

BEFORE THE STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL REGULATION

THE SIERRA CLUB,	)	
	)	
Petitioner,	)	
	)	
vs.	)	DOAH Case No. 84-1068
	)	OGC File No. 84-0174
ORLANDO UTILITIES COMMISSION	)	
and STATE OF FLORIDA DEPARTMENT	)	
OF ENVIRONMENTAL REGULATION,	)	
	)	
Respondents.	)	
_____	)	

FINAL ORDER

In December, 1983, the Orlando Utilities Commission filed with the Department an Amended Petition for Modification of Site Certification and Conditions of Certification for the Curtis H. Stanton Energy Center. (Exhibit "A"). All the parties to the original certification proceedings and all appropriate statutory parties, as designated in Section 403.508(4), Florida Statutes, were sent copies of the amended petition. On March 30, 1984, a notice was published in the Florida Administrative Weekly which granted the above-mentioned parties and anyone else whose substantial interests might be affected a point of entry to challenge any of the proposed modifications. The Sierra Club was the only entity to file a timely challenge to the proposed modifications. The Sierra Club's request for hearing was forwarded to the Division of Administrative Hearings ("Division" hereafter). While the Division had jurisdiction over this matter, all disputed issues of law and fact were resolved by three (3) Stipulations which were executed by all appropriate parties. (Exhibits "1-3" of the Division's Order). On June 14, 1984, the duly appointed Hearing Officer submitted to the Department and all parties an Order remanding this matter to me for final agency action. (Exhibit "B").

On December 14, 1982, the Governor and Cabinet, sitting as the Siting Board, issued a Certification Order for the Orlando Utilities Commission Curtis H. Stanton Energy Center. Provision

number four (4) of the Certification Order adopted proposed Condition XXVI as a condition of certification.

XXVI. Modification of Conditions

The conditions of this certification may be modified in the following manner:

- A. The Board pursuant to 403.516(1), F.S., hereby delegates to the Secretary the authority to modify, after notice and opportunity for hearing, any conditions pertaining to consumptive use of water, monitoring, sampling,, groundwater, mixing zones, zones of discharge, leachate control programs, effluent or emission limitations, variances or exceptions to water quality standards, railroad spur, transmission lines, access road or pipeline construction, and source of treated effluent cooling water.
- B. All other modifications shall be made in accordance with Section 403.516, Florida Statutes.

Section 403.516(1), Florida Statutes, provides:

A certification may be modified after issuance in any one of the following ways:

- (1) The board may delegate to the department the authority to modify specific conditions in the certification.

The delegation to the Secretary makes consideration of the proposed modifications by the Siting Board unnecessary and inappropriate.

Pursuant to Florida Administrative Code Rule 17-1.68(1) and Section 120.57(1)(b)8., Florida Statutes, the parties were allowed ten (10) days in which to submit written exceptions to the Division's Order. Neither Petitioner nor Respondents submitted exceptions. Pursuant to Condition XXVI of the Conditions of Certification for the Curtis H. Stanton Energy Center, this matter has come before me for final agency action. Having considered the Order submitted herein and being otherwise fully advised,

IT IS ORDERED as follows:

- 1. The Hearing Officer's Order is hereby adopted in toto.
- 2. The previously certified rail corridor, level detection monitors, main plant access road, water supply sources, make up and return water pipelines, and fugitive dust control systems shall be altered in accord with the Orlando Utilities

Commission's Amended Petition as modified by the three (3) Stipulations of the parties. (Exhibits "A" and "1-3" of the Division's Order).

3. Conditions of Certification I.A.3.a. and d. shall be modified in accord with the provisions of the stipulation executed on June 14, 1984. (Exhibit "3" of the Division's Order).

4. The Conditions of Certification shall be amended to include an additional condition as required by the stipulation executed on June 13, 1984. (Exhibit "2" of the Division's Order).

DONE AND ORDERED this 27 day of June, 1984.

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.

