DEPARTMENT OF ENVIRONMENTAL PROTECTION
DIVISION OF AIR RESOURCES MANAGEMENT

PUBLIC WORKSHOP

March 3rd, 1999

Brevard County Agricultural Center
3695 Lake Drive
Cocoa, Florida 32926

OLEANDER POWER PROJECT
AIR PERMIT APPLICATION

PANEL MEMBERS PRESENT:

MR. LEN KOZLOV
MR. MICHAEL HALPIN
MR. CLEVELAND HOLLADAY
MR. AL LINERO

DEPARTMENT STAFF:

MS. KIM TOBER

PROCEEDINGS

WHEREUPON, the meeting was called to order after which the following took place:

MR. KOZLOV: Good evening, ladies and gentlemen. I will talk with this thing -- I can't pull it out.

I appreciate you all coming here this evening to discuss the Oleander Project and your concerns associated with it.

My name is Len Kozlov. I am the program administrator for the Air Section in the Central District of Orlando Office.

Now, the experts here came from Tallahassee, who is -- who these folks are reviewing the actual permit for the project itself. And I'm just acting as a moderator, if you will, for this evening.

The district manager was supposed to have been here also to take this, but she had a family emergency, so she wasn't able to be here. And we had an attorney that planned to come on down. The aircraft was canceled because of weather up in Tallahassee.

These folks drove down.

But, anyway, to go forward here, I have --

on my right is Mr. Mike Halpin, and then there's Mr. Cleve Holladay in the blue shirt here. And on the end is Mr. Al Linero. And these gentlemen will take any questions or concerns you may have.

Now, what we plan on doing is, if you want to speak, we have cards. Ms. Tober back there has cars where you put your name and address, that you want to be a speaker for questions. And also there is a comment card that, if you have any questions that you want to put on there, please do so and I will attempt to go ahead and answer your questions if we can here, but if we could not, you will definitely be responded to in writing from Tallahassee. These gentlemen will take care of that particular issue.

We have the evening here till nine o'clock, and what we'll have here is a presentation by the gentlemen here for about forty-five minutes or thereabouts and then we'll open the floor for your associated questions.

Hopefully, some of the presentation may answer some of your questions. Hopefully. I know they won't answer all of them, obviously. But, we'll go from there.

So, I'm going to -- I guess, Mike, do you

want to go first?

MR. HALPIN: I can.

MR. KOZLOV: Or do you want to go?

MR. LINERO: Well, yes. Let me give it a shot.

MR. KOZLOV: All right. I'll turn this over to Al Linero now. Thank you.

MR. LINERO: Okay. Thanks, Len.

I'll try to help out here because of our attorney not being here. Anyway, my name is Al Linero and I'm the administrator of the New Source Review Section of the Bureau --

Okay. Can you hear me now? Okay. It's better. All right. Yes, I don't have a good speaking that Len Kozlov has. He's got a good public voice.

Anyway, I'm covering for Mr. Beason and don't know the legal process like Mr. Beason knows it. Again, I'm sorry. He should have driven down instead of relying on the airlines to get down here. We all did the smart thing and got an early start today.

Again, this is a public meeting and I wanted you to know that Mr. Stallings who is here today specifically requested this meeting and, you know,

we had planned something like this. We didn't know we were going to do it this early in the application review process, but we were prompted by Mr. Stallings and we said, well, that's a good idea. Let's do it early.

This meeting, although the agenda calls for a two-hour meeting, this meeting, in our opinion, is open from now probably for the next couple of months. We will take comments from you, written, verbal here, E-mail. I think Mr. Stallings and even some of the county officials can testify that they are able to E-mail us questions and we get back to them.

So, we see this meeting as open from now until thirty days after we publish a notice in the local newspapers of the intent to issue or deny this permit.

We may yet find it advisable to have another one of these meeting right here, so don't feel like, you know, we're just going to run out the door at nine o'clock. We had to have a reasonable time here. I'm sure some of us will hang out a little bit longer.

Again, now, where we are in the public participation process is we received an

application late last year. I believe it was about November 30th. We did an initial review of the application and found it incomplete and we asked certain questions that ultimately Constellation answered to make the application complete.

An application is complete when there's sufficient information to allow us to process it, and that can mean sufficient information to issue it or to deny it. In any case, it's sufficient information for us to review it.

That application became complete about a month ago and we have about sixty days from receipt of the application or when it's complete to make a decision whether this -- this project is permittable or not.

We have something like about seventy-four days to actually provide the company a written summary of our intent and all the associate documents.

At some point after they get our intent, they will publish in the local newspaper, and my guess would be probably the Orlando Sentinel, Brevard edition. It's their choice. They'll publish a notice of our intent, and then at that

time the public will have fourteen days to file for a petition to -- against our action, whether it's to issue or to deny, and so will Constellation.

You'll also be able to, if -- you can ask for extensions of the time to file a petition. I think there's some legalities involved there and that's why I wish Mr. Beason was here.

But, in any case, we'll take comments for thirty days, for thirty days after the notice is published we will continue to take even more comments. So, at that point, assuming that no one has file for a petition, we would have to take an action by day ninety after having deemed the application complete, which was a month ago, with the time subtracted for fourteen days after Constellation gets our intent, that gets subtracted from the clock.

So, I'm really just saying that we have to take an action on this thing roughly three and a half months from a month ago. So, there's plenty of time. We'll make a big effort to try to get our E-mail addresses to you, our telephone numbers.

You can visit the district office, you can

visit us in Tallahassee, call and so forth, and that's basically what -- what the process is all about.

I'm going to go ahead and turn it over to Mike Halpin to go ahead and discuss the application and later, as you have questions about the public participation process and the rules, I can come back and try to answer those. Thank you.

Mike.

MR. HALPIN: Yes, can you guys --

What you are going to see is a presentation that you're going to have a handout for, so you'll be able to take home with you a copy of everything you see up here. These folks here are going to be handing them out.

Hopefully we made enough. If we didn't, let us know and we'll get you one in the mail.

While they are handing those out, let me mention a couple of things, housekeeping type things. We request -- Cleve Holladay, the meteorologist and I -- I'm the engineer that's assigned to this project. We request that you give us an opportunity to tell you what we know about the project in this presentation.

And then, at that time, we'll try to answer

any questions that you might have that you wish to ask. If we can't answer the question or if you want an answer in writing, we have comment cards or question cards -- comment cards, I'm not sure what they're called. They're sitting back there on the back table.

Ms. Tober can given you one and you can write down your question and your name and address and we'll get back to you. So, the sooner we get through this thing, the more time you all will have when we're done for your own public comment and we'll let you come on up here and speak into the microphone, et cetera.

Let me go ahead and get started while they're handing that out.

Obviously, we're here to review the application and status of the Oleander Power Project. As Mr. Kozlov said, Mr. Beason couldn't make it tonight, however he was supposed to review the permitting process and review the citizen role in that process.

Hopefully Mr. Linero has done it to some degree of your satisfaction. If there are further questions we can try to answer them later on that.

What we will do is review the air-related

details of this application to construct a power plant. We'll summarize for you the federal and state requirements for receiving an air construction permit. We'll provide our preliminary assessment and then we'll entertain questions.

You'll note that it says "Entertain questions with respect to air pollution issues and this project." Please bear with me. We can't answer questions that are related to water or zoning. We're not privy to those issues.

Here are the things that we look at when we evaluate a project of this magnitude. We try to determine whether the project is likely to conform with applicable air quality laws, regulations and standards. We look at the proposed equipment to see whether what is being proposed is proper and it will perform as expected.

We look at whether the project is likely to cause adverse air-related environmental effects. Specifically, whether it will cause new violation or contributions to existing violations of applicable air standards.

And, we try to identify whether any adverse impacts are being adequately litigated.

I hope your picture is a little better than what you can see up here. This plant is proposed to be approximately 950 megawatts. It's proposed to be built with five combustion turbines of approximately 190 megawatts each.

GET has been identified by the applicant as the preferred supplier. We will refer to these combustion turbines as CT's throughout the presentation.

The CT's will be configured in a simple cycle configuration and for comparison purposes, they can be configured in combined cycle, and the difference between the two is largely that, in a simple cycle configuration there's waste energy that is not recovered in the form of heat, which is recovered in a combined cycle, or largely recovered.

I'm presuming that you know the location, roughly. It's proposed to be on thirty-seven acres on Townsend Road near the intersection of I-95 and State Road 520. I believe that's the northeast quadrant of that intersection.

The project sponsor -- I'm sure many of you know this -- and I can't describe to you. You'd have to ask, I guess, the applicant. And I know

some of the applicant's representatives are here this evening. They're not, of course, speaking tonight. This is DEP and the residents will be speaking.

However, they could, perhaps answer how this works better than I can. I am aware that Baltimore Gas and Electric is, I guess, the ultimate sponsor of the project through subsidiaries or something similar, Constellation Power Development and Oleander Power Project, which I believe is some sort of a limited partnership.

What the applicant has proposed for a schedule is here. It's likely -- in my opinion, it's optimistic, however this is what they proposed, to start construction March 2000. To start performance testing in November and commercial operation in 2001.

What they have asked for are peaking units. These typically are used during times of high electrical usage. I'm going to explain that a little further on the next overhead.

This is intended to be an indication of what a load curve looks like. We're all familiar with typical summer days where it's cool in the

morning, generally, in the low seventies or whatever, and it gets hot as the day goes on.

What you see along the bottom is intended to be a 24-hour period from midnight to midnight. What you see along the vertical axes is megawatt load. Okay.

So, generally speaking, on a normal summer day the load starts out low, that is megawatt generation required to fulfill the people's demands, and goes up as the day goes on.

And we'll hit some high point, typically, late in the afternoon on a summer day. And then it reverses itself and begins to come down. And there's typically -- we referred to three classes of units that fill that load curve.

There are the base loaded units that fill the bottom of the curve. These units typically run 24 hours a day, seven days a week, max out. Then there are units referred to as intermediate units, and these units typically will start up early in the morning and shut off late in the evening. And they fill up the next part of that curve.

At the very top of the curve is the area where generators typically will come on, either

late in the morning or early in the afternoon, and typically run for only a few hours during the afternoon period and shut off fairly early.

Those are referred to as peak units, and that's what they have asked to put in. And this is further indicative of a peak unit. What they had asked for is 3390 hours of operation for each one of these combustion turbines. There's 8760 hours in a year. That's something just under forty percent of the year, they are asking for those units to operate, each unit.

