

TO: Howard Rhodes
THRU: Clair Fancy
FROM: Scott Sheplak *sm*
DATE: February 5, 1998
SUBJECT: FP&L - Cape Canaveral Plant
DRAFT Permit No.: 0090006-001-AV

Per your request below is a summary of events on the subject permit.

SUMMARY OF EVENTS

- September 30, 1997 FP&L withdrew petition on previously issued DRAFT Title V permit.
- October 7, 1997 Intent to Issue w/ DRAFT Title V permit permit clerked.
- October 21, 1997 Public Notice published.
- October 30, 1997 Telephone conversation with Amy Tidd from the Port St. John Homeowners Association. At approximately 2:00 pm Amy Tidd called asking about the status of the subject permit. I informed her that the DRAFT Title V permit had been issued, the public notice was published on October 21, 1997 and the public comment period would end 30 days from the publish date. She asked about possible public meetings. I advised her that public meetings are typically not held. She asked to be sent a copy of the public notice. I informed her that we would send her a copy. I informed her that the permit and application are on file in the Orlando office (Central District) and here in Tallahassee. The documents also have been posted on our website.
- November 4, 1997 Copy of public notice mailed to Amy Tidd.
- November 14, 1997 Petition dated November 12, 1997 from Port St. John Homeowners Association received by OGC.
- December 1, 1997 Telephone message from Amy Tidd indicating that the homeowners' association had filed comments.
- December 2, 1997 Telephone conversation with Doug Beason in OGC on the status of the homeowners' comments. Beason indicated that he was referring the matter to DOAH for a hearing.
- December 30, 1997 Received a copy of the OGC order dismissing petition with leave to amend clerked December 29, 1997.
- January 9, 1998 Telephone message from Amy Tidd indicating that she "had not received anything from the lawyers." She indicated that she had spoken with Doug Beason, OGC.

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I called Doug Beason and informed him of Ms. Amy Tidd's calls. I informed him that there appeared to be incorrect dates in the OGC order dismissing petition with leave to amend. The order cited October 30, 1997 as the receipt date of the department's action. The petitioner's letter indicated November 8, 1997. I also informed him that the petition appeared to have been filed more than one day late. The public notice was published on October 21, 1997; 14 days to file for petition = November 4, 1997; 30 days to file public comments = November 20, 1997.

Telephone call from Theta Roberts of State Representative Randy Ball's office. Theta Roberts called to ask what is happening with the matter. I informed her that we issued an Intent to Issue w/ DRAFT Title V permit; the public had 14 days to file a petition and 30 days to file comments. She asked about the status of the homeowners' petition request. I suggested that she speak with Doug Beason in OGC.

- January 20, 1998 Received amended order dismissing petition with leave to amend clerked January 15, 1998.
- January 28, 1998 Received Port St. John Homeowners Association letter dated January 16, 1998.