Diane Nelson

Clerk

6-28-84

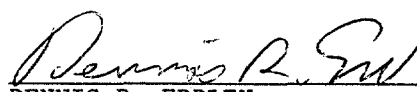
Date

Victoria J. Tschinkel
VICTORIA J. TSCHINKEL
Secretary

Twin Towers Office Building
2600 Blair Stone Road
Tallahassee, Florida 32301
(904) 488-4805

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that two true copies of the foregoing FINAL ORDER have been furnished by United States Mail to Diane Tremor, Hearing Officer, Division of Administrative Hearings, 2009 Apalachee Parkway, Tallahassee, Florida, 32301, and a true copy of the same to Thomas B. Tart, Esquire, Post Office Box 3193, Orlando, Florida, 32802; Roy C. Young and Ken Van Assenderp, Esquires, Post Office Box 1833, Tallahassee, Florida, 32302; Henry Dean, Esquire, St. Johns River Water Management District, Post Office Box 1429, Palatka, Florida, 32077; Robert R. Hendry, Esquire, Hendry & Stoner, P.A., 215 East Central Boulevard, Orlando, Florida, 32801; Larry Keesey, Esquire, Dept. of Community Affairs, 2571 Executive Center Circle E, Tallahassee, Florida, 32301; Arthur Shell, Esquire, Public Service Commission, 101 East Gaines Street, Tallahassee, Florida, 32301; Irene M. Kennedy Quincey, Esquire, South Florida Water Management District, 3301 Gun Club Road, Post Office V, West Palm Beach, Florida, 33402; Thomas A. Cloud, Assistant County Attorney for Orange County, Gray, Harris & Robinson, Post Office Box 3068, Orlando, Florida, 32802, on this 2nd day of ^{July}~~June~~, 1984.


DENNIS R. ERDLEY
Assistant General Counsel

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL REGULATION
Twin Towers Office Building
2600 Blair Stone Road
Tallahassee, Florida 32301
(904) 488-9730

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL REGULATION

IN RE: ORLANDO UTILITIES COMMISSION)
CURTIS H. STANTON POWER PLANT) Case No. 81-1431
UNIT NO. 1, SITE CERTIFICATION.)
_____)

AMENDED PETITION FOR MODIFICATION
OF SITE CERTIFICATION
AND CONDITIONS OF CERTIFICATION

ORLANDO UTILITIES COMMISSION (OUC) is an independent authority and part of the government of the City of Orlando and is engaged in the generation and distribution of electric power to persons within its service area. Its address is:

Orlando Utilities Commission
500 South Orange Avenue
Orlando, Florida 32801

OUC filed on November 3, 1983 a petition for modification of certification of the Curtis H. Stanton Energy Center, Unit 1 and related facilities pursuant to Section 403.516(1), F.S., Chapter 17-17.211(4) F.A.C., and Condition of Certification XXVI. That petition was accompanied by fourteen (14) copies of appropriate modifications of the original Site Certification Application as amended. Today OUC is filing this Amended Petition for Modification of Certification. No changes to the Site Certification Application are needed for this Amended Petition.

On December 14, 1982, the Honorable Bob Graham, Governor, acting for the Siting Board, signed the Certification Order granting certification pursuant to Chapter 403, Part II, Florida Statutes, for the location, construction, and operation of the Curtis H. Stanton Energy Center, Unit 1, its associated facilities, and its directly associated transmission lines as proposed in the amended Application and evidence of record, subject to the Conditions of Certification attached to the order.

Subsequent to the issuance of the Certification Order, changes in the design concepts have been made for six components of the certified facilities. These six components are as follows.

- Railroad Corridor
- Fugitive Dust Control Systems
- Level Detection Monitors

- Main Plant Access Road
- Water Supply Source
- Makeup and Return Water Pipelines

The detailed descriptions of these modifications of the project are provided in the attached alterations of the Application identified as Request for Modification of Certification 1.

In accordance with Chapter 17-17.211(3)(c) the following effects of the modifications are presented.

Railroad Corridor. Appropriate chapters of the Application have been altered to reflect the modified corridor. The alterations include the addition of pertinent information required under Chapter 17-17.091. Procedures for requesting modification under Chapter 17-17.211(4) satisfy Condition of Certification XXX. The modification will not affect Findings of Fact or Conclusions of Law upon which certification or conditions of certification were based.

Fugitive Dust Control Systems. Appropriate pages of the amended Application have been provided in Request for Modification of Certification 1. This change requires modification of Conditions of Certification to more accurately reflect currently proposed control technologies. The following modification of Conditions of Certification, I, A, 3, a, and d are requested.