What they have asked for initially -- and I'll take a minute and clarify this -- they've asked for the ability to use number two fuel oil which is diesel for up to 1500 hours.

Now, the sulphur content that they've asked for is to be a maximum of .05 percent, which we refer to as very low sulphur content in the department.

I want to point out two things. First of all, the original application, what the applicant asked for was up to 2,000 hours per year of oil operation out of that 3390 for combustion turbine.

We had some incompleteness issues. We asked some questions. In response to some our

questions, the applicant came back and reduced the hours of operation on oil, or the requested hours of operation on oil from 2000 to 1500.

We just received in the past few days -- I can't tell you exactly when. I think it was Friday when my supervisor, Al, just received another request from the applicant, and this time what the applicant has asked for is to further reduce the amount of oil consumption to 1000 hours a year out of the 3390. The remainder of the hours would be natural gas.

Now, given what I have said about the hours, I want to let you know that everything you are going to see here is predicated on the following: It's predicated on the assumption that these units were, in fact, to run 3390 hours a year, every unit, which is the maximum they'd be allowed to run.

Secondly, what you'll see here is emissions that are based on the assumption that they would run the maximum 1500 hours out of that 3390 on oil, which is what they had asked for. Remember, that's been reduced to a thousand, so these numbers will be higher than what will ultimately end up being.

However, those numbers are, for these five pollutants that I'm going to show you, the five pollutants, by the way, on the left, are nitrogen oxide, particulate matter, sulphur dioxide, carbon monoxide and volatile organic compounds.

These are pollutants that we look at pretty closely that are typically emitted from power plants.

The far right column is a summary of all five combustion turbines running as I indicated, maximum 3390 hours a year with 1500 hours a year oil-based for each of those units.

So this is, in fact, on those assumptions, the very maximum emissions they could put out. It's in tons per year. So, the first row says nitrogen oxide, nox, it says -- in the column it says 5CTTPY. That's -- what that means is, if all five combustion turbines were running at their maximum for the year, 1590 tons of nitrogen oxide would be emitted. Okay.

And the same number of -- the same logic applies to the following numbers in that column.

Now, so that you understand -- I know it's difficult for you to have a reference for those numbers, and they look big. I'm going to show you

in the next slide what -- we have information that is reported to us annually by essentially every power plant we regulate.

They report to us annual emissions on what is called an annual operating report. What I have tried to do, so that you could understand or compare, is I selected three power plants that are in the area and I took what they actually reported to the DEP in the year 1997 as their emissions.

And I'm showing you their emissions as compared to this facility. Now, I'll take a minute and tell you what this means.

The pollutant column is the same five pollutants, nox, PM, SO2, CO and DOC. The next column says OUCIR. That was intended to be the Orlando Utilities Commission, Indian River Unit -- Units -- Plant, that is out near, or out on U.S. 1. I believe they've sold that to someone else. I'm not real familiar with the details.

But those are the emissions reported to us in 1997 for that facility.

The next column is, Florida Power & Light has a Cape Canaveral Plant that I believe is situated very closely to that Indian River Plant and in 1997 this is what they reported as their

emissions.

And the last, or third column is OUC, Stanton. This is a coal plant that is located, I think most of you know, over near the Orlando Airport. I'm sure you've probably seen the cooling towers there. That's what their emissions were reported to us in 1997.

Now, granted, these three plants are all different -- they burn different fuels, they're not all the same. They are roughly all the same size. Generally speaking their plant size is 800 to 1000.

This proposed plant is 950. So, there's some, I think, sense of comparison.

I also want to point out that it's a bit unfair, but it's -- I need to point it out. We're comparing the maximum emissions that could be emitted from this Oleander site to the actual emissions that were emitted from these three other sites.

And just so that you understand, plants don't generally emit their maximums. Okay. So, it's a fair assumption that the other three plants, their maximums are higher. I'm not comparing maximums to maximums. Just understand

that. This is actuals to Oleander's maximum. Okay.

One thing that we look at when we evaluate a power plant is we look -- we do a review that's called best available control technology. There are some key points in this review. For those of you that want to further look at the statutes or whatever, I've listed that at the bottom.

It says Federal and Florida rules, but what we look at when we do the best available control technology review, the BACT's, is we are required by rule to do a case-by-case analysis of every plant and every unit differently.

We are not really allowed to consider them equal. We need to consider energy consumption, environmental impacts, economic impacts and other costs. But in no case shall the BACT cause exceedences of the standards. In other words, we can't recommend that this particular type of control would be BACT in knowing that that, in fact, will cause a violation of standards.

Go ahead, Cleve.

Now, this is -- the applicant has proposed to us what they consider to be best available control technology. Again, the same five

pollutants.

I only want to point out two things on this overhead. The first thing is the far right column. That says NSPS. That stands for new source performance standards. These are federal guidelines which the state has adopted that this facility is required to be within.

And they are only for two pollutants on this style of a unit. They are nitrogen oxide and sulphur dioxide. And the emission -- or the emission rate, they are required to comply with by rule, by law, is 75 PPM for nitrogen oxide and 150 PPM for sulphur dioxide.

What they have proposed for each of those two -- let's look at the nitrogen oxide first -- is, while they are burning gas they have proposed 9 PPM and while they are burning oil they have proposed 42.

For sulphur dioxide, what they have proposed is 9 PPM for oil and .1 PPM for gas.

So, I simply want to point out that where we have federal and state guidelines, which we do on these two pollutants, what the applicant is proposing is well within those guidelines.

Go ahead, Cleve.

We, as a matter of routine, ask the National Park Service for comments. Even though every plant is not near a national park, it's -- we consider it to be good practice.

We did ask, in fact, the National Park Service to comment on this project. We sent them a copy of the application, asked them for their comments. What they commented back to us was essentially that -- I guess the best way that I can say it is they only took issue with one -- one item, and that was the nox emission rate while firing oil.

What they had recommended to us is that that rate should be reduced by about forty percent, from 42 to 25.

And I do need to point out that the application they reviewed was, in fact, based upon a 2000 hour usage of oil. Okay.

So, again, where we're at with this thing, as of late last week is a thousand hours of oil. That's fifty percent reduction from what they were originally talking about.

We will, in fact, when we do the BACT review, we will address nox emissions while firing oil. We'll address that amongst many other

things.

Go ahead, Cleve.

Okay. I'm going to go ahead and turn it over to Cleve. Cleve is our meteorologist and he -- I don't understand his stuff very well, so I'll let him do it.

MR. HOLLADAY: Can you hear me back there?

UNIDENTIFIED SPEAKER: We can hear you up here.

MR. HOLLADAY: All right. Okay. I'm ready.

An air quality impact analysis was required for this project and I've got a slide up here that summarizes the -- the project's impact in comparison with standards and allowable impacts and significant impact levels.

The applicant was required to use computer dispersion modeling using EPA and state-approved modeling techniques in order to determine the impacts of this project on the air quality in the vicinity of the plant and in the Brevard County area.

On this slide we've got -- there's -- the modeling was done for four pollutants. And what we've got is several different -- we've got the pollutants and several different averaging times.

And the national primary standard is the first column on the left. The State of Florida is the second column, and you've got -- for the SO2, 24-hour average, the Florida standard is more stringent.

The three-hour maximum is both -- it should have been a 1300, is the national primary standard to it, and for both the State of Florida and the national number.

Then on the right-hand side, the allowable impacts, these are the allowable impacts that the project is allowed to have, and those numbers are much smaller than the -- either the primary standards or the State of Florida standards.

You see they run from 17 to 30 to 20, 91, 5, 12, and then 25, and carbon monoxide doesn't have these standards.

That's called the Class 2 standards. These are the standards that would exist in the vicinity of the plant.

Now, the numbers in parentheses are much smaller numbers. These are numbers that they cannot go over in the vicinity of -- well, the class one area, and in this state there's four class one areas, the Everglades, there's Bradwell

Bay up near Tallahassee, St. Mark's near Tallahassee, Chassahowitzka north of Tampa, and the Okeefeenokee in Georgia and Wolf Island are areas close to Florida.

But we could -- for purposes of this slide, we could assume the Canaveral seashore, which is not a class one area, but we put this on here to show you that these numbers are very low numbers. And I'll show you in a minute the predicted increase in impacts.

The column in brackets are the significant impacts levels. These are the levels the values are below this, the applicant doesn't have to do any further modeling to determine the impact of other sources in the area because the values would be so low.

So, what we have on the right-hand side as the predicted impacts, increase in impacts, in the worst case scenario for this project. You can see the numbers like .005 is well below the PM significant impact level. .08 compares with the five and so on down the chart.

Now, the applicant has done full impact modeling. I've got a summary of the results today, and that's to take into account other

sources in the area, like FP&L, Cape Canaveral, OUC, Indian River, OUC Stanton, and other sources.

And the numbers that they came out with -- and this includes everybody -- for the particulate matter the number would be five. And this is for the --this would compare with the 50 for the arithmetic mean, 20 for the 24-hour PM 10, 10 for the SO2, 100 for the 24-hour -- which is still well below the 365, 500 for the three-hour, and the CO wasn't done because most of these sources would be mobile, and those numbers are much smaller. In the nitrogen oxides it was two.

So, the numbers -- these numbers are considerably higher than the numbers -- the impacts for the project, which shows that there are other sources in the area contributing -- they are predicted to contribute an awful lot more than this project would contribute.

Okay. And the next several slides I'm going to show you are measurements from monitors in the area. Some are from Brevard County, some are from Winter Park. And these are the best representative monitors that we have. They are all in the same units.

And what I'll show is the monitor values and

then that's in the blue. The red is the standard. For instance, for the PM 10 annual, the standard is 50 micrograms, as I showed on the other slide.

And then the impact, predicted impact of this project in the worst case scenario. So, you can see the numbers in blue are running considerably lower than the standard which is in red. And then the predicted impact of this project doesn't show up because it's so small.

Next slide.

Okay. This is PM 10. This is for the 24-hour averaging time. It's the same thing. The numbers are considerably lower as far as what we've monitored, and the impact, again, is very small. You can barely see it above zero there on the right-hand side.

Next slide.

These are SO2 measurements in the Winter Park area. This for the annual. Again, the numbers are very low of what we monitored and the predicted impact, again, does not show up on this graph.

Okay. This is 24-hour SO2, the short-term -- one of the short-term averages. Again, the numbers are fairly low, and the impact is

predicted to be very low. And the three-hour, the same thing.

