

**BEFORE THE STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION**

In re:

EMERGENCY AUTHORIZATION FOR OPERATION,
REPAIRS, REPLACEMENT, RESTORATION, AND
CERTAIN OTHER MEASURES MADE NECESSARY
BY THE AUGUST 14, 1998, EXPLOSION AT
FLORIDA GAS TRANSMISSION COMPANY'S
PERRY, TAYLOR COUNTY STATION NO 15

OGC CASE NO. 98-2320

EMERGENCY FINAL ORDER

Under Section 120.569(2)(1) of the Florida Statutes, the State of Florida Department of Environmental Protection (the Department) enters the following Emergency Final Order, including findings of fact and conclusions of law, in response to the destruction wrought by the August 14, 1998, explosion (the explosion) at Florida Gas Transmission Company's Perry, Taylor County, Station 15.

FINDINGS OF FACT

1. Florida Gas Transmission Company is an interstate natural-gas system. Its approximately 4,900 miles of pipeline move gas from South Texas across the Gulf Coast into Florida, terminating in Miami. The system's customers include industries, commercial establishments, electric utilities, and municipalities throughout Florida.

2. On August 14, 1998, an explosion reportedly caused by a lightning strike occurred at the Florida Gas Transmission Company's Perry, Taylor County, Station 15. The explosion curtailed natural gas supply to multiple counties south of Perry, Florida. Some commercial establishments, such as restaurants, are unable to operate. Industries, such as Buckeye Florida, and electric utilities, such as Florida Power Corporation and Florida Power and Light Company, are required to use higher-polluting fuels. As a result, unless natural gas supply is immediately restored, emissions of nitrogen oxides, particulate matter, and sulfur dioxides are expected to increase significantly.

3. Florida Gas Transmission Company's Station 15 will require thirty days to complete necessary repairs. Natural gas supply to Central and Southern Florida can be restored immediately only by implementing an ambient upgrade at Station 12, Unit 1206, Santa Rosa County; Station 13, Unit 1306, Washington County; Station 14, Unit 1406, Gadsden County; Station 16, Unit 1606, Bradford County; Station 17, Unit 1705, Marion County; Station 18, Unit 1805, Orange County; Station 19, Units 1901 and 1902, Brevard County; and Station 20, Unit 2005, St. Lucie County.

4. The Department finds that the explosion has created a state of emergency threatening the public health, safety and welfare throughout those areas of Florida

affected by the curtailment of natural gas supply because the use of fuels other than natural gas will cause an increase in the emissions of air pollutants known to be associated with human health problems.

5. The Department finds that an emergency final order is required to address the need for quick action to avoid the unnecessary burning of fuels causing increased emissions.

CONCLUSIONS OF LAW

1. Section 120.569(2)(1) of the Florida Statutes gives the Department the authority to issue an emergency final order if as agency head, I find that an immediate danger to the public health, safety or welfare so requires and the order recites with particularity the facts underlying that conclusion.

2. Based on the findings recited above, I find and conclude that the emergency caused by the explosion requires an immediate order of the Department to protect the public health, safety and welfare.

THEREFORE, IT IS ORDERED:

1. Florida Gas Transmission Company may increase the horsepower and unit speed of its Phase II Clean Burn Units by implementing an ambient upgrade at Station 12, Unit 1206, Santa Rosa County; Station 13, Unit 1306, Washington County; Station 14, Unit 1406, Gadsden County; Station 16, Unit 1606, Bradford

County; Station 17, Unit 1705, Marion County; Station 18, Unit 1805, Orange County; Station 19, Units 1901 and 1902, Brevard County; and Station 20, Unit 2005, St. Lucie County. This Order does not allow Florida Gas Transmission Company to exceed its permitted air emission limits for the aforementioned units or at any of its other units. Emissions of nitrogen oxides, particulate matter, and sulfur dioxide must remain within the permitted limits for these units.

2. Florida Gas Transmission Company is authorized to repair Station 15 at Perry, Taylor County, Florida, to the same capacity and configuration as was permitted by the Department prior to the explosion.

3. The Department issues this Emergency Final Order solely to address the emergency created by the explosion. This order shall not be construed to authorize any activity within the jurisdiction of the Department except in accordance with the express terms of this order. This order will allow the company to continue to provide clean natural gas to its customers and thereby avoid the use of more polluting fuels.

4. Nothing in this order shall eliminate the necessity for obtaining any other federal, state, or local permits or other authorizations that may be required.

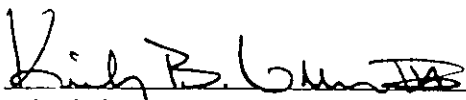
5. This Emergency Final Order shall take effect immediately and expire in thirty days from the date of execution set forth below, unless modified or extended by further order.

NOTICE OF RIGHTS

Any party adversely affected by this Emergency Final Order is entitled to judicial review under Section 120.68 of the Florida Statutes. The Florida Rules of Appellate Procedure govern the review proceedings. Such proceedings are commenced by filing one copy of a notice of appeal with the Agency Clerk of the Department of Environmental Protection and a second copy, accompanied by filing fees prescribed by law, with the First District Court of Appeal or with the district court of appeal in the appellate district in which the party resides. The notice of appeal must be filed within thirty days of rendition of the order to be reviewed.

DONE AND ORDERED on this 18th day of August 1998 in
Tallahassee, Leon County, Florida.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION

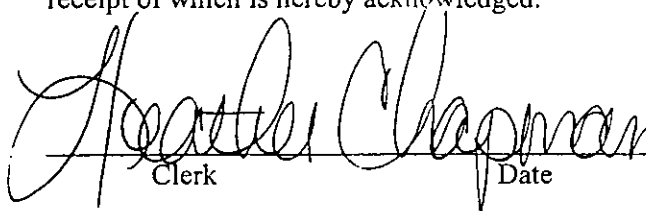

for Virginia B. Wetherell
Secretary

3900 Commonwealth Boulevard
Tallahassee, Florida 32399-3000
Telephone: 850/488-1554

Clerk Stamp

FILING AND ACKNOWLEDGMENT

FILED, on this date, pursuant to § 120.52, Florida
Statutes, with the designated Department Clerk,
receipt of which is hereby acknowledged.


Clerk Date 8/18/98

CERTIFICATE OF SERVICE

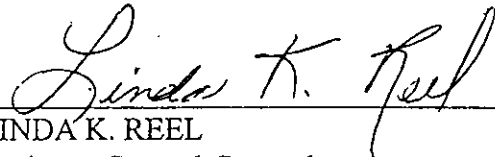
The undersigned duly designated deputy agency clerk hereby certifies that this EMERGENCY FINAL ORDER was sent by facsimile to Florida Gas Transmission Company at (850) 584-4816 and (407) 875-5896 on August 18, 1998, and sent by U.S. Mail* or interoffice mail before the close of business on August 18, 1998, to the persons listed:

* Clayton A. Roesler
Florida Gas Transmission Company
Post Office Box 945100
Maitland, FL 32794-5100

* Marie Driscoll
Orange County EPD
2002 E. Michigan Street
Orlando, FL 32806

Clair H. Fancy, Bureau of Air Regulation, DEP
Ed Middleswart, NW District, DEP
Chris Kirts, NE District, DEP
Len Kozlov, Central District, DEP
Isidore Goldman, SE District, DEP

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION



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