I. Air

A. Emission Limitations

3. Particulate emissions from the coal, lime, and limestone handling facilities:

- All conveyers-and conveyor transfer points will be enclosed to preclude PM emissions (except those directly associated with the coal-stackers/reclaimer-or emergency stockout,-and the limestone stockout for which enclosure is operationally infeasible). All coal and limestone conveyors not underground or within buildings will be enclosed (roof and sides) with steel grating or concrete floors (except the stacker/reclaimer which will have windscreen protection).
- The limestone handling receiving hopper,-transfer-conveyers and-day-silos,-and-the-lime-silos-will-be-maintained-as negative-pressures-while-operating-with-the-exhaust-vented

to-a-control-system, will be equipped with water spray dust control facilities. Limestone conveyors not underground or within buildings will be enclosed with open grating floors (except where concrete floors are provided over roads or other facilities). Limestone day silos and associated transfer points will be maintained at negative pressures during filling operations with the exhaust vented to a control system. Lime will be handled with a totally enclosed pneumatic system. Exhaust from lime silos during filling will be vented to a collector system.

This modification will not affect Findings of Fact or Conclusions of Law upon which the original certification and conditions of certification were based.

Level Detection Monitors. This change is reflected by the addition of a subsection to the project description portion of the Application with a partially completed application for a radioactive materials license. A new Condition of Certification is proposed since the remaining information requested on the application form is not yet available.

XXXV. Radioactive Materials

The permittee shall submit to the Department all supplemental information required by the Radioactive Materials License Application form and shall obtain the pertinent approvals of the Florida Department of Health and Rehabilitative Service. Documentary evidence of such approvals shall be provided to the Department.

The use of level detection monitors containing radioactive sources will have no significant effect on existing Findings of Fact or Conclusions of Law.

Main Plant Access Road. A new Orange County road will serve the access needs of the Stanton Energy Center. Request for Modification 1 provides revisions of the appropriate pages of the Application. The change has no effect on Certification, Conditions of Certification, Findings of Fact, or Conclusions of Law.

Water Supply Source. Cooling water makeup supply will be obtained from a new wastewater treatment facility being constructed by Orange County four miles from the Stanton Energy Center. The appropriate pages of the Application are included in Request for Modification. Findings of Fact and Conclusions of Law are not affected.

Makeup and Return Water Pipelines. Appropriate pages of the Application are included in Request for Modification 1 for this change. No effects on Conditions of Certification, Findings of Fact, or Conclusions of Law will result.

OUC requests that the Modification of Certification described in this petition be approved by the Secretary of the Department of Environmental Regulation in accordance with Condition of Certification XXVI. Modification of Certification Part A of which states as follows:

