

# **Board of County Commissioners**

## **Agenda Request**

Date of Meeting: May 3, 2010

Date Submitted: April 26, 2010

To: Honorable Chairman and Members of the Board

From: Heather J. Encinosa, County Attorney

Subject: Request Board Direction Regarding Florida Department of Environmental Protection's Intent to Issue NPDES Permit No. FL0025526 to the City of Tallahassee for the Sam O. Purdom Generating Station

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### **Statement of Issue:**

The City of Tallahassee is currently in the process of renewing its NPDES Permit No. FL0025526 for the Sam O. Purdom Generating Station in St. Marks and the County Attorney is seeking direction on how to proceed with this matter.

### **Background:**

On or about March 23, 2010, the Florida Department of Environmental Protection ("FDEP") issued its notice of Intent to Issue Permit No. FL0025526 to the City of Tallahassee for the Sam O. Purdom Generating Station in St. Marks.

On April 5, 2010, the Board of County Commissioners, requested the County Attorney to seek an enlargement of time to file for administrative hearing because the County needed additional time to complete its review and investigation of the proposed permit in order to ensure that the citizens and environment of Wakulla County were adequately protected.

On April 7, 2010, the County Attorney filed a Motion Requesting an Enlargement of Time in accordance with Rule 62-110.106(4), Florida Administrative Code.

On April 14, 2010, FDEP granted the request and provided that Wakulla County would have until May 7, 2010 to complete its investigation and, if desired, file a petition in this matter.

### **Analysis:**

Given the technical issues involved, the County Attorney consulted with one of the County's contract engineering firms, Preble-Rish, Inc., to have them review the proposed permit and advise if there are any issues that raise concern for this renewal.

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Preble-Rish examined the available information on this facility and the proposed permit. This permit is for the renewal of the City's existing permit to continue discharging cooling tower water and other process water to the St. Marks River. After reviewing the relevant background information, Preble-Rish has advised in the attached letter that there do not appear to be any concerns associated with this renewal. A representative from Preble-Rish is available to answer any questions the Board may have with regard to this matter.

**Options**

1. Accept the recommendation and do not file a formal petition for administrative hearing concerning Permit No. FL0025526 to the City of Tallahassee for the Sam O. Purdom Generating Station.
2. Do Not Accept the recommendation.
3. Board Direction.

**Recommendation**

Option #1

**Attachments:**

1. DEP Notice of Intent to Issue
2. Preble-Rish Correspondence dated April 22, 2010