

**FINAL ORDER
APPROVING CERTIFICATION
FEBRUARY 1992**

BEFORE THE GOVERNOR AND CABINET
STATE OF FLORIDA
SITTING AS THE SITING BOARD

IN RE:
APPLICATION FOR POWER PLANT
SITE CERTIFICATION OF
INDIANTOWN COGENERATION
PROJECT, PA 90-31

DOAH CASE NO. 90-8072EPP

FINAL ORDER APPROVING CERTIFICATION

On February 4, 1992, 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 (1991), for final agency action concerning a Recommended Order dated December 24, 1991, attached as Exhibit 1, which recommends site certification for the Indiantown Cogeneration Project Power Plant. On September 24, 1991, the Board adopted a previous Recommended Order in this case which concluded that the proposed project was consistent with all applicable zoning ordinances and land use plans. The Public Service Commission entered a Final Order certifying the need for the proposed project on March 21, 1991.

No exceptions to the Recommended Order have been filed. Having reviewed the Recommended Order and having otherwise been fully advised, it is **ORDERED**:

1. Pursuant to Section 120.57(1)(b)10, Florida Statutes (1991), the Recommended Order dated December 24, 1991, (Exhibit 1) is **APPROVED** and **ADOPTED** by the Board.

2. The Board hereby **APPROVES** certification of the location, construction, and operation of the Indiantown Cogeneration Project at the proposed site, subject to the Conditions of Certification contained in Appendix A of Exhibit 1.

3. The Board hereby **DELEGATES** to the Department of Environmental Regulation the authority to assure and enforce compliance by Indiantown Cogeneration Partnership and its agents with all of the Conditions of Certification.

NOTICE OF RIGHTS

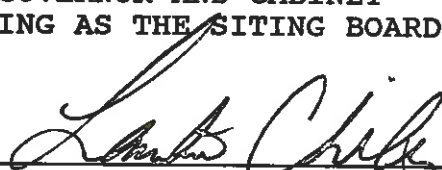
Any party to this certification proceeding has the right to seek judicial review of this Order pursuant to Section 120.68, Florida Statutes, by the filing of a notice of appeal pursuant to Rule 9.110, Florida Rules of Appellate Procedure, with the Clerk of the Siting Board in the Department of Environmental Regulation Office of General Counsel, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400; 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 Final Order is filed with the Clerk of the Siting Board.

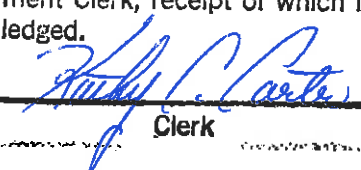
DONE and ORDERED this 6th day of February, 1992, in Tallahassee, Florida, pursuant to the vote of the Governor and Cabinet sitting as the Siting Board, at a duly-noticed and constituted Cabinet meeting on February 4, 1992.

THE GOVERNOR AND CABINET
SITTING AS THE SITING BOARD

FILING AND ACKNOWLEDGEMENT

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

BY: 
THE HONORABLE LAWTON CHILES


Clerk

2-7-92
Date

I hereby certify that the attached order was provided by mail on this 13th day of February, 1992, to the following persons:

The Honorable Lawton Chiles
Governor
The Capitol, Room 210
Tallahassee, Florida 32399

The Honorable Jim Smith
Secretary of State
The Capitol, LL-10
Tallahassee, Florida 32399

The Honorable Robert A. Butterworth
Attorney General
The Capitol, Plaza Level
Tallahassee, Florida 32399

The Honorable Bob Crawford
Commissioner of Agriculture
The Capitol, Plaza level
Tallahassee, Florida 32399

The Honorable Gerald A. Lewis
State Comptroller
The Capitol, Room 2001
Tallahassee, Florida 32399

The Honorable Tom Gallagher
State Treasurer and Insurance Commissioner
The Capitol, LL-27
Tallahassee, Florida 32399

The Honorable Betty Castor
Commissioner of Education
The Capitol, Plaza Level
Tallahassee, Florida 32399

Hamilton S. Oven, Jr., P.E.
Florida Department of Environmental
Regulation
2600 Blair Stone Road, Room 309L
Tallahassee, FL 32399-2400

Richard T. Donelan, Esquire
Assistant General Counsel
Florida Department of Environmental
Regulation
2600 Blair Stone Road, Room 654
Tallahassee, Florida 32399-2400

Kathryn Funchess
Stephen Pfeiffer
General Counsel
Florida Department of Community Affairs
2740 Centerview Drive
Tallahassee, Florida 32399-2100

Vernon Whittier
Assistant General Counsel
Department of Transportation
Haydon Burns Building
605 Suwannee Street, M.S. #58
Tallahassee, Florida 32399

John Fumero
South Florida Water Management District
Post Office Box 24680
West Palm Beach, Florida 33416-4680

Eugene McClellan, Assistant General Counsel
Department of Natural Resources
3900 Commonwealth Boulevard
Tallahassee, Florida 32399

Roger G. Saberson
Attorney for Treasure Coast
Regional Planning Council
70 S.E. 4th Avenue
Delray Beach, FL 33482-4514

Fred W. Van Vonno
Assistant County Attorney
Martin County
2401 Southeast Monterey Road
Stuart, Florida 34996

Brian Sodt
Central Florida Regional Planning Council
Post Office Box 2089
Bartow, Florida 33830-2089

John D. Cassels, Jr.
Counsel for Okeechobee County
Post Office Box 968
400 Northwest Second Street
Okeechobee, Florida 34972

James Antista, General Counsel
Kenneth McLaughlin, Assistant General Counsel
Florida Game and Fresh Water Fish Commission
Bryant Building
620 South Meridian Street
Tallahassee, FL 32399-1600

Doug Roberts
Carolyn S. Raepple
Gary Sams
Attorneys at Law
P.O. Box 6526
Tallahassee, FL 32314
(Counsel for Applicant)

R T Donelan, Jr.
Asst. General Counsel
Dept of Environmental
Regulation