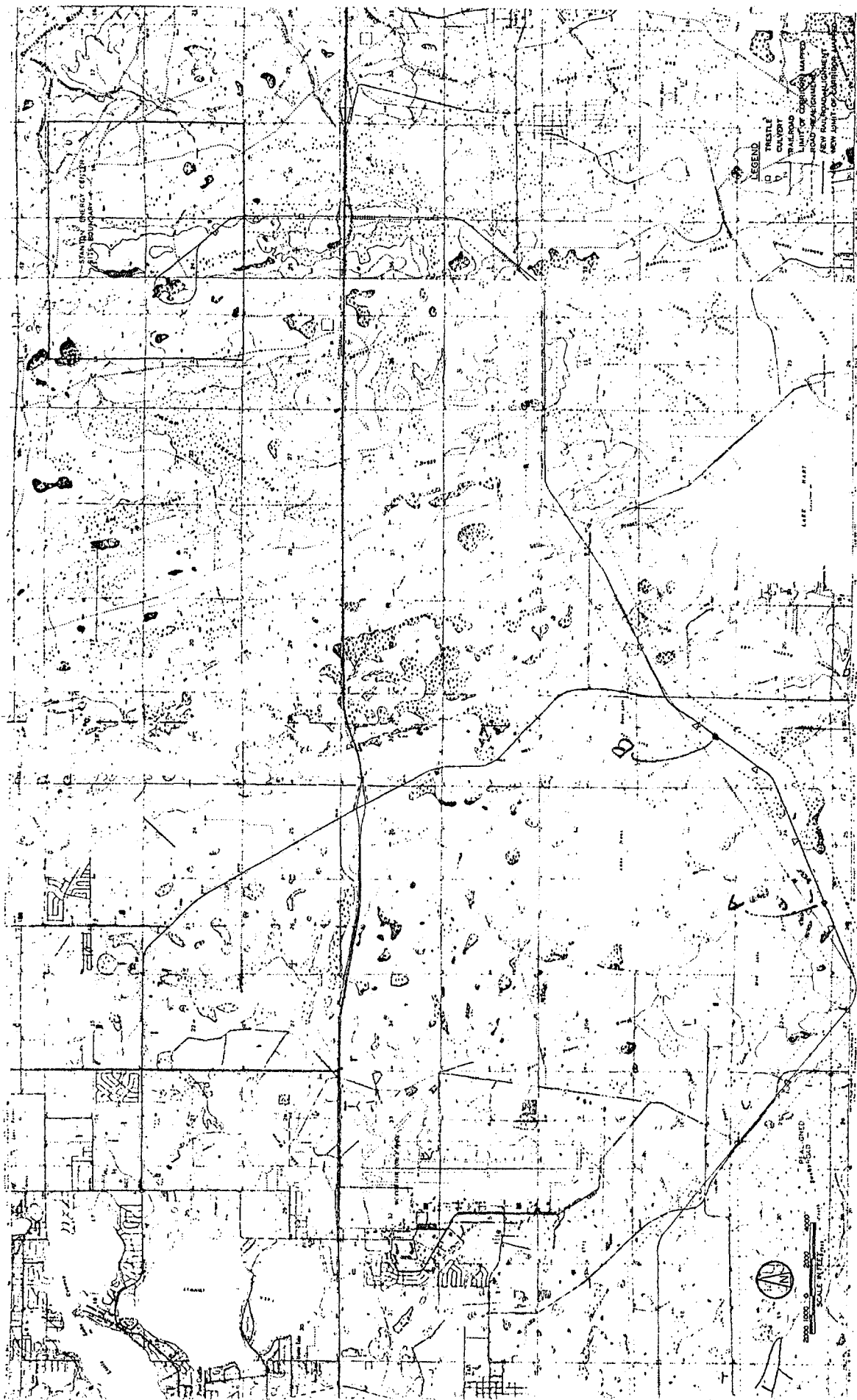
- A. The Board pursuant to 403.516(1), F.S., hereby delegates to the Secretary the authority to modify, after notice and opportunity for hearing, any conditions pertaining to consumptive use of water, monitoring, sampling, groundwater, mixing zones, zones of discharge, leachate control programs, effluent or emission limitations, variances or exceptions to water quality standards, railroad spur, transmission line, access road or pipeline construction, and source of treated effluent cooling water.

OUC believes that all of the modifications included in this petition are within the approval authority granted to the Secretary of the DER by Condition of Certification XXVI. Should any of the proposed modifications be found to be outside this authority, OUC requests that such modification be treated as a separate petition from the remaining proposed modifications. The modifications described provide important technical, economic, or environmental advantages to the construction and operation of the Stanton Energy Center.

Attached to this petition is Request for Modification of Certification I. This document consists of a summary of changes to the Application, instructions for inserting the modified pages into the application, and the modified pages containing discussions pertinent to the changes.

Dec. 2, 1983
Date

Thomas B. Tart
Thomas B. Tart
Staff Counsel
Orlando Utilities Commission



STATE OF FLORIDA
DIVISION OF ADMINISTRATIVE HEARINGS

RECEIVED

JUN 13 1984

THE SIERRA CLUB,
Petitioner,

v.

ORLANDO UTILITIES COMMISSION and
STATE OF FLORIDA, DEPARTMENT OF
ENVIRONMENTAL REGULATION,
Respondents.

Dept. of Environmental Regulation
Office of General Counsel

CASE NO. 84-1068

ORDER REMANDING REQUEST FOR MODIFICATION
TO THE SECRETARY OF THE DEPARTMENT OF
ENVIRONMENTAL REGULATION

Pursuant to notice, a prehearing conference was held June 13, 1984, before Diane Tremor, Hearing Officer with the Division of Administrative Hearings. This prehearing conference was held in Tallahassee, Florida, with some of the parties attending in Orlando via telephone conference. The issue for determination in this case is whether the modifications of the Certification Order for the Stanton Energy Center, proposed by the Orlando Utilities Commission, should be authorized by the Secretary of the Department of Environmental Regulation.