Okay. CO impacts, again, the impact from this project would be very low and the impact monitored values are well below the standard.

And this is for the hourly average for CO and the same thing is showing up.

And then finally, the nox emissions -- nox measurements, again, well below the standard and the predicted impact is very small.

And that concludes my part of the presentation.

MR. LINERO: These last two -- I think there's just two slides, are to show you where we're at currently. The application basically defaults to a complete status tomorrow.

Technically, I guess, we are considering it complete. The project does appear, based on our preliminary review, to be capable of meeting all state and federal air standards.

We have completed a preliminary -- and I say draft -- technical evaluation. Ms. Tober has it back there and feel free to pick one up as you leave or whatever.

I hope we made enough copies for everyone.

If we didn't, you can request that from us. I beg you to understand, it is draft and it says that on it in big letters, I think.

Currently, our intentions are to issue an air construction permit, however we wish to entertain public comment beforehand.

Go ahead.

We do have an allotted time frame for public comment. I think we've pretty well met what we were hoping to do to give you guys, you all plenty of time.

Now, we will accept comments in writing even after we break up here this evening.

Go ahead, Cleve.

This last slide shows where the comments can be sent to. For those of you that have E-mail, if you want, we can give you that as well. And remember that we are only authorized to address air pollution issues as this project relates to the regulations.

What we'll try to do is we'll try to take any questions you have like from the field type thing. How many speakers did we get to sign up?

UNIDENTIFIED SPEAKER: Nine.

MR. LINERO: Nine. Okay. Well, we'll give

you -- you know, we want to give everybody plenty of time to speak. Let's see, five minutes apiece would be forty-five minutes. So, you know, if we could keep this discussion down to -- or these questions, if you have any, down to thirty minutes or so, I think that will give everybody enough time to speak.

Okay. How much time do you need?

MR. BOCK: (Inaudible)

MR. LINERO: Well, we may have that in any case, but --

MR. BOCK: (Inaudible)

MR. LINERO: Yes. Okay. Well, I can -- I can, if you'd like, go ahead and try to let everybody speak now and then afterwards I can try to take your questions, if you would prefer.

MR. BOCK: I've got one question to start with.

MR. LINERO: Yes.

MR. BOCK: The application was complete a month ago or tomorrow?

MR. LINERO: It will default to complete tomorrow, which means the complete date is February 2nd, I think.

MR. BOCK: In one of your letters you

request a letter from a local utility for water usage.

MR. LINERO: Yes.

MR. BOCK: How can the application be made complete without that factor?

MR. LINERO: I was asked that question by someone else. What I asked for, I think, and I don't have the letter in front of me, I think I asked for some assurance that the water could be provided.

And let me explain that for a minute, because we don't deal with water.

I only asked for some assurance that water could be provided so that I have reason to believe that the applicant can control his nox emissions while firing oil via water injection. Okay.

Now, in the worst case, if the applicant couldn't get the water that they needed, let's say that for whatever reason, there is no water, that doesn't -- all that would mean to me as an air permit engineer, is that they can't burn oil unless they can demonstrate some other way to do it.

They still can put the plant in on gas, as far as I'm concerned.

MR. BOCK: That makes a big difference to us.

MR. LINERO: Okay. Well, that's the first point I wanted to make. The second point I wanted to make is, I wanted to be certain, personally, that -- that they would be able to get the water, and I did contact the City of Cocoa Water Department, the director of the water department.

His name is Carl Laraby. And he indicated to me that -- essentially he said there shouldn't be a problem.

MR. BOCK: We have been told they have been preparing the water review in the last couple of days, so we thought that the letter stated that the water had to be (inaudible).

MR. LINERO: Not as far as I'm concerned. We need reasonable assurance.

MR. BOCK: Okay. The way we read the letter and the way it's written, it (inaudible).

MR. LINERO: Okay. Well, I apologize for the confusion. I don't -- we don't really need that. I have assurance from the City of Cocoa water supply director.

MR. BOCK: I guess I have just one other question. If we have -- you know, ozone hasn't

been addressed, and you compare it to baseline plants with peaking plants, which I don't think -- I think that's comparing apples and oranges, you know, because of the amount of hours they operate, I wasn't impressed by that, I might say.

But, the fact is that our local monitoring area for ozones in Cocoa Beach which gets constant winds, where we feel that we're not (inaudible) around here, being between the three power plants you discussed and also being along I-95 which, you know, eighty percent of ozone problems are automobile, you know, originated.

We feel that there needs to be at least a year study done by the DEP here to make sure that we are protected, to make sure we are protecting this area before this plant's built, because we believe this specific area has reached nonattainment now.

Is it possible to monitor this area for a year? We have communities within -- we look in the application and they call it rural, yet we think it's urban.

Has that been investigated? There are many houses within this area.

MR. LINERO: Ozone monitoring. As far as --

I'm not in the position now to tell you that we can do a year's study, if that's what you're asking.

However, we can give you some response in writing. I need to talk to other people about that.

The second question, what was that?

MR. BOCK: Urban versus rural.

MR. LINERO: Oh. I think that's -- Cleve, answer -- can you help me with that? Is there a difference in modeling that's done if the --

MR. HOLLADAY: Well, there is, but they're not -- there's a standard and they won't be urban enough to fit in the standard, and as far as the modeling is concerned, but if we did run it as urban, it would probably come out very, very close to what we have now as far as modeling goes.

MR. LINERO: Can you hear what Cleve is saying?

MR. BOCK: No, we can't.

MR. HOLLADAY: Okay. Basically, they don't -- you all don't fit the criteria that's established for determining whether or not it would be rural or urban.

MR. BOCK: Could you get to the mike,

please.

MR. HOLLADAY: As far as what goes into the model, there's a technique that's used to determine whether or not rural or urban parameters are used in the model.

And this area doesn't qualify to have the urban parameters used, but even if they were, based on my experience with modeling, we still have less than significant impacts in that area.

MR. KOZLOV: As far as questions, why don't we -- we have speakers that are listed here, and I think maybe we should go ahead and have these people come up and speak.

MR. LINERO: That's fine. Yes, I really don't want to cut people short of speaking.

MR. KOZLOV: We would like to go ahead and address the various people who signed up to speak, so I'll just go ahead and read off the name of the -- they are in numerical order, but there are nine speakers, essentially.

Anyway, the first gentleman is Mr. Mike Stallings.

MR. STALLINGS: Good evening. My name is Mike Stallings. I'm the president of Forest Lakes of Cocoa Condominium. It's nice to see all of my

friends and neighbors out here this evening.

We also speak for -- I spoke to Leroy Wright from the Save the St. Johns, and he said that we were allowed to speak for his organization tonight. He's got about two thousand members. We have 250 -- 246 units in Forest Lakes of Cocoa. We have another 200 and some units in Lost Lakes, which is also right nearby.

We have several members of a group that we formed to combat pollution in Brevard County here as other additional speakers.

You stole a lot of my comments here with your presentation. It was a very nice presentation and we're delighted that you gentlemen came down here to talk to us.

One question keeps coming up past me that -- I understand that I'm on the list to receive copies of all correspondence and information concerning this project. Every once in a while I think something sneaks past me. And I don't want to blame Kim. She's been very helpful.

Did you guys receive a letter from Clarence Rowe (ph)?

MR. LINERO: Yes, we did.

MR. STALLINGS: Okay, because I didn't ever

get a copy of that letter. And I also understand that in the response to the letters -- your December 17th letter and December 22nd letter, there's a pretty large attachment to that, a hundred and some page attachment.

MR. LINERO: Yes, there is.

MR. STALLINGS: Okay. I didn't realize that and I would be delighted to purchase that from you, but I didn't even know it existed, so --

MR. LINERO: We got it and we'll take care of it.

MR. STALLINGS: Okay. Yes, I just wanted to be sure that I was --

MR. LINERO: How much are you willing to pay?

MR. STALLINGS: If it will stop the power plant, quite a bit.

Those of us who live here are adamantly opposed to this power plant. One gentleman is going to submit to you about 1700 signatures on petitions from people in the neighborhood here who are also against that.

I'm sure that good business practices requires that you kind of keep what's going on quite and stuff, and Oleander has been active in

the community for about two, two and a half years, and nobody knew about it until a couple of months ago.

So, from their point of view, they're being very quiet and protecting their business interests. From our point of view it almost looks like they're kind of sneaking around and then all of a sudden, springing this on us.

So, we were very alarmed when we first heard about this and we thought we had been treated pretty shoddily.

I was most impressed with the questions that you gentlemen asked Oleander on your December 17th and 22nd letters, and in looking at the answers, we felt that they were poorly answered, and in some cases evaded completely, and we will be glad to talk specifically to some of those issues.

But -- it's all getting into number and who said what and when. And speaking of numbers, are any of you guys hunters? If you are, have you ever tried to shoot a running jackrabbit? We sort of feel like that.

You know, every time we say something about Oleander, they change the standards on us and we're -- it always seems like we're a day late and

a dollar short.

We started out with a permit that said they were going to go 3390 hours of which 2000 was oil, and I have never seen an official amendment to the permit request. I've seen copies of a couple of letters where they say, well, we intend to do this. I don't know if that's an official amendment to the permit or not.

MR. LINERO: That's the package that you are missing.

MR. STALLINGS: Okay.

MR. LINERO: I'll send it.

MR. STALLINGS: And the next one, when we got everything set up for 1500 hours, then they all of a sudden, two days ago, decided they are only going to go for a thousand.

And then we go to Brevard County Commission meetings and the Oleander people say, well, we're only going to run 600 hours or 700 hours a year, that the average peaking plant was between 200 and 600 hours, Mr. Wolfinger (ph)? Is that right?

Okay. And that you intended that your plant would run somewhere in line with that.

That's probably where we have a lot of heartburn. Because, if they get permission from

you folks to burn a thousand hours in fuel a year, but they only plan on running six or seven hundred, that means that every hour they run could be on fuel oil, and we don't think that's right.

We believe that your permit should say something about a thousand out of 3390 is roughly a third, so if your permit said that they're required to run two-thirds of the time on natural gas and no more than one-third of the time on oil, that might keep the scales in balance at any rate, no matter what hours they decide they're really going to run the plant.

And the last point that Craig Bock just brought up about air monitoring in the local area, at Forest Lakes we've been part of what's called a lake watch program out of the university.

We probably have one of the top -- in the top ten percent of lakes in the State of Florida for all-around fishing, swimming, boating, alligator trolling, you know, anything that you could use a lake for in the State of Florida, we are -- we are among the best and we would like it to stay that way.

