



October 25, 2010

Michael Halpin
Office of Siting Coordination
Department of Environmental Protection
3900 Commonwealth Blvd., MS #48
Tallahassee, FL 32399-2400

Re: **Riviera Beach Energy Center**
Modification to Conditions of Certification – Completeness Responses
DEP Case Number PA 09-54A
OGC Case Number 10-2493

Dear Mr. Halpin:

Florida Power & Light Company (FPL) is pleased to submit to the Department of Environmental Protection (Department) its response to completeness questions and comments attached to the Department's Determination of Incompleteness dated September 27, 2010, for the Riviera Beach Energy Center Site Certification Modification petition.

FPL looks forward to working with the Department and other interested agencies in the modification process. If you have any questions regarding this submittal, please do not hesitate to call me at 561-691-7518 or Jackie Lorne at 561-691-7063.

Sincerely,

Barbara P. Linkiewicz
Florida Power & Light Company
Director of Environmental Licensing

cc: Tim Gray, DEP SE District
James Golden, SFWMD
Thomas J. Lundeen, Port of Palm Beach
Mary McKinney, City of Riviera Beach
Robert Banks, Palm Beach County
Tim Helms, Northern Palm Beach County Improvement District

South Florida Water Management District

1. Section 9.2 (page 9-2) of the application describes the construction of a compressor station at the existing FPL 45th Street Terminal. Will operation of the compressor station require cooling water? If so, please identify the source and volume.

Response: No, the compressor station will not require cooling water.

2. Will the proposed substation for the electric motor-driven compressor station option require irrigation water? If so, please identify the source and volume.

Response: No, the compressor station will not require irrigation water.

3. Section 9.4.1.12 (page 9-30) of the application states that 950,000 gallons will be required for hydrostatic testing of the proposed natural gas pipeline. Is this the total volume to be used for the entire testing program or is it the volume for each segment of the pipeline testing. If potable water from the City of Riviera Beach is proposed to be used for the hydrostatic testing, please provide a letter from the City's utility department confirming that the utility is capable of providing the volume of water necessary for the pipeline testing.

Response: The estimated quantity of 950,000 gallons is the total estimated water demand for hydrostatic testing of the pipeline. The project plans to use water from the C-17 canal for hydrostatic testing of the main pipeline. Once the hydrostatic testing has been completed, the test water will be returned to the C-17 canal. The hydrostatic testing will be performed under the "No-Notice" provisions of Rule 40E-20.302(3), Florida Administrative Code. However, as a backup, the City of Riviera Beach has committed to provide the project with potable water as noted in the attached letter.

4. Section 4.1.13.1 (page 9-30) states that major railway and roadway crossings require special construction techniques such as boring. What will be the source and volume for the drilling make up water for these activities?

Response: The water required for the construction of these crossings would be incidental to the construction process and obtained from the C-17 Canal and pumped or trucked to the work sites. Alternatively, local potable water from fire hydrants may be utilized. The total volume necessary for all crossings is estimated to be 40,000 gallons of water.

5. Section 9.4.1.13.2 (page 9-31) discusses using horizontal directional drilling (HDD) for the pipeline crossing under the C-17 Canal. What will be the source and volume for the drilling make up water for the HDD activities?

Response: The water quantity required for the construction of the HDD under the C-17 canal is estimated at 2,125,000 gallons and would be taken from the C-17 canal.

Department of Environmental Protection Southeast District

1. In an effort to further reduce wetland and surface water impacts, please consider utilizing the HDD method for all wetland and surface water body crossings. If the HDD method is not going to be used please discuss why it is not feasible.

Response: Much of the potential wetland impacts have been avoided by utilizing an HDD method to cross the C-17 Canal. At the crossing of the North Palm Beach County Improvement District Canal, there is insufficient space in the transmission right-of-way south of the canal to place the equipment required to cross the canal and adjacent wetland using the HDD method.

The project's other wetland impacts are in storm water ditches along the south side of the SR-710 roadway which do not warrant the use of HDD methods as these areas will be restored after the pipeline is installed.

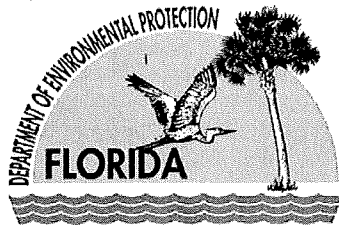
2. No mention was made for any demolition as a result of construction. If there is any demolition site preparation activities will require that a notice be sent to FDEP, as required by the National Emission Standards for Asbestos, 40 CFR Part 61, Subpart M. If asbestos is present, a licensed asbestos contractor must properly remove it prior to demolition.

Response: No demolition is anticipated as part of the work. However, if certain demolition activities become necessary, proper notice will be sent to FDEP. If any asbestos must be removed, a licensed asbestos abatement contractor will be employed and all regulations regarding removal and disposal will be adhered to.

City of Riviera Beach

1. The City of Riviera Beach requested written documentation to explain the expansion of the compression station from 7,500 square feet to 20,000 square feet.

Response: The 7,500 square foot compressor station was based on a projected future source of higher pressure gas that is not available. The project instead must rely on an existing source of lower pressure gas. This results in the need to install more compressors than originally planned with a larger 24,000 square foot compressor station footprint.