Appearances at the Prehearing Conference

For Orlando Utilities
Commission:

Thomas B. Tart
Staff Counsel
Orlando Utilities Commission
Post Office Box 3193
Orlando, Florida 32802

Ken van Assenderp
Young, van Assenderp,
Varnadoe & Benton, P.A.
Post Office Box 1833
Tallahassee, Florida 32302

For Department of
Environmental Regulation:

Dennis Erdley
Office of General Counsel
Department of Environmental
Regulation
2600 Blair Stone Road
Tallahassee, Florida 32301

For Orange County:

Scott E. Wilt*
201 East Pine Street
Suite 1201
Orlando, Florida 32801

For the Florida Chapter of
the Sierra Club:

Irby Pugh*
218 Annie Street
Orlando, Florida 32801

*Denotes telephone conference attendees.

On December 14, 1982, the Governor and Cabinet, sitting as the Siting Board, issued a Certification Order for the Orlando Utilities Commission Curtis H. Stanton Energy Center. Provision number four (4) of the Certification Order adopted proposed Condition XXVI as a condition of certification.

XXVI. Modification of Conditions

The conditions of this certification may be modified in the following manner:

- A. The Board pursuant to 403.516(1), F.S., hereby delegates to the Secretary the authority to modify, after notice and opportunity for hearing, any conditions pertaining to consumptive use of water, monitoring, sampling, groundwater, mixing zones, zones of discharge, leachate control programs, effluent or emission limitations, variances or exceptions to water quality standards, railroad spur, transmission line, access road or pipeline construction, and source of treated effluent cooling water.
- B. All other modifications shall be made in accordance with Section 403.516, Florida Statutes.

Section 403.516(1), Florida Statutes, provides:

A certification may be modified after issuance in any one of the following ways:

- (1) The board may delegate to the department the authority to modify specific conditions in the certification.

The delegation to the Secretary makes consideration of the proposed modifications by the Siting Board unnecessary and inappropriate.

On December 2, 1983, the Orlando Utilities Commission forwarded its Amended Petition for Modification of Site Certification and Conditions of Certification to the Department. On December 7, 1983, the Department sent copies of the amended petition to all the parties to the original certification proceedings. This included all the statutory parties designated in Section 403.508(4),

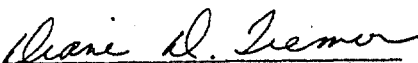
Florida Statutes. The amended petition indicated that the Orlando Utilities Commission proposed to modify the previously certified rail corridor, level detection monitors, main plant access road, water supply sources, makeup and return water pipelines, and fugitive dust control systems.

On March 30, 1984, a Notice of Request for Modifications of Power Plant Certification was published in the Florida Administrative Weekly. The notice gave the parties to the original certification proceedings and anyone else whose substantial interests might be affected a point of entry to challenge any of the proposed modifications to the Certification Order. The Sierra Club was the only entity to file a timely challenge to the proposed modifications.

All parties to the original certification proceedings have executed a Stipulation indicating that the proposed modification to the rail corridor was not a contested matter and should be deleted as an issue from the hearing scheduled for June 21, 1984. (Exhibit "1") A similar stipulation involving the proposed modifications to the level detection monitors, main plant access road, water supply source, and makeup and return water pipelines was executed by the same parties. (Exhibit "2") The remaining issue concerning fugitive dust control systems was disposed of by a stipulation executed by the representatives of the Sierra Club, Orlando Utilities Commission, Orange County, and the Department of Environmental Regulation. (Exhibit "3") These were the only parties who elected to participate in the proceedings scheduled for June 21, 1984.

Because all disputed issues of law and fact have been resolved by the three Stipulations of the parties, there remain no issues for the Division of Administrative Hearings to consider.

Therefore, this matter is remanded to the Secretary of the Department of Environmental Regulation for final agency action.


DIANE D. TREMOR
Hearing Officer
Division of Administrative
Hearings
The Oakland Building
2009 Apalachee Parkway
Tallahassee, Florida 32301
(904) 488-9675

FILED WITH THE CLERK OF THE
DIVISION OF ADMINISTRATIVE
HEARINGS THIS 18th DAY OF
JUNE, 1984.