According to figures that we've come up with, in the nitrous oxide, this plant will

produce 1722 pounds per hour of nitrous oxide. So you multiply that times a thousand hours a year, and I think I did the math right, it seems to me it comes up to 1,722,000 pounds of nitrous oxide a year. Did I misplace a decimal somewhere?

And that, we understand, is what causes the ozone and has to do with acid rain and that's what's going to mess up our lake. And I don't care if this is the cleanest power plant in the entire world, we would like our lake to be the way it is.

And the last comment that I have is the Oleander folks keep telling us that this plant will not have any visible smoke, and that's probably true. I understand the low sulphur fuel does not produce smoke, but it does produce tons and tons of pollution that we don't see, and that's even more hazardous.

We have a lot of people in our community -- what's the name of that stuff, cardiopulmonary.

UNIDENTIFIED SPEAKER: Cardiopulmonary.

MR. STALLINGS: Help me out.

UNIDENTIFIED SPEAKER: COPD.

MR. STALLINGS: CO, cardio --

UNIDENTIFIED SPEAKER: Pulmonary disease.

Cardiopulmonary disease.

MR. STALLINGS: Okay. Emphysema, asthma. And we really don't want our folks affected by this stuff. So, they might meet the standards, but it's still a bad deal for Brevard County.

(Applause.)

MR. KOZLOV: Thank you, Mr. Stallings.

The next speaker that I have a card for is Mr. Craig Bock.

MR. BOCK: Good evening. My name is Craig Bock. I reside well within the 3.2 kilometer area of fallout, wash-down effect of this proposed plant.

This evening, first, I would like to give you a copy of 1700 petition names, signatures against this power plant that are in this area. In a little more time we will have several thousands of these. We still have quite a few out.

And who may I give that to, by the way?

The reason why I'm giving this to you is we were going across the internet and it says that the mission of the Florida Department of Environmental Protection is to protect, conserve and manage Florida's environmental resources.

Environmental permits serve as a valuable role in minimizing potential environmental disruption as a result of common human activities.

FDEP works closely with all parties in implementing its regulatory programs. Public review and comment is a vital part of the permitting process.

We are glad to know that we are a vital part of this process, gentlemen, because we feel that we should be and we're glad to see that.

It says that -- here also, that while we speak we make the agency more accountable to the public it serves.

And, gentlemen, we do want you accountable to us. We respect you. We are here for answers from you because we consider you to be the experts.

I have stated already one of my concerns, the ozone problem we have in this area, because we are at the interstate, we are between three existing power plants and another proposed.

And again, I'm not impressed with the comparison of a baseline plant with a peaking power plant. Gentlemen, I know on a permitting process, on your side, it doesn't matter to you if

they don't serve Brevard, it is polluted, but it does to we, the residents who live there, and we know that you're there to protect our health and to protect our welfare.

We know that DEP standards have gotten more strict year-by-year and we notice their permits, it's something about .12 percent ozone when the new level is .08, and we realize that there's a reduction in that because there is adverse health effects from what I've read in reports written by your department of ozone.

And we feel that we need to have a year monitoring at least to see what's going on in our community. We don't care what it's registering in Cocoa Beach with the prevailing winds. We care what's actually out here, what we're breathing in our community.

And we want you to protect us, gentlemen. It's very important that you do that.

Again, I just want to state that I've seen several areas that I don't feel the -- your questions have been responded to, the November 25th letter, the December 17th and the December 22nd, I would have liked to have met Ms. Devore (ph). I realize she's out on maternity leave.

One very interesting comment that you made in the November 25th letter was that you were impressed pretty much with the nine parts per million nox of gas, and I am, too. But not so impressed at the 42 parts per million from oil burning.

And this was considered to be late Eighties, early Nineties technology, and yet you, time and time again, say you want to use the best BACT, best available control technology.

Why are you gentlemen allowing 42 parts per million oil? Why are you allowing an oil-burning plant to be built in a county where we have already reached possibly nonattainment and we don't need it?

These are questions that we all have. We have them with sincerity. We're not angry. We're disturbed, though.

And, I believe if this was your community, you would be, too, gentlemen. It might be a little different ball game.

We have copies of letters here -- also, I see you talked about the transportation of oil, how that was going to be taken care of, but I don't know if there's been any transportation

studies.

I don't know exactly what you feel -- we've been told the functional wetlands on this property is also in DEP's care, and we're concerned about all these things.

We have a gentleman that tracks bobcats, and these functional wetlands are being used at this time and they'll be filled in by this project.

Again, I thought Mike spoke very well when he said that this is going to be an oil plant where you're permitting it. I feel that 100 hours of back-up oil would be enough. Then we could call it a gas plant. But the way it's permitted now, there's no way, gentlemen.

We're in between these power plants. We have a haze down this road. Visually, you can see the ozone in summer here. And we want it monitored. We want to know what's here before this gets built, because we know you're not going to make the plant disappear once it appears.

If you can give me just a moment.

I guess that I would like -- as we have a stenographer here taking this down, I guess I would really like to have a copy to the answers to these questions.

Again, when we look at the way they were answered, the questions that you posed to them, we saw people walking around it, and the questions not answered, what we feel to be in a responsible way.

And the responsible way would be to address these questions in a manner that we're satisfied, we the people that live here in Brevard, we the people that have to live with this power plant that you permit.

I want to ask you also -- and I guess it's just a yes or no question: Is the Oleander, the proposed Oleander Power Plant, will it be a Title 5 major source of pollution by DEP definition?

MR. LINERO: Yes.

MR. BOCK: Yes, it will. Okay. Mr. Wolfinger (ph), I thought had answered that at one time and then on a radio talk show later he had said that he wasn't sure. So, I just wanted to make that real clear, that this is a Title 5 major source of pollution that we have being built in our community.

We also would like to ask the DEP in the State of Florida, as -- I want to give you a picture of the power plants here in Central

Florida, knowing that we're very, very much covered up with power plants centrally, we feel it's probably because the Okeechobee area and the parks and the protection there, but the competition really is coming in except for deregulation are filling up Central Florida, and it's with unused power plants.

The way that you now permit people that can bypass the Public Service Commission and the Power Plants Siting Act, as this company does, that we can have a power plant at every intersection here, and what will our children be breathing?

We really feel that you need to be responsible for us on our behalf, more or less as the officials that represent us.

Gentlemen, I'm thrilled that you've come down. I have many questions as we started to ask, and I don't even know if two meetings could fill all of them.

I'm not one to really favor written questions and written answers, because I have seen -- Mr. Linero, the last time we asked some questions you referred us back to the response that Oleander had written to you.

And again, we were asking questions that we

felt they hadn't answered to start with. So, this is why we like to have the interaction of face-to-face being able to ask you the question and, you know, have you come up with the answer.

And again, we feel it's very important we have another meeting. We definitely want to address why you're not going to monitor for at least twelve months. We feel that's the responsible thing to do for something that could be built perpetually.

There's been a statement made that this type of plant will put other plants basically out of business because they're cleaner, and yet we know that peaking power plant cannot be a base load plant.

So, I don't know how they'll do that because we the people here have to be served on a constant basis, not just during peaks.

So, there's a lot of interesting things going on. We feel that DEP in the State of Florida, Mr. Spruce (ph), perhaps, we would like to even be bubbled up to him from you, because we feel that as he steps in, this is an important issue, because all of Florida is going to be one big smoke stack of pollutants if we continue to go

as we do.

So, gentlemen, I appreciate the opportunity to speak with you and I hope that we do have another meeting before this permit becomes complete. I'm just really surprised that it's going to be completed -- it's going to be fulfilled tomorrow, when I have seen the questions that you asked and I have seen a response, and I don't feel real good about the responses that I saw.

Thank you.

(Applause.)

MR. KOZLOV: Thank you, Mr. Bock.

The next speaker is Mr. Robert Knodel.

MR. KNODEL: I was wondering if we could go back on the slides here, to one of the pictures. We were looking at the OUC, the FPL and the other OUC plants compared to Oleander.

Okay. That's the one. And if everybody could find that. I just wanted to say to everybody out there, you know, don't be misled by this chart here because what we're looking at is, as we point -- as these gentlemen pointed out, we have different plants with different types of fuels being fired.

And if you look at the numbers, you know, almost 8000 -- 8000 and 9000, and then you look at Oleander at 1500, let's say 1600, you know, it looks great but if you read into the chart, not only are we looking at different fuels, but we're looking at different hours of operation.

So the whole chart, in my opinion is skewed. If you want to take Oleander out of there and compare the three different -- the first three power plants, I feel that you have something a lot more valid than to throw Oleander in there with their lower numbers of operation and I'm assuming that's a gas-fired numbers.

Those are oil? Okay.

I still stand with my first point, that the hours are so different that it makes the chart look great for Oleander.

And then I wanted to ask a couple of charts beyond that, the ambient air quality standards. I wanted to ask if all those numbers and the following charts, are we looking at gas or are we looking at oil when we look at these charts?

No, keep going. One more. One more.

MR. HOLLADAY: Oh, on these --

MR. KNODEL: Right.

MR. HOLLADAY: These are measurements. These are measurements made at monitors so it hasn't --

MR. KNODEL: Are we looking at gas or are we looking at oil?

MR. HOLLADAY: On the impacts we're looking at probably most would be oil.

MR. KNODEL: Okay.

MR. HOLLADAY: Because the short -- on the short term numbers it would be oil. On the longer term numbers it would be the blend of oil and gas in the worst case.

MR. KNODEL: Okay.

MR. HOLLADAY: Combining oil with the maximum.

MR. KNODEL: Okay. When you were making your presentation I couldn't tell if we were talking about oil or gas.

Okay. Thank you. That's all I have.

(Applause.)

MR. KOZLOV: Thank you, Mr. Knodel.

The next speaker is Mr. Roger Heinig.

MR. HEINIG: Thank you, Mr. Linero. My name is Roger Heinig. I live at 32 Yacht Haven Drive in Cocoa Beach, Florida, and I would first like to

thank all of you for taking the effort to come down and give what was an excellent presentation tonight.

I've driven to Tallahassee and I appreciate what you did to be here with us.

I would like to give you a little geography lesson, because I did drive over here from Cocoa Beach tonight where I live. That's about eight miles out in the middle of the Atlantic Ocean. It took me more than a half an hour to get here.

So, when you talk about monitoring in Cocoa Beach, understand that you're talking about something -- two barrier islands out in the middle of the Atlantic Ocean, a half an hour's drive away from where we are sitting right now.