Florida Department of Environmental Protection

Marjory Stoneman Douglas Building
3900 Commonwealth Boulevard
Tallahassee, Florida 32399-3000

Charlie Crist
Governor

Jeff Kottkamp
Lt. Governor

Mimi A. Drew
Secretary

September 27, 2010

- CERTIFIED MAIL - RETURN RECEIPT REQUESTED -

Barbara P. Linkiewicz
Director of Environmental Licensing
Florida Power & Light Company
700 Universe Blvd.
Juno Beach, Florida 33408

Re: Riviera Beach Energy Center
Modification to Conditions of Certification – Request for Additional Information
DEP Case Number PA 09-54A
OGC Case Number 10-2493

Dear Ms. Linkiewicz:

On August 31, 2010 the Siting Coordination Office received a petition from Florida Power & Light (FPL), and associated fee for a modification to the Riviera Beach Energy Center (RBEC) Site Certification. The petition is to modify and update the fuel supply plan to allow for the addition of an FPL owned and operated natural gas pipeline lateral. FPL RBEC is specifically requesting authorization to do the following; a) improve and extend a natural gas pipeline corridor (to be referred as the Riviera Beach Lateral or Riviera Beach Lateral corridor) and b) construct and operate a compressor station at an existing FPL facility.

Additional information is needed in order to make an adequate review of the submitted petition. The South Florida Water Management District (SFWMD) has the following questions;

1. Section 9.2 (page 9-2) of the application describes the construction of a compressor station at the existing FPL 45th Street Terminal. Will operation of the compressor station require cooling water? If so, please identify the source and volume.
2. Will the proposed substation for the electric motor-driven compressor station option require irrigation water? If so, please identify the source and volume.
3. Section 9.4.1.12 (page 9-30) of the application states that 950,000 gallons will be required for hydrostatic testing of the proposed natural gas pipeline. Is this the total volume to be used for the entire testing program or is it the volume for each segment of the pipeline testing. If potable water from the City of Riviera Beach is proposed to be used for the hydrostatic testing, please provide a letter from the City's utility department confirming that the utility is capable of providing the volume of water necessary for the pipeline testing.

4. Section 4.1.13.1 (page 9-30) states that major railway and roadway crossings require special construction techniques such as boring. What will be the source and volume for the drilling make up water for these activities?
5. Section 9.4.1.13.2 (page 9-31) discusses using horizontal directional drilling (HDD) for the pipeline crossing under the C-17 Canal. What will be the source and volume for the drilling make up water for the HDD activities?

The Department of Environmental Protection (DEP-SED) has the following questions/comments;

1. In an effort to further reduce wetland and surface water impacts, please consider utilizing the HDD method for all wetland and surface water body crossings. If the HDD method is not going to be used please discuss why it is not feasible.
2. No mention was made for any demolition as a result of construction. If there is any demolition site preparation activities will require that a notice be sent to FDEP, as required by the National Emission Standards for Asbestos, 40 CFR Part 61, Subpart M. If asbestos is present, a licensed asbestos contractor must properly remove it prior to demolition.

The City of Riviera Beach requested written documentation to explain the expansion of the compression station from 7,500 square feet to 20,000 square feet.

Comments were received concerning the petition from the Port of Palm Beach District and Palm Beach County;

A. The Port of Palm Beach District (PPBD) was concerned about the impact the construction may have on; the loop road (the southern entrance to the Port); and, where the pits will be located for the jack and bore construction. FPL will work with the Port to minimize impact to the Port's ongoing operations during the construction effort.

B. Palm Beach County requested a correction in the application as follows: The reference to "Palm Beach County Utility Approval" in Section 9.3.6.5. on page 9-11 should be changed to "Palm Beach County Right-of-Way Construction Permitting Ordinance." Palm Beach County will be proposing a certification condition regarding compliance with the Beach County Right-of-Way Construction Permitting Ordinance, Chapter 23, Art. III of the Palm Beach County Code (Ordinance 2008-006). FPL has indicated that they will comply with the correct permitting ordinance as so titled in the condition.

The Department understands that the ownership of the parcels within figure B-1 of the petition appears to be incorrect with regard to Parcel 34. The PPBD acquired the "loop road" property with the exception of the U.S. 1 right-of-way for the Skypass Bridge project in 2001. FPL has submitted a corrected update of the applicable table and figure to PPBD.

The Department also understands that even though the Northern Palm Beach County Improvement District (NPBCID) is not an agency identified in the Power Plant Siting statute and has not filed to be a party, FPL has indicated willingness to supply engineering plans for the utility crossing within the boundaries of the NPBCID Unit of Development No. 7 for review.

Pursuant to Rule 62-17.293(1)(c)2., a modification fee shall be based on the number of agencies whose review is required in order to modify the Conditions of Certification (COC). The number of agencies whose review is required shall be determined by the Department based on the changes proposed to the

COC. The fee for this modification will be adjusted to more appropriately reflect agency involvement in changes to the COC for this project.

If you have any questions regarding this request, you may contact Ann Seiler at (850) 245-2143 or Jim Golden at (561) 682-6862. Tim Gray and Jim Golden should be copied on your response. Please also provide copies of your response to the Port of Palm Beach District, Palm Beach County, the City of Riviera Beach and the Northern Palm Beach County Improvement District

Sincerely,



Michael P. Halpin, P.E.
Administrator
Siting Coordination Office

CC by email:

Jack Long, DEP SED, jack.long@dep.state.fl.us
Tim Gray, DEP SED, tim.gray@dep.state.fl.us
Jim Golden, DEP SED, jgolden@sfwmd.gov
Tim Lundeen, PPBD, tlundeen@portofpalmbeach.com
Robert Banks, PBC, RBanks@pbcgov.org
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