



ORLANDO UTILITIES COMMISSION

500 SOUTH ORANGE AVENUE • P. O. BOX 3193 • ORLANDO, FLORIDA 32802 • 305/423-9100

December 6, 1983

Mr. C. H. Fancy
Deputy Chief
Bureau of Air Quality Management
Florida Department of
Environmental Regulation
2600 Blair Stone Road
Tallahassee, Florida 32301

Dear Mr. Fancy:

On November 29, 1983 an Orlando Utilities Commission (OUC) contractor began driving foundation pilings for the Unit 1 boiler building. Under the definitions of "commence" and "begin actual construction" given in 40 CFR § 52.21(b)(9) and (11), OUC believes that this activity qualifies so as to meet this definition. In accordance with the requirements of General Condition 1 of the PSD permit for this two unit facility, OUC is notifying you and, by copy of this letter, the US Environmental Protection Agency that construction commenced on or about that date. OUC has enclosed copies of the following two items as supporting documentation.

Enclosure 1 SUMMARY OF ON-SITE WORK ACCOMPLISHED

Enclosure 2 PROCUREMENT AND CONSTRUCTION CONTRACT SCHEDULE

As you are aware, the PSD permit expires if construction is not "commenced" by December 10, 1983. However, the US Environmental Protection Agency may extend the permit under the provision of 40 CFR § 52.21(r)(2) if OUC demonstrates its inability to begin construction within the allotted time frame. Should the EPA or ultimately the courts determine that construction has not commenced on Unit 1 of the Curtis H. Stanton Energy Center by December 10, 1983, then OUC is hereby requesting a 12 month extension of the permit. While OUC believes that construction has commenced, construction has been delayed approximately one year beyond the original schedule. This delay was caused first by a six month state regulatory delay in the issuance of the site certification, primarily due to the fact that the Hearing Officer took an inordinate amount of time to process his order. Since then a suit challenging the bond approval was

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appealed to the Florida Supreme Court and resolved in OUC's favor and a suit by the Sierra Club in the Fifth District Court of Appeals challenging the site certification for the project was also resolved in OUC's favor. In the latter of these two cases the Court's opinion was filed on August 18, 1983. OUC initiated on-site construction activities soon after this decision was handed down. OUC has proceeded and is continuing to proceed with the project in a diligent manner. Such diligence includes moving for and receiving expedited handling by both courts in the cases cited above.

In summary, OUC is proceeding with the construction of Unit 1 of the Curtis H. Stanton Energy Center. OUC believes that construction commenced on November 29, 1983. This letter has served as OUC's notification as required by the PSD permit. In the alternative, this letter serves as a request for a 12 month extension to the PSD permit should either an administrative or judicial determination be made that construction did not commence before December 10, 1983. OUC has demonstrated adequate justification for such an extension.

OUC is ready to supply whatever additional information that you may require for your proper handling of this matter.

Sincerely yours,



B. E. Shoup
Director
Environmental Division

BES/jh
Enclosures

cc: Mr. C. R. Jeter (EPA)
Mr. J. T. Wilburn (EPA)

Mr. H. C. Luff
Mr. L. E. Stone
Mr. W. H. Herrington
T. B. Tart, Esq.

ORLANDO UTILITIES COMMISSION - ORLANDO, FLORIDA

ENCLOSURE 1

INTRODUCTION

On-site construction activities were initiated by the mobilization of the Site Preparation Contract for site clearing and grubbing, and excavation and fill activities on October 3, 1983. Following completion of clearing and fill work for the central generating complex another contract for driving foundation piling was mobilized on November 17, 1983 and pile driving commenced on November 29, 1983. The following actions summarize the work accomplished as of December 5, 1983.

SITE PREPARATION

Site preparation activities consisting of fencing, clearing, and excavation and fill began on October 3, 1983. Several thousand feet of fence have been installed and work on the remainder will continue until the entire site is enclosed. As of December 5, 1983, site clearing was more than 90% complete. Earthwork related to filling of the central facilities area is now complete (250,000 cubic yards of fill) and pile driving for the boiler and turbine buildings has commenced as described in the following section.

FOUNDATION PILING

Driving of foundation of pilings for the Unit 1 boiler building began on November 29, 1983. As of December 2, 1983, six production pilings and one test piling were driven in the area of the boiler building. The pile driving equipment has been moved to the turbine building area where the driving of production and test pilings is underway.