

STATE OF FLORIDA
DIVISION OF ADMINISTRATIVE HEARINGS

IN RE: Lauderdale Repowering)
Project, Power Plant Site)
Certification Application,) CASE NO. 89-6636
Florida Power & Light)
Company, PA 89-26)

FINAL WITNESS AND EXHIBIT LIST AND ISSUES IN DISPUTE

BROWARD COUNTY, by and through its undersigned counsel,
submits its Final Witness and Exhibit List and Issues in Dispute
and says:

The County may call the following witnesses at the
Certification Hearing in the above-styled case:

1. Elliott Auerhahn
Broward County Office of Planning
115 South Andrews Avenue
Fort Lauderdale, Florida 33301
2. David Huizenga
Broward County Engineering Division
115 South Andrews Avenue
Fort Lauderdale, Florida 33301
3. Donald Elias
RTP Environmental Association
239 U.S. Route 22 East
Greenbrook, New Jersey
4. Thomas Henderson
Broward County Resource Recovery Office
115 South Andrews Avenue
Fort Lauderdale, Florida 33301
5. Samuel S. Waters
Manager, Power Supply Planning
c/o FPL
9250 West Flagler Street
Miami, Florida 33174

6. A. A. Linero, P.E.
Air Section
Broward County EQCB
500 Southwest 14 Court
Fort Lauderdale, Florida 33315
7. Bruce Miller, EPA
345 Courtland Street
Atlanta Georgia 30365
8. Wayne Aronson, EPA
345 Courtland Street
Atlanta Georgia 30365
9. All persons listed as witnesses by other parties to this proceeding.
10. All persons the County needs for purposes of impeachment or rebuttal.

The County may submit the following exhibits at the Certification Hearing in the above-styled case:

1. Output promod relating to the projected fossil fuel consumption.
2. FP&L Ft. Lauderdale Repowering Project Site Certification Application (Volumes 1 & 2) including Agency reports and comments regarding the application.
3. Broward County Land Development Code.
4. Broward County Code of Ordinances.
5. Additional computer modeling of facility prepared by Don Elias.
6. Comprehensive Plans for Fort Lauderdale, Hollywood, Dania, Davie, and Broward County.
7. Deposition and testimony of Samuel S. Waters in Re: Petition of FPL, Docket Nos. 890973-EI and 890974-EI.
8. Letter of Thomas Henderson to Buck Oven dated July 24, 1990, with attachments.
9. All documents listed as exhibits by other parties to this proceeding.

10. All documents needed by Broward County for purposes of impeachment or rebuttal.

ISSUES IN DISPUTE

1. The ability of FPL to demonstrate compliance with all applicable land use ordinances and regulations of Broward County relating to those matters which Broward County reserved the right to raise in this hearing pursuant to the stipulation entered into between the COUNTY and FPL, dated March 12, 1990, relating to the design, site plan, traffic impacts, and other land use matters regarding the Lauderdale Repowering Project.
2. The accuracy and adequacy of the air quality modeling used to assess the impact of various pollutants and to demonstrate compliance with standards including the increment consumption for SO₂, NO₂ and Particulate and 24-hour standard for SO₂ and annual standard for NO₂.
3. The calculation of net emissions increases in that the proposed project fails to follow current USEPA or FDER guidance for PSD and non-attainment new source review due to the use of the previous 20-year period for determination of contemporaneous emissions decreases.
4. The lack of analysis of the contribution of NO_x emissions to ozone raises concerns about future attainment of the one-hour standard.
5. BACT for determination for NO_x (lack of SCR control technology) and SO₂ (0.5% S oil and lack of restrictions on total annual emissions reflecting gas as primary fuel).
6. The assertion that the existing facility is a minor source of VOC's and the concurrent use of the previous 20-year period for determination of contemporaneous emissions decreases.
7. The local and regional impacts of the increased usage of oil and resulting particulate and SO₂ emissions at the proposed and existing FPL facilities located in Broward County.
8. Any other issues which could be raised as a result of the DER Agency report which has not been received by Broward County as of the date of this filing.
9. All issues which are raised by any other party to this proceeding.