

50-250-731

FEB 27 1970

Chaps 11
FN 48

Chairman Seaborg
Commissioner Ramey
Commissioner Johnson
Commissioner Thompson
Commissioner Larson

SUMMARY OF CONFERENCE ON THERMAL EFFECTS OF TURKEY POINT POWER STATION ON BISCAYNE BAY

A conference was held on February 24-26, 1970, by the Department of Interior and the State of Florida at the request of Governor Kirk under the provisions of the Water Quality Act of 1965 to explore the impact of thermal discharges from the Turkey Point power station to Biscayne Bay. Mr. Murray Stein, head of the enforcement section of the FWPCA, opened the conference by reading a statement that he had been directed to make by Secretary Hickel. The essence of the statement was that he expected Florida Power and Light Company (FPL) to stop work on the canal being built to carry condenser cooling water from Turkey Point to Card Sound (about six miles south of Turkey Point). If FPL was not willing to do this, then Interior would refer the matter to Justice to seek ways to protect Biscayne Bay. A copy of his statement is attached as Appendix A.

A spokesman for FPL said that the company could not agree to stop work on the canal because of the urgent need for power and the determination of the proper limits to use for thermal discharges was too complex to be settled quickly. He did state, however, the FPL would abide with whatever limits were finally established.

The conference was closed with a set of recommendations to the effect that Dade County thermal limit being used by FPL of 95°F was too high and a limit of 90°F should be used, that the canal to Card Sound is not acceptable, and that FPL has 60 days in which to make a proposal to meet

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thermal effects

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the new requirements. A copy of the complete set of recommendations is attached as Appendix B. Mr. Stein stated that these were not necessarily the recommendations that would be approved by Secretary Hickel.

It appeared from much of the discussion that Interior and Florida may be pressing for the use of either cooling towers or a pipeline to carry the condenser discharge out to the ocean. However, it is not clear that the FWPCA report (Southeast Water Laboratory, Ft. Lauderdale, Florida, dated February 1970) used to make the case for stricter limits is supported with adequate data.

No matters affecting releases of radioactivity were discussed. Although there were some attempts to do so, Mr. Stein ruled such discussions out of order. No statements were made by AEC representatives.

(Signed) _____

Harold L. Price
Director of Regulation

Enclosures:

1. App. A - Statement by M. Stein, FWPCA
2. App. B - Set of Recommendations

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Suppl.

DR reading

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(NOTE: OGC concurrence by discussion over phone with T. Engelhardt)

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APPENDIX A

STATEMENT BY MURRAY STEIN, FWPCA

Secretary Walter J. Hickel has directed me to say that the Federal Government has communicated a number of times with officials of the Florida Power and Light Company regarding its proposed project. The State of Florida has expressed its concern through Governor Kirk's official request for this conference. Now we are meeting together to hear, study and determine what shall be the appropriate State and Federal requirements to protect this special coastal area. Public announcement of this conference was made some time ago, in fact on December 11, 1969.

We had expected the officials of the Florida Power and Light Company to refrain from taking any action which would change the position of the parties to be affected by this conference. However, we have learned that on February 7th the Company gave its go ahead to have excavating machinery begin the actual digging of a canal. This indicates that the Company intends to proceed with its projected plan regardless of the deliberations of this Federal-State conference.

As a part of its statement before this conference, I want the Florida Power and Light Company spokesman to declare that his Company will not proceed with the canal excavation until the Federal and State requirements have been established. The parties to this conference prefer to have this expression of good faith from the Company officials so that the option now available to the State and Federal government will not be disturbed or foreclosed.

If the Florida Power and Light Company officials are unwilling to stay the construction of the canal, then I must announce that the Secretary of the Interior will request the Justice Department to seek appropriate remedies to protect the Biscayne Bay National Monument, including court action if necessary.

APPENDIX B

RECOMMENDATIONS MADE AT CLOSE OF CONFERENCE

1. There has been severe biological damage.
2. The canal to Card Sound is not acceptable.
3. Because of the location of the plant, delays in the abatement of the pollution have been and will be encountered due to technical difficulties.
4. The State of Florida, Department of Interior, Corps of Engineers, shall coordinate their views before they issue any permit about discharge of water into Biscayne Bay or Card Sound.
5. The quality of water of Biscayne Bay should not be impaired to the detriment of the full enjoyment of Biscayne Bay National Monument.
6. The FP&L shall abate excessive waste heat loads to the following level:
 - a. The monthly mean of the maximum daily temperatures in Biscayne Bay and Card Sound should not be raised more than 4°F from October to May.
 - b. The monthly mean of the maximum daily temperature in Biscayne Bay and Card Sound should not be raised more than 1.5°F from June to September.
 - c. The maximum temperatures in Biscayne Bay and Card Sound should not exceed 90°F.
7. FP&L shall not discharge water at such velocities, amounts, and points as to change the hydrology of existing waters to the detriment of the biota.
8. FP&L shall report to the conferees not later than 60 days from today on its proposal to meet the requirements specified above.
9. The conference may be reconvened after consultation with the conferees or a progress meeting may be called at some time in the future.