Copies furnished:

See attached page

Case No. 84-1068

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Orlando, Florida 32802

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Department of Environmental Regulation
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Orlando, Florida 32801

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Ken van Assenderp
Young, van Assenderp,
Varnadoe & Benton, P.A.
Post Office Box 1833
Tallahassee, Florida 32302

RE: CURTIS H. STANTON ENERGY CENTER
PLANT SITING APPLICATION

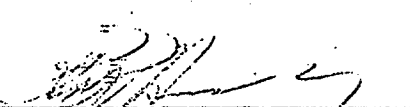
STIPULATION

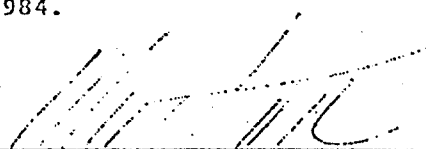
THE UNDERSIGNED do hereby stipulate and agree as follows:

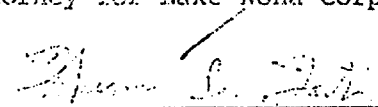
1. That the letter requesting a hearing on behalf of The Sierra Club, dated March 12, 1984, addressed to Mr. Hamilton S. Owen, Jr., P.E., Administrator, Power Plant Siting Section, Department of Environmental Regulation, a copy of which is attached hereto marked Exhibit "A" and thereby made a part hereof as if fully set forth herein, be modified to delete the request for hearing on Modification of the Rail Corridor to the extent that the requested modification complies with the rail corridor set forth on Exhibit "B" which is attached hereto and thereby made a part hereof as if fully set forth herein, between the points marked "A" and "B" on Exhibit "C".

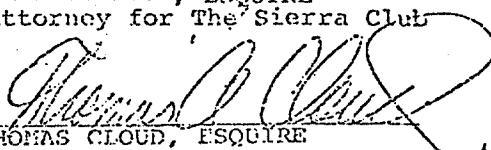
2. That the change in rail corridor to conform to the corridor set forth on Exhibit "C" between points "A" and "B" be approved by stipulation of the parties.

DATED this 23 day of March, 1984.

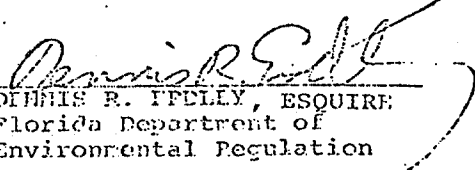

ROBERT R. HENDRY, ESQUIRE
Attorney for Lake Nona Corp.

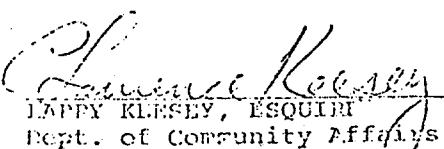

IRBY G. PUGH, ESQUIRE
Attorney for The Sierra Club

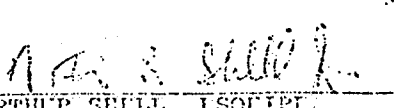

THOMAS E. TAPP, ESQUIRE
Orlando Utilities Commission

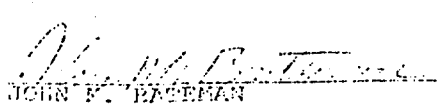

THOMAS CLOUD, ESQUIRE
Orange County

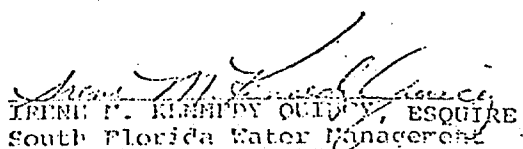

HENRY DEAN, ESQUIRE
St. Johns River Water
Management District


DENNIS R. TELLY, ESQUIRE
Florida Department of
Environmental Regulation


LARRY KLESSEY, ESQUIRE
Dept. of Community Affairs


ARTHUR SPELL, ESQUIRE
Public Service Commission


JOHN F. BRENNAN
Orange County Pollution
Control Department


IRENE P. KENNEDY OULVEY, ESQUIRE
South Florida Water Management
District

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL REGULATION

JUN 7 1984
Office of
Executive Director

THE SIERRA CLUB,
Petitioner,

vs.

DOAH Case No. 84-1068
OGC File No. 84-0174

ORLANDO UTILITIES COMMISSION and
STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL REGULATION,
Respondents.

