

File

I N T E R O F F I C E M E M O R A N D U M

Date: 08-Jul-1992 04:24pm EST
From: Patricia Comer TAL
COMER_P
Dept: Office General Counsel
Tel No: 904/488-9730
SUNCOM:

TO: Stephanie Brooks WPB (BROOKS_S)
TO: Preston Lewis TAL (LEWIS_P)

Subject: Fort Pierce Utilities

Rest easy folks! I signed the latest (June 26) stipulation to settle Fort Pierce Utilities, units 6, 7 ad nauseum. The only change I made was to page 2 of 4 on Attachment "A", the typo on VOC emissions. I changed it back to 0.0236 lb/hr. and called HBGS and told Perko. He will file the dismissal and we can put this away, **finally!**
Thanks for everything, especially for your patience.

HOPPING BOYD GREEN & SAMS

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June 26, 1992

BY HAND-DELIVERY

Ms. Patricia E. Comer, Esquire
Florida Department of Environmental Regulation
Twin Towers Office Building
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

Re: Fort Pierce Utilities Authority
DOAH Case No. 91-6989; OGC Case No. 1610

Dear Ms. Comer:

By this letter, we are submitting a proposed settlement agreement to resolve the pending administrative proceedings in accordance with in our telephone conversation of May 29, 1992.

As you recall, in exchange for FPUA's dismissal of the permit challenge, the Department has agreed to reissue the renewal permit for Units 6-8 with permit language discussed in the conference call of May 18, 1992. In essence, the Department has agreed to modify the annual SO_x, VOC, and PM emission limits expressed in Specific Condition 2(a)(2)(B) of the Department's latest proposal (dated December 18, 1991) to allow FPUA to burn low sulfur fuel oil (0.8 lbs/MBtu) in either Units 6, 7 or 8 for a combined total of 400 hours per year during emergency conditions. The permit language attached to the proposed settlement agreement incorporates this agreement by adding the annual emissions of SO_x (100.8 tons/yr), VOC (0.7 tons/yr), and PM (12.6 tons/yr) associated with 400 hours of low sulfur oil-firing to the permit limits expressed in your latest proposal. (Of course, the annual limits for NO_x and CO have not changed.)

In addition, FPUA has agreed to withdraw its request for separate permits for Units 6 through 8. However, FPUA does request that DER issue a separate permit for diesels 1 and 2.

Ms. Patricia Comer, Esquire
June 26, 1992
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I apologize for our delay in submitting the proposed settlement agreement. Due to scheduling conflicts and other administrative problems, we had some difficulty coordinating with FPUA's technical consultants to determine the appropriate permit limits. Nevertheless, FPUA remains anxious to resolve this matter. Accordingly, please give us a call as soon as you have had a chance to review the draft language.

Sincerely,

HOPPING BOYD GREEN & SAMS

By:


Peter C. Cunningham
Gary V. Berko

Attorneys for FORT PIERCE
UTILITIES AUTHORITY

Enclosures
gvp:ltrCOMER2

cc: Stephanie Brooks (DER)
Preston Lewis (DER)
Harry Lamb (FPUA)
Steve Day (B&V)