

7-2

BEFORE THE STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL REGULATION

In Re:	)	
	)	
Florida Power & Light Company	)	
St. Lucie Power Plant Unit	)	
No. 2;	)	OGC Case No. 85-1372
Modification of Terms and	)	
Conditions of Certification	)	
No. PA 74-02,	)	
St. Lucie County, Florida	)	

FINAL ORDER
MODIFYING CONDITIONS OF CERTIFICATION

The Florida Department of Environmental Regulation (Department), after notice and opportunity for hearing, modifies the conditions of certification of the St. Lucie Power Plant Unit No. 2 pursuant to Section 403.516(1), Florida Statutes, and Section 10 of the General Conditions of Certification, which delegated modifications of conditions to the Department.

1. On December 12, 1985, Florida Power and Light Company submitted a petition to the Department requesting modification of the existing Conditions of Certification for St. Lucie Power Plant Unit No. 2 to allow change in the water monitoring program.

2. On January 17, 1986, a Notice of Proposed Agency Action was served on all parties with a provision that a hearing would be held if requested on or before March 3, 1986. No hearing was requested, therefore the Department adopts the proposed agency action as final.

3. After review of the petition and its exhibits, the Department grants relief to Florida Power and Light by making the following modifications to the Conditions of Certification:

a. Special Condition III.A.1. is amended to read:

Chemical and Physical Monitoring Program

The following parameters shall be monitored
and reported to the Department quarterly:

Parameter	Sampling Location	Type of Sample	Frequency of Sampling
. . .	. . .	. . .	. . .
Temperature	**Intake/POD*	-----	hourly
. . .	. . .	. . .	. . .

* May be monitored at the centerline of the discharge canal, at least one foot below the surface, between State Road A1A and the discharge pipe headwall in-discharge-canal-at-the-location specified-in-III-A-2-b-

b. Special Condition III.A.2. is deleted.

~~2.---Thermal---The-monitoring-of-the-thermal-dis-charge-shall-be-accomplished-as-follows:~~

~~At-the-surface-of-the-water-at-the-discharge-from-Unit-No.-27-the temperature-shall-be-monitored-twice-annually-in-August-and September-by-boat-or-by-thermal-image-photography-~~

c. Special Condition III.B. is deleted.

~~B.---Biological-Monitoring-Program~~

~~The-following-constitutes-the-biological-monitoring-program:~~

~~The-biological-monitoring-program-shall-be-performed-in-accordance with-the-attached-Exhibit-B-~~

d. Special Conditions III.C. and D. are renumbered to III.B. and C. respectively.

Any party to this Order 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 Department in the Office of General Counsel, 2600 Blair Stone Road, Tallahassee, Florida, 32301; 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 the Final Order is filed with the clerk of the Department.

DONE AND ORDERED this 28 day of April, 1986, in Tallahassee, Florida.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL REGULATION

FILING AND ACKNOWLEDGEMENT

FILED, on this date, pursuant to S120.52 (9), Florida Statutes, with the designated Department Clerk, receipt of which is hereby acknowledged.

Peggy L. Brown
Clerk

4-29-86
Date

Victoria J. Tschinkel
VICTORIA J. TSCHINKEL
Secretary

2600 Blair Stone Road
Tallahassee, Florida 32301
904/488-9730

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that copies of the foregoing FINAL ORDER
MODIFYING CONDITIONS OF CERTIFICATION were furnished by United
States Mail, to all counsel of record listed on the attached
service list, on the 29th day of April 1986.

Karen A. Brodeen

KAREN BRODEEN
Deputy General Counsel

William D. Preston, Esq.
420 Lewis State Bank Building
Post Office Box 6526
Tallahassee, FL 32301

Lawrence C. Keeseey, Esq.
Department of Community Affairs
2571 Executive Center Circle East
Tallahassee, FL 32301

Martin County Conservation Alliance
Martin Harold Hodder, Esq.
1131 N.E. 86th Street
Miami, FL 33138

Mr. Estes Whitfield
Senior Governmental Analyst
Office of Planning and Budgeting
Office of the Governor
The Capitol
Tallahassee, FL 32304

Steve Walker, Esq.
South Florida Water Management
District
Post Office Box V
West Palm Beach, FL 33402

The Honorable Bob Graham
Governor
The Capitol
Tallahassee, FL 32304

The Honorable George Firestone
Secretary of State
The Capitol
Tallahassee, FL 32304

The Honorable William Gunter
Treasurer
The Capitol
Tallahassee, FL 32304

The Honorable Ralph D. Turlington
Commissioner of Education
The Capitol
Tallahassee, FL 32304

The Honorable Doyle E. Conner
Commissioner of Agriculture
The Capitol
Tallahassee, FL 32304

Bonnie Davis, Esq.
General Counsel
Florida Public Service
Commission
Room 207, Fletcher Building
101 East Gaines Street
Tallahassee, FL 32301

Conservation Alliance of
St. Lucie County
Mrs. Margorie Silver Alder
304 St. Andrews Lane
Ft. Pierce, FL 33450

League of Women Voters of
St. Lucie County
c/o Mrs. Judith James
Route 3, Box 423
Ft. Pierce, FL 33450

Citizens United Against
Radioactive Environment
c/o Harry H. Alder
304 St. Andrews Lane
Ft. Pierce, FL 33450

Sam Shannon, Esq.
Treasure Coast Regional
Planning Council
Post Office Box 396
Stuart, FL 33495

The Honorable Jim Smith
Attorney General
The Capitol
Tallahassee, FL 32304

The Honorable Gerald Lewis
Comptroller
The Capitol
Tallahassee, FL 32304