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February 14, 2019

Benjamin M. Melnick, Deputy Director, Division of Water Resource Management
Marc Harris, P.E., Environmental Administrator
Florida Department of Environmental Protection
2600 Blair Stone Road Tallahassee, Florida 32399
Via Email: benjamin.melnick@floridadep.gov, Marc.Harris@FloridaDEP.gov

Re: NPDES Permit No. FL0001562, PA File No. FL0001562-012-IW1N

Dear Mr. Melnick and Mr. Harris,

On behalf of the Southern Alliance for Clean Energy (SACE), we are extremely concerned about the Florida Department of Environmental Protection's (DEP) draft National Pollutant Discharge Elimination System (NPDES) permit renewal (DEP File No. FL0001562-012-IW1N) for the Florida Power & Light (FPL) Turkey Point power plant wastewater treatment and effluent disposal facilities for Units 3, 4, and 5. For decades FPL's Turkey Point facility has significantly degraded the surrounding environment through the release of pollutants and contaminants from the antiquated cooling canal system. This water discharge permit will play an important role in determining future impacts of Turkey Point on the surrounding region, including the Biscayne Aquifer that is the drinking water supply for much of South Florida. On an initial review, this draft permit appears to grant FPL the ability to continue polluting into the foreseeable future, which is unacceptable. DEP must ensure that the permit is closely scrutinized to protect the resources of the State, and that reviews are conducted in an open, transparent manner.

We request an extension of the comment period to allow the public and interested parties, including federal agencies affected by the governmental shutdown, adequate time to review and analyze the contents of the draft permit and evaluate impacts to nearby areas including Biscayne Bay Aquatic Preserve, Biscayne National Park, the Florida Keys Marine Sanctuary and vital protected drinking water resources. The draft permit publicly noticed on January 15, 2019, only provided for a 30-day comment period ending on February 14, 2019. In a conversation with Mr. Melnick on February 1, 2019, he stated that DEP will be holding a public meeting and that DEP must issue a notice of the public meeting at least 30 days in advance of the meeting. Mr. Melnick also stated that the public comment period would end either at the close of the meeting or at the close of that business day—thus the comment period would extend beyond the current February 14 deadline.

We write to request that the comment period be extended for a period of 30 days following the date of the public meeting. This should allow attendees and interested members of the public, most of whom will be hearing from DEP for the first time, sufficient time to submit comments that incorporate what may be learned during that public meeting.

In advance of the public meeting, we request DEP to please respond to two key questions and a request for public records:

- 1) Why is this proposed permit renewal, which is significantly different and arguably less protective of the state's resources than the existing NPDES permit, being considered now after many years of administrative extension; and
- 2) given FPL's application to the U.S. Nuclear Regulatory Commission (NRC) to extend the operating license for an additional 20 years, until 2053 with no proposed changes to the operation of the leaking cooling canal system, why is this important NPDES permit that would have long-term implications for the region seemingly being pushed through so quickly?

Pursuant to Chapter 119, we respectfully request all supporting scientific evidence and documents DEP relied upon in reaching its conclusion that FPL provided reasonable assurances that the project complies with the applicable provisions of Chapter 403 of the Florida Statutes, will not adversely impact water quality, and will comply with the applicable provisions of Rule 62-620, Florida Administrative Code, as stated in the Notice of Draft Permit. We request these documents well in advance of the proposed public meeting as well as answers to the above questions.

In conclusion, this confirms our conversation that the public comment period will be held open until at least the date of the public meeting and this is a request that DEP extend the public comment period for 30 days following the conclusion of the public meeting. Thank you for your consideration of this extension request and for your timely response to this public records request and your answers to our questions prior to the to be public meeting date. Please note we intend to file additional comments. If you have any questions, please contact Sara Barczak at 912-201-0354 or sara@cleanenergy.org.

Sincerely,



Sara Barczak
Regional Advocacy Director
Southern Alliance for Clean Energy



Laura Reynolds
Environmental Consultant for SACE
Conservation Concepts LLC

cc:

Governor Ron DeSantis, Debbie Mucarsel-Powell, U.S. House of Representative D26, Legislative Director Courtney Fogwell, Laura Rodriguez, Chief of Staff, Senator Anitere Flores, Representative Holly Raschein, Noah Valenstein, Secretary, Florida Department of Environmental Protection, Cindy Mulkey, Program Administrator, Siting Coordination Office, FDEP, Terri Bates, Director Water Resources Division, SFWMD, Pedro Ramos, Superintendent, Everglades National Park, Margaret Goodro, Superintendent, Biscayne National Park, Mayor Carlos Gimenez, Miami-Dade County, Chairwoman Audrey Edmonson and the Miami-Dade County Board of Commissioners, Lee Hefty, Director, Miami-Dade County Department of Environmental Resources Management, Mayor Sylvia Murphy and the Monroe County Board of Commissioners, Kent Nelson, Deputy Director and COO, Florida Keys Aqueduct Authority, Kerrie-Jo Shell, Power Plant NPDES Permits, EPA Region 4, Molly Davis, Chief NPDES permitting section EPA Region 4, Jim Valade, U.S. Fish and Wildlife Service, James McAdams, U.S. Army Corps of Engineers