(Applause.)

MR. HEINIG: And when you talk about monitoring in Winter Park, understand that we are talking about a one-hour drive in the other direction.

I would like to go to my prepared remarks. Applicant has represented to the Department that the proposed Oleander Power Plant would be a natural gas firing unit with oil backup.

This is a devious and deceptive strategy, to

conceal the true nature of this plant. Applicant wants to be able to run this plant on one hundred percent fuel oil at his own whim.

To achieve this objective, applicant is seeking approval for annual fuel oil use for a period much longer than any reasonable projection of his total operating hours.

To delineate the details of the deception I would first direct the Department's attention to statements made by Mr. Rick Wolfinger on radio station WMEL on December 14th, 1998.

At that time Mr. Wolfinger stated that he expects the Oleander plant to run, "between 150 an 400 hours per year total."

At other times and places, applicant's representatives have projected total operating times not in excess of 500 to 600 hours per year. Those projections certainly seem to be reasonable given the economics of the very inefficient simple cycle gas turbines that have been proposed for this project.

During a public meeting held at this facility on December 9th, 1998, applicant displayed a graph indicating that the heat rate of the proposed plant would be approximately 10,300

BTU's per kilowatt hour.

By comparison, FREC (ph) reports that the two 400 megawatt -- 405 megawatt steam turbine generator units at the nearby FP&L Cape Canaveral Plant have heat rates of 9,409 and 9,505 BTU's per kilowatt hour, respectively.

Even with those excellent heat rates, the Cape Canaveral Plant operated at a capacity factor of less than 45 percent in 1997.

The proposed Oleander Plant would have a huge heat rate disadvantage of 800 to 900 BTU's per kilowatt hour against that neighboring plant and it would operate economically only at a much lower capacity factor.

So, it appears that these statements of applicant's representatives are plausible. The annual operation of the proposed plant would, indeed, be in the order of 500 hours maximum.

A reasonable interpretation of the term "backup" indicates that fuel oil firing would represent less than twenty percent of that total operation, that is, no more than a hundred hours per year.

That leads to a mystery. Your Department's best available control technology determinations,

"include minimization of fuel oil firing and maximization of natural gas use."

Oleander's initial application to the Department sought approval for up to 2000 hours of fuel oil operation per year. In it's February 1st response, applicant reduced that request to 1500 hours.

If applicant truly intended to operate on fuel oil for less than a hundred hours per year, why would applicant expose himself to the difficulties of obtaining approval for fuel oil operations fifteen to twenty times greater than what is realistically needed?

The answer has two parts. First, applicant has made an unrealistically high initial request of 2000 hours so they could appear to be cooperative by subsequently reducing that request to only 1500 hours.

As we have seen, the applicant has again later reduced this request to 1000 hours, in a further demonstration of pretended cooperation.

But, even 1000 hours of permitted oil operation will provide an ample factor of two cushion over the anticipated 500 hours of total plant operation. Thus, even after making these

supposed concessions, applicant will still be able to operate the proposed facility as a 100 percent oil-fired unit.

I commend the Department for the fact that you have already noted these anomalies. You have observed in your written comments that applicant's proposed permit conditions would allow essentially 100 percent firing of fuel oil at the proposed facility.

Applicant's devious and evasive responses to your comments confirm what we both suspected, applicant is engaging in deceptive behavior to secure unwarranted approval for a 100 percent oil-fired power plant.

I urge the Department to impose operating restrictions sufficient to undo the deceitful actions of applicant. By applicant's own testimony, the expected operation of this plant will not exceed 500 hours per year. Consistent with that total operating time, the Department should limit the use of the fuel to no more than 100 hours per year.

There may be years in which unforeseen special circumstances lead to total operation somewhat longer than 500 hours. To allow for

those special conditions, the Department may want to allow applicant to operate on fuel oil for up to 200 hours in any particular year as long as the average fuel oil consumption operation does not exceed 100 hours per year over any five-year period.

By imposing these very reasonable restrictions, the Department will insure that fuel oil firing is minimized and natural gas use is maximized, consistent with the Department's documented policies for BACT determinations.

Thank you.

(Applause.)

MR. KOZLOV: Thank you, Mr. Heinig.

The next speaker is Mr. Tom Berringer.

MR. BERRINGER: Once again, we would just like to thank you gentlemen for coming down here. Our job is not to intimidate anyone, our job is just to bring out some facts and some interesting comments, and we know that you will be fair with us and the situations that we present to you.

The number one thing I'd like to talk about is something a little different, folks, than all the people with the numbers and all the experience with this type of industry and pollution.

Basically, I came from a place of pollution, and most of you notice these folks probably don't, so I could maybe share a little brief story about this.

I was a steamfitter, if you might know what that is, for 43 years. I've been retired since 1955. I worked in some power houses that used to blow the soot out at night and they cleaned their soot blowers and so forth.

And I know none of that's going to go on here, but I'm trying to make a point. They don't have that kind of pollution here, folks. But I'm having trouble with the amount of pollution that I've been hearing about tonight, and have been hearing about.

In those days they weren't controlled as well as they are today. We thank you for that. We thank you very much for that. But we need you to understand something. A lot of us came down here with some diseases, some breathing problems, and you heard a few of the things tonight.

If you will look around you, you are going to see some people that have breathing problems. You're looking at one right here. I have first stages of asbestosis. Not your fault. It's not

my fault. I had to make a living and I chose to do this.

I brought this with me to Florida. And in case you don't know what that means, screening tests show that you have tadpole tears on your clear lining of your lungs. And the bottom line is it will kill you eventually.

I've lost some dear brothers from the union I belonged to up there because of this disease. I'm not up here to ask for pity. I'm up here to ask for mercy.

I handed out a paper and it discusses an experiment that NASA made possible. If you will look at the left-hand corner of the paper that I handed out, you're going to find out that they have come up with a solution on how to keep some of these poisons that we've talked about here tonight.

You'll have to forgive me. I also didn't tell you that I lost a lot of my eyesight here recently, so I can't really read too much, but I'm going to try to get through this.

If you will look at the research project, it was a NASA project, with all the -- Mike, could you help me. I can't read these numbers. I'm

sorry. I wonder if you'd mind doing that.

MR. STALLINGS: Okay. It's a study of how houseplants can help fight pollution, and it says after 24 hours spider plants remove 96 percent of carbon monoxide 99 percent of nitrous oxide.

Is that right, is NO2 nitrous oxide? Okay.

And after 24 hours golden pothos, p-o-t-h-o-s, who knows what pothos are -- removed 75 percent of carbon monoxide.

MR. BERRINGER: Okay. Thanks, Mike.

My point in handing these out and having you look at this is if NASA is interested in this type of project and it has come to the University of Florida, there must be a real concern about indoor air, outdoor air and so forth.

But, gentlemen, we see that we're going to have many more pounds and thousands and millions of pounds of pollution if they run oil on this plant. I mean, this is just a little tiny bit of what we are facing.

I know a lady in here who has a husband that has a tumor in his lung. You know, like I said, we brought these sicknesses here. You know, this is the way it was in the old days. We weren't protected. And now you folks are trying to

protect us. We're asking you to protect us.

I know there's a lot of things we can't do anything about, just like the cars on 95 over here. I even read through some information about junking the old cars in California and so forth and so on, to just stop the pollution.

But you know, the more that people come into our area, not just with this particular power company, but there's going to be more following them once they come in here.

I'm not slamming the business that these people are in. I respect what you're doing, but I think it needs to be looked at in our situation, the ordinary common person who has to decide, well, am I going to have to move away from here after waiting some forty years to come here?

I hope not. I cut all my roots and everything else, and here I am. What I have here is everything I have, and I don't want to keep popping around trying to find a clean area.

It was clean when I came here. I'm amazed at what's been going on with the kind of lackadaisical situation with the power company. First of all, they didn't even let anybody know they were coming in here is what I understand.

Now, all of a sudden they're in here with studies and things of this nature, and we need you folks to take us by the hand and go out there and tell us what's really going on. We don't think we're hearing the truth. We think you need to get us a good monitoring system in this locality, as you've heard. Now, that makes sense to me. It really does.

Gentlemen, once again, thank you for coming down here tonight. I know there's more speakers coming, but I want to give you my heart-felt appreciation for what you're going to do for us. Thank you.

(Applause.)

MR. KOZLOV: Thank you, Mr. Berringer.

The next speaker is Mr. Douglas Sphar.

MR. SPHAR: Thank you. Okay. The question I have that deals with the -- basically these pollutants are what's identified as criteria pollutants.

And in Title 40 of the U.S. Code of Federal Regulations they establish what they call baseline significant emissions of pollutants. And basically what I want to ask them is, every one of these pollutants here, I believe, exceeds the CFR

Title 40 significant emission rate.

Is that true?

UNIDENTIFIED SPEAKER: Yes.

MR. SPHAR: Okay. And the question -- we had another gentleman that talked about ozone, and a progenitor of ozone is volatile organic carbon, and we see their proposed plan here actually as 94 tons per year, actually has volatile organic carbon emissions than the FPL plant up there or the big Curtis Stanton plant.

So, this story, you know, there is -- you know, the comparison you made is you didn't show the column there that shows what the U.S. Clean Air Act considered to be a significant emission of pollutions.

And I will get back to my other prepared remarks. I'm going to submit, probably, some of these in writing, because they are a little bit detailed.

But, I work in the aerospace industry where simulations are widely used to predict the performance of missiles and rockets. And a lot of times things work good in the simulation, but we see out here at the Cape, they blow and they don't work the way their predicted models.

And I was reading in the application, and I guess the applicant has used something called the EPA (ph) model, Industrial Source Complex Short Term Model and said they downloaded from a website.

I work in my business, people have to have a file dated model, and I didn't see any evidence there. Does the DEP provide them with like a check run where they've got to duplicate a standard database so you know their results are honorable, certifiable or verifiable?

MR. HOLLADAY: Yes. I look over all of those to make sure they're not pulling any -- you know, that they're not doing something -- adding -- changing numbers.

MR. SPHAR: Because you know --

MR. HOLLADAY: It is a standard model and it does change and we have and look and compare to make sure that their runs are the same as what we would find ourselves.

MR. SPHAR: Okay. Moving on, the -- using a model, it said that, you know, the Clean Air Act allows people to do this -- satisfy this ambient they are monitoring analysis, by using simulated data, or in some cases monitoring data, because of

the emissions, I guess you bought into their proposal to use model data.

