

<b>DOCKET</b>	
<b>02-AFC-1</b>	
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*From T.O.  
10 May 05*

**WOLFE ENTEPRISES**  
 17240 W. HOBSONWAY  
 BLYTHE, CA. 92225

<b>DOCKET</b>	
<b>99-AFC-8C</b>	
DATE	_____
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CEC  
 Deputy Director  
 Terry O'Brien

I was at the meeting held at the Blythe Power Plant on 5/4/05. I thought we were there to discuss the remedies of correcting the danger to the public caused by Blythe Plant One. I was under the impression by you at the previous meeting that we were in agreement the plant did pose a danger to the public. If not, why did the City of Blythe have a new runway drawn up to present to you and Florida Light and Power if the plant is not dangerous to the public? I thought that we were all in agreement that the plant was not safe for the public to fly over and was looking for a way to correct it. Why is Florida Light and Power trying to start over by presenting data on the plumes coming out of the power plant? They are using the same old models that they used the first time that said the plumes would dissipate within two hundred feet. We all now know that these figures are not even close to the truth. There is an unimpeachable witness. YOU. You said at the meeting on Blythe Plant Two that when you drove by the plant the plumes were visible because of the rain. You also said you could see the plumes going way up in the sky. With you as a witness to this phenomenon plus many other people to collaborate it I do not see how they think they can get away with using the same old data. It was not correct the first time- why would it be correct the second time.

Terry, I thought that Florida Light and Power was going to do the right thing and correct the problem before someone ended up with serious injury or perhaps worse. It appears that they are not. It would be in everyone's best interest if they did. Most people do not have any idea about aviation law suits. Since everyone involved has been told that the plant is not safe, and confirmed by experienced pilots, plus your own visual account, my attorney said the suit could be for as much as three times the cost of the plant. These attorneys handle aviation litigation and say this is very common depending on the person that is killed. They said, "Seeing that the parties involved are CEC, the City of Blythe, The Land Use Commission and of course Florida Light and Power that the settlement could be for as much as the plant is worth." I asked him if government agencies could be held accountable if someone was killed. He said not usually but if an agency was aware of the problem and did nothing about it that would be a different story.

I cannot believe that they are trying to use the same old data over again. Florida Light and Power is not going to do anything until they are forced to. I believe that the CEC should suspend their license on the grounds that the data in the application was not correct. This has resulted in a danger to the public. FL&P has demonstrated they are not

going to correct the problem. There is a short term and a long-term solution to this problem. But Terry I don't think they are going to do anything until they are forced to by you suspending their license. What they don't understand that spending a few million dollars now is a lot better than a few hundred million after someone is killed. There is also the possibility that Riverside Grand Jury could get involved. I was told that the Grand Jury could indict on the grounds of negligent homicide if the parties involved were aware there was a danger to the public and someone dies. I will push for this if one of my customers is killed because of that plant.

What we have in place now to correct the problem is a line in the Airport Facility Directory "do not over fly" and the same line hopefully added to the ASOS if the city ever succeeds in putting it in. This is not satisfactory. The books come out every 56 days; I have a standing order for ten of them. Five of them go to the office in Kingman Az. a flight school. The other five we sell. I will have two or three left over when the period is up. This publication is not mandatory and very few people use it. The same is true with the ASOS- very few people listen to it. If they built up runway 17/35 to the same dimension as 26 and move the ILS over to it there still will be a lot of pilots using 26. Some of the pilots will turn inside of the plant but many will go around the plant to give themselves more time to line up with the runway and fly directly over the cooling tower. Terry, I do not believe that the plant should be allowed to go on line this year with out something reasonable being done to make it safe. What has been done so far is not adequate at all. I still have aircraft flying over the plant every day. Taking a chance on operating the plant in this unsafe manner until it can be fixed is very irresponsible. If someone is killed first, fixing the problem will be purely academic. The law suits alone will close the plant.

I asked and was given a tour of the cooling towers by Chris Allen the other day and believe that I have a way to remedy the problem. For sure in the short term and maybe for the long term. I have set up a line of communication, per their request, through a lawyer to discuss it. But everything is in your court. I don't believe that FL&P is going to do anything unless you force them to. I just hope this is done before someone is killed.

Thank you

Pat Wolfe  
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