JUN 15 1984

STIPULATION

The undersigned do hereby stipulate and agree as follows:

1. That the changes in the level detection monitors for radioactive materials, the main plant access road, the water supply source and the make-up and return water pipelines as more fully described and set forth in the amended Petition for Modification of Site Certification and Conditions of Certification be approved by stipulation of the parties.

2. That the conditions of Certification be amended to include the following condition:

XXXVI. Level Detection Monitors Containing Radioactive Sources

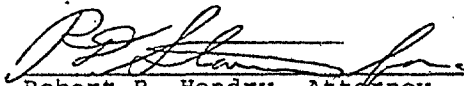
The Orlando Utilities Commission ("OUC") is certified to own and operate level detection monitors containing radioactive sources. The number and type of such monitors will be as approved by the Department of Health and Rehabilitative Services ("DHRS").

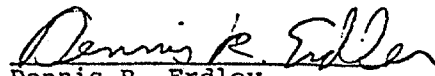
OUC shall submit to DHRS all the information required on the DHRS application form for a radioactive materials license as required by Florida Administrative Code Chapter 10D-56 for any monitors containing radioactive isotope sources. Within thirty (30) days after submission of the application, DHRS shall notify OUC if there are any errors or omissions in the information submitted and request any appropriate additional information. DHRS will render a final determination within ninety (90) days of submission of a complete application. If the request for a license is granted, a State of Florida radioactive materials license will be issued by DHRS which shall contain appropriate conditions or restrictions on the use of the monitors. A copy of the license or order denying issuance of the license shall be filed with DER. Any monitor containing radioactive isotopes shall be operated and maintained in accordance with Florida Admini-

strative Code Chapter 10D-56 and applicable license conditions. OUC shall update its radioactive materials license information prior to an expected change in the number of sources, the activity level of the facility, the type of isotope used or any other aspect of the radioactive materials license including personnel, procedures, radioactive materials and devices. In addition, a revised application form shall be submitted every five (5) years from the initial date of approval. Within thirty (30) days after submission of the application, DHRS shall notify OUC if there are any errors or omissions in the information submitted and request any appropriate additional information. DHRS will render a final determination within ninety (90) days of submission of a complete application. Employees of DHRS may enter the plant site to inspect the monitors and any pertinent records at any time.

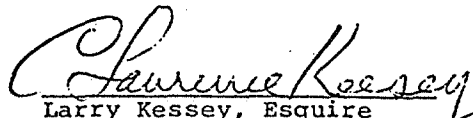
2. This Stipulation is entered into this 13TH day of

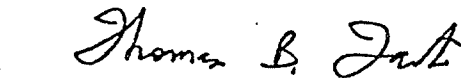
JUNE, 1984.


Robert R. Hendry, Attorney
for Lake Nona Corporation

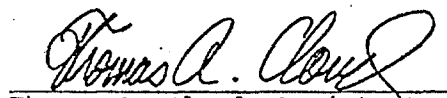

Dennis R. Erdley
Assistant General Counsel
Florida Department of
Environmental Regulation

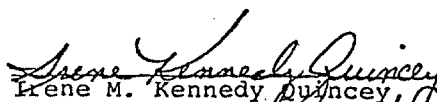

Irby G. Pugh, Attorney
for the Sierra Club


Larry Kessey, Esquire
Department of Community
Affairs


Thomas B. Tart, Esquire
Orlando Utilities Commission


Arthur Shell, Esquire
Florida Public Service
Commission


Thomas A. Cloud, Assistant
County Attorney
Orange County, Florida


Irene M. Kennedy Quincey,
South Florida Water
Management District


Henry Dean
St. Johns River Water
Management District

STATE OF FLORIDA
DIVISION OF ADMINISTRATIVE HEARINGS

THE SIERRA CLUB,)
Petitioner,) Case No. 84-1068
vs.)
ORLANDO UTILITIES COMMISSION)
and STATE OF FLORIDA, DEPARTMENT)
OF ENVIRONMENTAL REGULATION,)
Respondents.)

STIPULATION ON MODIFICATION OF CERTIFICATION
AS TO FUGITIVE DUST CONTROL SYSTEMS

The undersigned do hereby stipulate and agree as follows:

1. That the proposed Stanton Energy Center Modification RFM-1 changes in the fugitive dust control systems as more fully described and set forth in the amended Petition for Modification of Site Certification and Conditions of Certification be approved by stipulation of the parties.