To get back into that, they made estimates of the preconstruction ambient atmosphere and then ran these models. You see some of the plots over here along the wall, and the questions you submitted to them, I didn't see any evidence that you requested and reviewed their estimated input data to their model.

Do you believe that was done as part of this?

MR. HOLLADAY: Yes.

MR. SPHAR: Okay. And the model has -- look through just what they had, they had numerous -- it's complex model had numerous user selectable options.

Has DEP reviewed the options and switches to this model that they did the appropriate -- they would do more of a creative selection of options?

MR. HOLLADAY: Yes. They have a standard, what they call default regulatory modeling options that EPA requires and they have to use those. They can't go picking and choosing what they want.

MR. SPHAR: There are emission levels and a PSD analysis required and we heard people talk

about concern about the air and the area and everything like that using these sites monitored way off -- your bar charts didn't even show ozone for some reason.

But, in any case, in matters of public health, I think it would be prudent for the DEP to require preconstruction ambient monitoring, rather than having people do an estimate.

You know, an estimate is basically an educated guess, and this EPA model, that's a computer simulation of the complex atmosphere, and it has a lot of assumptions in simple cases, and you're putting estimated data into a model that -- and so basically you're compounding the uncertainty effects of the results.

And I think we'd all be more comfortable if, like he said, if we actually had the ambient preconstruction monitoring at the site here. Because prevailing winds blow from Cocoa Beach -- I saw the model they proposed actually one place using the -- the -- back when they were -- the original permit was 104 tons per year which required they had to do because it was over the threshold, and they proposed the -- getting around that by using the Cocoa Beach site which is twenty

miles away, which incidentally dropped it down below, under that.

And the other question I had, in their thing, and Mr. Bock mentioned this, they talk about the 0.12 parts per million ozone standard. The EPA has found out that that didn't protect adequately people's health and they come out with a new standard of .08 parts per million.

Are you reevaluating their application in the context of the new ozone standard or are they somehow grandfathered into the old higher standard the EPA considers to be unhealthful?

MR. HOLLADAY: Well, basically we don't have any point source and models for ozone. In urban areas they do have models that can be run, but the Department certainly is, as far as -- they have to evaluate under the new standard.

Now, it does -- the new standard does allow a certain -- like one number to go over whatever the .08 is, but the way that it will be implemented as far as nonattainment is concerned, is that it will be the fourth highest number averaged over the three years.

MS. SPHAR: I understand that's for the year 2000 they're supposed to make the first

determination?

MR. HOLLADAY: That would be the first, because they have to have three years of data.

MR. LINERO: Well, let me give that a try. They are going to switch from a new standard -- to a new standard instead of this .12 over one hour. It's .08, but that's averaged out over eight hours instead of one hour and it turns out that, you know, they're not far apart.

You know, the total effect is about the same, and we understand that the federal government is going to look at Florida and see whether it remains in attained with the ambient air quality rules under this new standard.

My understanding that perhaps the Panhandle may, simply because of the change in the method that they calculate the standard, that could change from attainment to nonattainment, but that there's nowhere else in Florida where the switch in the standard would automatically make an area that's attainment nonattainment.

And so, on that basis, we're pretty certain that this area is not going to change attainment status for that reason.

MR. SPHAR: Well, I would just point out, in

their analysis there, they mention the corrected some -- they submitted a refined application, but they didn't -- for some reason didn't change that number in the application.

One final point here. You mentioned earlier the National Park Service and as you're probably aware, in the class one areas they have -- they have permitting responsibility for air permitting and one of the things they recommend that you talked a little bit about, is they say it can meet the EPA things, but still bad things happen to the atmosphere because the cumulative impacts are considered.

And basically in their areas they require a cumulative effects analysis. And basically what I'm talking about here is, you know, they consider other emissions sources undergoing the permitting process. I read somebody else's coming into Leesburg. We've got one up at New Smyrna, and there's all -- who knows, what.

Plus, some people have permits but they haven't built them yet, and I just want to know if you take really these cumulative effects into account when you're -- if you look at each one of these, one at a time, each one of them can meet

the EPA thing, but you've got three of these power plants, all of a sudden we're in in a problem here, and I just wondered if you were -- take into account the fact the Park Services recommended a cumulative effects analysis for ambient air.

MR. HOLLADAY: This one, because it was a considerable distance away from any park, did not -- they didn't evaluate -- we didn't evaluate impacts on the -- they would be probably less than significant if they were, because of the distance, and that's why they didn't require us to go back and ask them to do it.

There is -- we are in the process of doing an analysis for these -- starting with the Chassahowitzka using a long-range transport model, and that's something that's going to be done in the next year or so, but, this project wouldn't, at this point would not fit into that.

UNIDENTIFIED SPEAKER: Why not?

MR. BOCK: Yes, why not? Can't we do it?

MR. HOLLADAY: Well, later on -- but it's not going to have an impact on the Park Service. It will end up being less than significant, and therefore nothing else would have to be done for this project.

MR. SPHAR: Well, okay. Basically that's the end of my questions. And again, by definition, the Code of Federal Regulations says a "significant emitter of pollutants," and we are only six tons per year short of where they would be forced to have to do ambient air monitoring because of the VOC emissions for ozone. So, they are -- the VOC is a big contributor to the ozone situation.

Thank you.

(Applause.)

MR. KOZLOV: Thank you, Mr. Sphar.

The next speaker is Ms. Dorothy Amstadt.

MS. AMSTADT: It's my understanding that this plant will not come under Florida law or Public Service Commission rules. Who, then, is going to monitor them? If they don't come under Florida law, which --

MR. KOZLOV: Their emissions come under Florida and federal law.

MS. AMSTADT: Well, all I know is what was stated in the County Commission meeting. That is a concern, that they should come under Florida law and be under the Public Service Commission.

The other thing I'm concerned about, there

was an article in the Orlando Sentinel not long ago, that our air quality in Central Florida has gone 28 percent in the last three years.

All of these power plants, all these new proposed ones are going to combine -- they are all going to be cumulative.

A friend of mine told me recently she had taken her eight-year-old son to a pediatrician who said this generation will never grow old because of the heavy pollution that we already have now.

This needs to be considered also. And it doesn't appear to me that it is being considered because you are continuing to allow more and more polluting plants. Please reconsider.

(Applause.)

MR. KOZLOV: Thank you, Ms. Amstadt.

The next speaker is Ms. Florence Broaddus.

MS. BROADDUS: I'm going to approach this problem from a little different, oblique point of view. Our planet is supposed to be four, four and a half billion years old. That's pretty old.

The dinosaurs went extinct sixty-five million years ago. Please observe I've already changed from billion to million.

We, in Florida didn't exist them. We had

not risen out of the sea. By thirty million years ago, we in Florida had a fair population of all kinds of animals, including mastodons and saber-tooth tigers, right where we live. And a whole bunch of others. Exciting. Dramatic. Go to your museum down the road and have a look at their time line of who's lived in Florida.

All right. I'm seventy-nine years old, which is older than most of you and I've made good use of my time to wander the planet. Sixty years ago I was living on an Eskimo island in the middle of Bering Straits.

Our water supply was to chop frozen snow off the pressure ridge peaks of frozen seawater, ocean ice. You can still do that today, but times have changed in the Arctic.

Now, remember now, we're talking about one person's lifetime, not even a tick of a clock, not a full second, just a splinter of time, compared to the age of the earth.

We now have PCB's in the mother's milk of the Eskimos. I've made two trips to Antarctica. I got hung up on penguins. I went through a penguin period, and discovered, to my horror, that there's radioactive stuff down there in the

penguins, in the ice and that the food supply is becoming depleted in the Antarctic's rich ocean full of krill.

Now, maybe the Japanese fisherman are helping with that and maybe we've stopped shooting whales has helped with that, but nevertheless, the food supply there is going down.

Talk to your old guys my age around here on how few fish are in the Indian River, compared to when they were kids. Well, of course, the other thing that I'm just waiting for it to start to rain, because those same old guys did their fishing right where Viera is today and that was a fine piece of water to catch fish in. I think those days could return.

Now, this is a split-second. Fifty years ago is the first time I came to Florida, and I've only lived here twenty years. I'm not sure I made a smart decision.

I do notice a difference in quantity, pollution, growth. Because I'm a farmer I am happy to tell you that the farmland in Florida did improve from the skinny, wretched nonmineralized cattle when they discovered salt blocks with minerals in it and improved the pasture lands.

But now you gentlemen are high-tech, and I am very low-tech. I've listened to all these hours and I sat back there and was thinking how many hours do I use your product for heating or cooling my house. And I came to the conclusion, living here in Florida, I don't use 200 hours of either heat or air conditioning.

I designed my house with an R-40 in the roof. Anybody else have an R-40 in their roof? Good. One man.

Keep the heat off your living room ceiling, basic secret. Don't listen to Florida Power & Light. They wouldn't even speak to me because my house didn't fit their specifications. It was so different.

I've got most of the plants on your list in my house, plenty of them. If anybody needs a cutting, just apply. I've got most of them. You are more than welcome. Yards of Golden pothos. You can take it home by the armload. It grows well.

Now, the point of all of this is: We can help ourselves to a degree, but we have to have your help with this basic pollution that is very obvious to me in the twenty years since I have

lived here.

I have one-fourth the birds in my yard, two percent of the butterflies I used to have. You can blame pesticides, but your pollutants are also responsible.

Florida certainly should be a healthy place. Living with those Eskimos was a lot healthier than living here. Once you got rid of all those white people and it got cold in the wintertime and they took the boat cold with them, no self-respecting germ would live there and you weren't sick anymore till they came back again.

Now, of course, the Eskimos kept saying to me, germs, white man's superstition. But I think in sixty years they've changed that tune a little bit.

I've never known so many people to have chest complaints, allergies and that sort of thing as here in Florida anywhere I've lived. And I've lived an awful lot of places.

And that is the pollution you are bringing to us and also getting our birds and our butterflies. Now, if you'd get our fleas and our cockroaches -- if you're high-tech you would zero in on them, I would like that.

So, let's be practical about what we're doing. But, I repeat, that in the -- not even a tick of the clock of my lifetime the change in this planet has certainly gone downhill ecologically and environmentally.

And I've been around and I've looked at it and there are so many fewer fish on the Barrier Reef in Australia from the first time I swam on it until twenty years later when I swam on it again.

