DELEGATES to the Department of Environmental Protection the authority to assure and enforce compliance by Seminole Electric Cooperative, Inc., and its agents with all of the Conditions of Certification imposed by this Order.

#### NOTICE OF RIGHTS

Any party to this certification proceeding has the right to seek judicial review of this Order under Section 120.68, Florida Statutes, by the filing of a notice of appeal pursuant to Rule 9.110, Florida Rules of Appellate Procedure, with the Clerk of the Department of Environmental Protection, Office of General Counsel, 3900 Commonwealth Blvd., Tallahassee, FL 32399-3000; and by filing a copy 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.

CERTIFICATE OF SERVICE

I hereby certify this 16<sup>th</sup> day of August 1995, that true and correct copies of the foregoing have been served by U.S. Mail upon the following:

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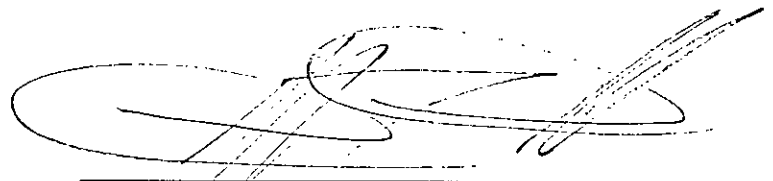
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CHARLES T. "CHIP" COLLETTE

DONE and ORDERED this day of August, 1995, at Tallahassee, Florida, pursuant to a vote of the Governor and Cabinet sitting as the Siting Board, at a duly-noticed and constituted Cabinet meeting on August 8, 1995.

**FILING AND ACKNOWLEDGEMENT**  
FILED, on this date, pursuant to S120.52 Florida Statutes, with the designated Department Clerk, receipt of which is hereby acknowledged.

*Andy C. Carter* *8/15/95*  
Clerk Date

THE GOVERNOR AND CABINET  
SITTING AS THE SITING BOARD

BY: *Lawton Chiles*  
THE HONORABLE LAWTON CHILES