2. That condition of certification I.A.3.a. and d. be modified to read as follows:

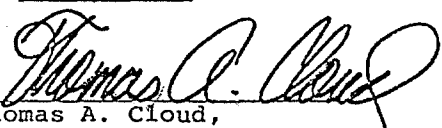
= 3. Particulate emissions from the coal, lime, and limestone handling facilities:

a. All conveyor transfer points will be enclosed to preclude PM emissions (except those directly associated with the emergency stockout, and the limestone stockout for which enclosure is operationally infeasible). All coal and limestone conveyors not underground or within buildings will be enclosed (roof and sides) with steel grating or concrete floors (except the stacker/reclaimer which will have windscreen protection).

d. The limestone handling receiving hopper will be equipped with water spray dust control facilities. Limestone conveyors not underground or within buildings will be enclosed with open

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that the original and two (2) true copies of the foregoing Stipulation have been furnished by United States Mail to Diane Tremor, Hearing Officer, Division of Administrative Hearings, 2009 Apalachee Parkway, Tallahassee, Florida, 32301 and a copy of the same to Dennis R. Erdley, Esquire, Twin Towers Office Bldg., 2600 Blair Stone Road, Tallahassee, Florida 32301; Thomas B. Tart, Esquire, P.O. Box 3193, Orlando, Florida, 32802; Roy C. Young and Ken Van Assenderp, Esquires, P.O. Box 1833, Tallahassee, Florida, 32302; Henry Dean, Esquire, St. Johns River Water Management District, P.O. Box 1429, Palatka, Florida, 32077; Robert R. Hendry, Esquire, Hendry & Stoner, P.A., 215 E. Central Blvd., Orlando, Florida, 32801; Irby G. Pugh, Esquire, 218 Anne Street, Orlando, Florida, 32806; Larry Keesey, Esquire, Department of Community Affairs, 2571 Executive Center Circle, E., Tallahassee, Florida, 32301; Arthur Shell, Esquire, Florida Public Service Commission, 101 E. Gaines Street, Tallahassee, Florida, 32301; Irene M. Kennedy Quincey, Esquire, South Florida Water Management District, 3301 Gun Club Road, P.O. V, West Palm Beach, Florida, 33402 on this 13TH day of JUNE, 1984.

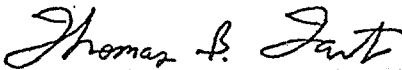

Thomas A. Cloud,
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Suite 1200
Orlando, Florida 32801
305/843-8880

grating floors (except where concrete floors are provided over roads or other facilities). Lime-stone day silos and associated transfer points will be maintained at negative pressures during filling operations with the exhaust vented to a control system. Lime will be handled with a totally enclosed pneumatic system. Exhaust from lime silos during filling will be vented to a collector system.

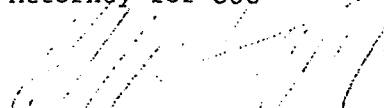
3. That the modification of the fugitive dust control system will not affect any Finding of Fact or Conclusions of Law upon which the original certification and conditions of certification were based. .

4. That the Hearing Officer shall remand all six proposed modifications of the certification to the Secretary of the Department of Environmental Regulation for final agency action. Further, that the Secretary of the Department of Environmental Regulation issue the requested modifications including the requested modification to condition of certification I.A.3.a. and d. with an additional condition of certification, XXXVI Level Detection Monitors Containing Radioactive Sources, as stipulated by the parties on June 13, 1984. (Section 403.516, Florida Statutes)

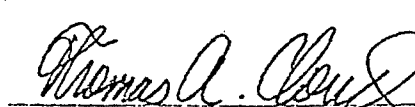
DATED this 14th day of June, A.D. 1984



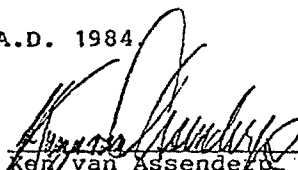
Thomas B. Tart
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Orlando Utilities Commission
Post Office Box 3193
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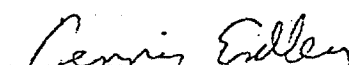
Irby Pugh
218 Annie Street
Orlando, Florida 32806
Attorney for Sierra Club



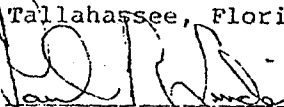
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