It's unbelievable, the changes one little old lady has observed. Please help us out. Don't make this pollution worse. Don't add to the pituitary tumors that are at a high point in this community. It's very rare, but we've got them and those people are concentrated up there with those power plants, number one, and you want to catch them in a triangle.

It's not the thing to do. It's not right. It's not fair, it's not decent. It's not human. It's just high-tech.

(Applause.)

MR. KOZLOV: Thank you, Ms. Broaddus.

The next speaker is Ms. Susan Giesecke.

MS. GIESECKE: I just have a simple question for you right now. The sulphur dioxide, isn't

that the stuff that smells like rotten eggs?

Okay. Now, when the FPL Cape Canaveral thing, isn't that within the acceptable parameters, their output for sulphur dioxide?

MR. HALPIN: Yes, they are.

MS. GIESECKE: Okay. Well, it stinks out there so much, when the wind is blowing in our direction, so if they're within acceptable parameters and it smells, then even your Oleander Plant may smell, right?

SPEAKER: Yes. There is a possibility, right.

MS. GIESECKE: Well, you know, the dump is right there and if this blows the right way, which is --it smells awful now. Anyone that wants to sell their home around here won't be able to if you get wind from the south and it smells, or you get wind from the west and it smells. Right? Doesn't that pretty much narrow down the possibility of your selling a house or your property value going down?

I mean, I'm not planning on moving right away. Also I have another question. This is sponsored by Baltimore Power, right? So we will not use this, right? Their output is not for us,

is that correct?

MR. HALPIN: I don't know where their output will go. I can't tell you that. It will go into the electrical grid --

MS. GIESECKE: They have a plant that is from Texas and I was just wondering why they didn't build their plant there. I mean, why does Baltimore have to come here? Baltimore leases their property in Texas?

(Applause.)

MR. KOZLOV: Thank you, Ms. Giesecke.

The next speaker is a Ms. Denise Beasley.

MS. BEASLEY: I have some questions. I'm not going to talk at you. I really want to hear your opinion on things. I know you've traveled a long way.

Will this Oleander project cause any adverse impacts on the human health or the environment?

MR. HALPIN: My answer is: Not according to the federal and state standards.

MS. BEASLEY: Okay. Another question: Will the Oleander project, together with other power projects and other industrial sources in the area cause adverse impacts on the human health and the environment?

MR. HALPIN: Same answer.

MS. BEASLEY: Same answer. Okay.

And my last question: Is Oleander's 60-foot stack tall enough to protect the environment?

MR. HALPIN: Based on the modeling that's required for this, yes, it would be.

MR. LINERO: Let me add something to that. The emissions from the other plants in the county are coming out of plants that are probably several hundred feet tall, but the temperature in those gasses, are, you know, two, three hundred degrees Fahrenheit.

The temperature of the gases coming out of this plant, as the one gentleman pointed out, that they are not as efficient as they could be. Well, that's because 1100 degrees of temperature goes out of those stacks, so 1100 degrees, you get a tremendous plume rise, that is to say that the hot gases go straight up quite a distance, so that is why the sixty-foot would be sufficient.

It wouldn't make any sense for them to put a two, three-hundred foot stack on it. By the same token, if the other companies lowered their stacks to sixty feet, you know, they wouldn't be permittable simply because their plumes don't rise

as much, plus they contain more contaminants in their plumes.

MS. BEASLEY: Thank you. That was it.

MR. LINERO: Okay.

MR. KOZLOV: Thank you, Ms. Beasley.

Lastly, I have a Ms. Catherine Stallings. The last speaker.

MS. STALLINGS: I just have a question. This chart talks about emissions and pollutants and apparently the Oleander Plant is a Title 5. Is there a Title 6?

MR. LINERO: Yes, there is.

MS. STALLINGS: Okay. Would they come close to the Title 6?

MR. LINERO: No. I think Title 6 just means it's a totally different program. I'm not sure, but I --

MS. STALLINGS: Just gasses everybody, right?

MR. LINERO: No. I believe that's the one that tries to control the freon that's used in appliance. I believe that's what Title 6 means. It's just a separate program.

MS. STALLINGS: Title 5 is awfully high. No matter how you look at it, there has to be a 4, a

3, a 2 an a 1, correct?

MR. LINERO: Yes.

MS. STALLINGS: Well, this is a 5.

MR. LINERO: And a 4.

MS. STALLINGS: Okay. A 5 is the highest you can get around the earth. Another thing is, is I think, since you're environmentally, you should really look at the people, you know, that's going to be affected by the plant.

Have you ever thought about looking at the Need? Does that area really need a plant? They talk about it's going to help us with gray-out and brown-out. We don't have gray-out. We don't have brown-out.

On the radio program, Mr. Wolfinger, they asked him if this power plant would be supplying power to the residents of Brevard County and the answer was probably not.

Okay. That means that -- do we have the need, no. Do we pay the price, yes. Thank you.

(Applause.)

MS. TIDD: I didn't get called.

MR. KOZLOV: All I got was those --

MR. LINERO: We have till nine.

MR. KOZLOV: Yes. We have till nine. I was

going to -- my next comment -- that was the last speaker I had on these cards, if you will, but if there are other questions, we'll still receive them from the floor.

What is your name?

MS. TIDD: I'll introduce myself.

MR. KOZLOV: Okay.

MS. TIDD: My name is Amy Tidd. I'm a member of the Port St. John Advisory Board, elected by the population of Port St. John. I've been with the homeowner's association there for seven years.

This is -- a lot of you have just recently learned all about power plants. Maybe not, but we've been fighting this issue for many years in Port St. John. And I've had many a meeting with Florida Power & Light.

We only had one with the Orlando Utilities. It was very effective. That changed the pollution.

Now, I just had some questions about this here. First of all, is this reported or is this measured?

UNIDENTIFIED SPEAKER: Reported.

MS. TIDD: Reported. Okay. Because we have

one plant that we see nothing coming out of and we have the other plant that you see quite a plume.

Would that fit in with that, with those figures?

MR. LINERO: I can say this: The -- that they're reporting those numbers at least for the nitrogen oxides and the sulphur dioxide. I believe they are required to maintain what are called continuous monitors in their stacks and those things are audited. I believe those are probably very accurate numbers on the carbon monoxide and the SO2.

MS. TIDD: Okay. Well, the big thing that I want to say here is that 1997 was a great year for pollution here. 1996 we met with Orlando Utilities. They agreed to lower their level of pollution.

If you look at this little chart -- there's no numbers on this, but Brevard County, it dropped significantly in 1997. Orlando Utilities dropped to a lesser use fuel. They also dropped -- they don't -- they don't fuel -- they don't power much. I don't know what the word for it is, but they don't run at high capacity.

Okay. At that time we talked with Florida

Power and Light. They dropped it a bit, but they were at 45 percent capacity at that time. We'd had some changes here.

I know you guys have been reading in the paper. First of all Orlando Utilities now has been bought. They have been running at low load. This is not -- this is nothing. This is ten percent or fifteen. I don't -- I'm not good at figures, but I know that this is not what Orlando Utilities is capable of.

You're going to add double to triple that if the new plant comes in and run at what they can run at. This is nothing. Florida Power and Light you're at 45 percent. Right now Florida Power and Light, the last year, they've had a lot of plants go off the line.

So, if you've noticed, they've been burning in the winter. They've been doing that because they picked up the load. We met with them several weeks ago and we asked them: What's the plan? Are you planning to burn some better fuel? Are you going to do since you are burning more?

Their answer is, at this time they have a ten-year plan for plant modifications, changes, nothing is on there.

'97 was a good year, but if you look at the figures right now, I don't believe they're going to be the same figures. I don't. I have never seen the amount of haze, so I -- I monitor this on a continual, daily basis. I call them -- you know, maybe not daily but regularly.

I have called you. I've talked to you guys. So, I've been really active in this, and we have never seen the amount of pollution that's going up right now with the haze. And in about -- when does EF pick up their -- have they contacted you as far as when they are going to start operations?

UNIDENTIFIED SPEAKER: Who is that?

MS. TIDD: Who bought Orlando Utility Plant? Have they --

UNIDENTIFIED SPEAKER: We don't --

MS. TIDD: You don't know. Okay. Well, I don't know. I'm optimistic. Port St. John homeowners will be meeting with them also, but we very well could see pollution levels double or triple from that plant because they have not been running. They have not been running capacity. They have been burning low-level fuel. They can burn a lot higher. They've been burning .9 -- .9 they told me. They can go up to 2.2.

So, this -- what I'm saying is, we already have a problem right now that's going to get worse. This -- this -- another power plant is just going to tip the balance. It's going to go worse already.

This issue has gone to the Brevard County Commission. They are meeting to have some kind of -- we have two problems right now. And I've been fighting this for years.

We really don't need another one. All these people are here tonight to tell you that.

(Applause.)

MS. TIDD: So, we really need your help -- as coming down here, we know you are here to help the people of Florida, so give it your best shot. I believe that you need to have another year -- you have to have some newer testing. Those figures -- I was figuring this out back there. I think right now that there's twice the pollution on the chart as what's right now, and if -- ES, is it? I believe it could get to three times what's going on right now.

So, don't use these figures. This was a very good year. Nothing came out of the stacks. Nothing, because I'm there. I'm watching.

(Applause.)

MS. TIDD: If you would like my name and phone number, I'd be glad to give it to you, because as far as -- I mean, I monitor this project.

(Applause.)

MR. KOZLOV: We have one more. Mr. Bock, we have about five or six more minutes here. Go ahead if you want to speak.

MR. BOCK: I'd like to ask -- you know, you've heard quite a bit of testimony on our behalf, that we see this haze. We have a problem here. We are triangulated in.

And I want to ask, with the DEP request that they have a year of monitoring, as we the people in this area, for the DEP, we have valuable input and you can change some of your requirements because of our input.

We require all kinds of monitoring for ozone in the area that this plant's being built. That's what we want.

MR. HALPIN: I don't have the authority to tell you that.

UNIDENTIFIED SPEAKER: Will you try?

MR. HALPIN: We will certainly consider it.

We will certainly consider it. I need to discuss it, of course, with our meteorologist, some of our ambient monitoring people, because we have a number of monitors around here.

We would want to see where they are and try to figure out what a new monitor could go or would go. Talking in terms of funding, if we -- if we thought a new monitor was, you know, was warranted or needed, well, we certainly would recommend that.

We will talk to Oleander, ask them to volunteer one, and then take a look at the rules to see what authority we would have to require one.

But, we can't make that decision tonight, but we will certainly make it in conjunction with issuing this --

MR. BOCK: One more thing. Can this be a consideration if 1700 sign a petition, 2000 people representing the City of St. Johns. We have a public records -- we have requested the ozone monitoring be done at the site because of automobiles and because of triangulation of other plants?

MR. HALPIN: We certainly have your request

on it and we will certainly will review it and act.

MR. BOCK: Okay. Also, do you know that on some of these graphs that 1.7, which is part of a federally protected river, the St. Johns River, that many of these pollutants will fall out, wash down into that area?

And I just considered if you covered functional wetlands. I know your air application asks that, but I think these are things that you need to share with other parts of your department, whoever covers the conservation aspect of the water, et cetera.

MR. HALPIN: Yes. We've -- as far as what all the other facilities are doing and their impacts on wetlands and so forth, you know, we're not -- we're not sure that we can review all these other existing facilities in the course of reviewing this one, but it's been my experience from years of being in this business and permitting, that the amount of possible emissions from this facility and the types of pollutants aren't something that is likely to fall out in such significant quantities in these areas such that you would actually see a benefit and be able

to trace it back to that plant.

However, that -- you know, that's just my, you know, my opinion on it.

MR. BOCK: Thank you. Mr. Linear, we feel that they went from 2000 to 1500 not to break the threshold of 100, 104 --

MR. LINERO: Yes.

MR. BOCK: -- to stop and bypass this study. We don't know what the aspect is of them coming in later and requesting more hours as they operate. You know, people do do that.

So, we want you to take into consideration we're at threshold, we have a problem here now and you and the Department needs to protect us and monitor this area.

MR. KOZLOV: I think there's a lady back there. Yes, ma'am.

UNIDENTIFIED SPEAKER: Yes.

MR. KOZLOV: I'm sorry. What is your name, ma'am?

UNIDENTIFIED SPEAKER: I don't know if I misunderstood about the smoke stacks. If it doesn't go up, where does it go?

MR. LINERO: I'm sorry. I think what I was saying is that the -- that the hot gases which for

this plant appear to be fairly low in pollutants, what we're saying is that the temperature is so high, it's 1100 degrees Fahrenheit, that it shoots up.

In other words, it has tremendous buoyancy and a lot of lift, so it disperses upwards and, you know, that's why a 60-foot stack is sufficient for this project, but it certainly would be woefully inadequate for a project burning a heavy oil or coal and so forth.

I think that's -- I think that's what we said.

UNIDENTIFIED SPEAKER: Well, who is it going to impact, the people living closer to it, or people that live away from it?

MR. LINERO: Who would it impact?

UNIDENTIFIED SPEAKER: Right.

MR. LINERO: It would probably --

The question is: Who would it impact? Okay. It wouldn't impact anybody significantly, but if it impacted anybody, it would probably be people some -- you know, some miles away, rather than right then and there.

MS. STALLINGS: My name is Cathy Stallings,

and just because some of this, I would like to send you some notes by E-mail. Could I have your E-mail address, please?

MR. HALPIN: Certainly.

MS. STALLINGS: Can you say it out loud?

MR. HALPIN: Yes. I'll give you mine. And theirs is the same. Just different names. It's Halpin, H-a-l-p-I-n, underscore, M as in Michael, and then the "at" sign, DEP.state.fl.us.

MS. STALLINGS: We will be sure that everybody gets that.

MR. HALPIN: Okay. That underscore is just an underline without anything above it. It's just a -- you know, just like a dash but an underline type dash, with nothing over it.

MR. KOZLOV: Any other questions? I'll have this gentleman -- give him an opportunity.

MR. DOFER (ph): Just one quick question. I'm Jack Dofer, and I live in Canaveral Groves.

Dispersion of the gases out of a sixty-foot tower probably depends a lot on prevailing winds and the wind speed.

So therefore, even though you think it's rising quickly, it's not going to go straight up. It's going to go over Canaveral Groves if the wind

is out of the southwest. That's what I don't like, because now I got enough -- when it comes out of the northwest with FP&L and also out of the old Orlando plant, it comes our way.

Now, we're getting it from another way. Again, this is -- this is your department. This is the pollution that you can control to help us, because our community is growing. That little Canaveral Grove out there is just growing six or eight houses a week almost, it looks like.

And so, you know, it's coming our way, and that's what we don't want. Thank you.

MR. KOZLOV: Robert Knodel.

MR. KNODEL: I'd like to just share with everybody something -- something that I learned. I've taken a lot of courses in hazardous waste management, hazardous waste training, and there's a couple of points that I learned, and that is, when a hazardous waste or anything that's generated, it doesn't magically disappear when it gets shot out of a sixty-foot stack. I don't care what temperature it's at.

This lady back here started touching on it. That stuff goes somewhere. The prevailing wind. If there's no wind it's going to fall on top of

us.

There's something called cradle to grave that is the responsibility of the person that generates that hazardous waste. They are responsible for that from generation point, which is called the cradle to the grave.

Well, what we're saying here is, a pollution is a byproduct of the generation of electricity, is these pollutants that we are talking about here. Yes, the state and the federal government has regulations that have to be met.

I want everybody to understand the philosophy that even if these standards are met, the pollution still exists. They are there. They don't magically disappear when they go up into the air.

Thank you.

MR. KOZLOV: I believe there is a gentleman in the back. Yes, sir. And your name?

UNIDENTIFIED SPEAKER: My name is (Inaudible.)

I just wanted to state -- somebody up there said that sulphur dioxide has no fall-out and that's false because it comes out like an acid you cannot see, but it finds its lowest point and then

it stays on the ground.

Whether you have breeze or not, it's going to stay in grass. It's going to rain and it's going to run off. That's a fact.

(Applause.)

MR. KOZLOV: Any other questions?

MR. BOCK: If the application's made complete --

MR. KOZLOV: I want to -- this lady here.

MS. BROWN: Real estate has not been brought up. May I --

MR. KOZLOV: Yes, ma'am. If you want to speak up here, that's fine.

MS. BROWN: I guess I'd better.

MR. KOZLOV: And your name, ma'am.

MS. BROWN: Quincey (ph) Stanton Brown.

MR. KOZLOV: Okay.

MS. BROWN: Real estate value has not been expressed tonight. I didn't hear it. But I just wanted to make a point. I did not come prepared to speak or I would have looked up more about this.

But in 1968 my husband and I came to Florida and bought an acre of land at Palm Beach Heights. That is in Martin, in Palm Beach County.

My husband is from Harlan, Kentucky where there is coal, so we knew what that could do and we did not think Florida would have anything like that. We found out there were some problems about it and we found out somewhere on up the road toward Okeechobee there was a turbine, whatever that is, I don't even know.

Anyway, we were never allowed to build. And, as I say, in '68 it was $5,000. Today I worked on my income tax. I had a bill for that property and it is valued at $350. My tax on it is $38.60. So that's what it can do to real estate.

(Applause.)

MR. KOZLOV: I think we can just take one more question because we have been asked to close this up.

Yes, sir, Mr. Bock.

MR. BOCK: If the application is considered complete tomorrow, will you still ask that the 12-month monitoring be done at that site?

And also, we realize that in Tallahassee you all have lobbyists there. We're doing the best we can for lobbying on our behalf. I take exception to the statement this is low pollution, the VOC's

are 94 and perhaps a little bit lower with reductions and how it's pushing the ozone issue I have my problem with.

And that's why I'm saying this. Will the monitor still have a chance to be in place if you, indeed, tomorrow complete -- say the application's complete?

MR. LINERO: Okay. The fact that a -- the fact that an application is complete doesn't mean we can't set permitting requirements, so, you know, it's something that we -- it's something that we can consider whether the application is complete or not.

MR. BOCK: I just wanted to make the point that the 94 VOC -- and the VOC's the ozone problem?

MR. LINERO: I'll tell you what the ozone problem is and it's worth digressing a little bit. The ozone problem is the combination of the nitrogen oxides that you see up there together with the VOC in the presence of sunlight.

MR. BOCK: The automobiles down on I-95 in the sun and the power plant.

MR. LINERO: All of that contributes, but it's the nitrogen oxide and the VOC's and the

presence of sunlight.

MR. BOCK: And nitrogen oxide is the largest of the figure?

MR. LINERO: Yes, it is.

MR. BOCK: (Inaudible) When will we hear the response on whether you will ask for a year's monitoring, since the original application exceed that threshold and the intent, and now it's barely going under it on behalf of protecting the people?

When will we hear that decision?

MR. LINERO: Okay. I believe that -- I believe that we will be in a position to know that probably within a week.

MR. BOCK: We would like to request that we have another meeting here to discuss that, rather than this E-mail situation, because we can have more people here at the next meeting.

MR. LINERO: Okay. The next opportunity for a meeting will be when we issue an intent. That could be a week. That could be a month from now.

And at that time, we will be able to have another public meeting during the 30-day comment period.

MR. BOCK: We can't have two hearings of this same line?

MR. LINERO: Well, one today and the possibility of another one subsequent to the issuance of the intent.

MR. BOCK: And that's where you would probably discuss the monitoring of the ozone?

MR. LINERO: At that point we would be discussing an actual intent, whether it was to issue or to deny, and the terms of the permit conditions.

MR. BOCK: Gentlemen, please consider that.

MR. LINERO: Thank you.

MR. KOZLOV: I think we are past our time. I suggest if you have additional questions, I know Ms. Tober has those forms for any written questions you may have. We will go ahead and respond in writing.

And we thank you for your attendance.

(Thereupon, the meeting was concluded.)

C E R T I F I C A T E

THE STATE OF FLORIDA,)

COUNTY OF SEMINOLE,)

I, Dale E. Bragg, CVR, Court Reporter and Notary Public, State of Florida at Large,

DO HEREBY CERTIFY that the above-entitled and numbered cause was heard as hereinabove set out; that I was authorized to and did transcribe the proceedings of said hearing, and that the foregoing and annexed pages, numbered 1 through 101, inclusive, comprise a true and correct transcription of the proceedings in said cause.

I FURTHER CERTIFY that I am not related to or employed by any of the parties or their counsel, nor have I any financial interest in the outcome of this action.

March 18, 1999

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my seal, this 19th day of March, 1999.

DALE E. BRAGG, CVR, Notary Public
State of Florida at Large

My Commission Expires: 2/18/2000

Dale E. Bragg
MY COMMISSION # CC527781 EXPIRES
February 18, 2000
BONDED THRU TROY FAIN INSURANCE, INC.