

THE STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION

RECEIVED

AUG 13 2007

BUREAU OF AIR REGULATION

In the Matter of an
Application for Air Construction Permit by:

OGC No. 01-12103

City of Gainesville
Gainesville Regional Utilities (GRU)
Post Office Box 147117 (A132)
Gainesville, FL 32614-7117

Deerhaven Generating Station (DGS)
Facility ID No. 0010005
Draft Permit No. 0010006-005-AC
Alachua County

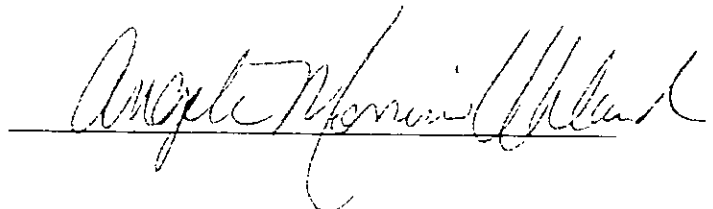
WITHDRAWAL OF REQUEST FOR EXTENSION OF TIME

By and through undersigned counsel, the City of Gainesville, Gainesville Regional Utilities (GRU) hereby withdraws its Request for Extension of Time to file a Petition for Administrative Proceedings in accordance with Florida Administrative Code Rule 62-110.106(4). GRU filed its request for extension of time until August 27, 2007, in response to the "Intent to Issue Air Permit" (Permit No. 0010006-005-AC) for the Deerhaven Generating Station, located in Alachua County, Florida. The Department of Environmental Protection (Department) granted that extension on July 27, 2007.

This withdrawal is conditioned upon changes agreed to between the Department and GRU, which are reflected in the document attached as Exhibit A, as well as an extension of the permits expiration date to September 30, 2011.

Respectfully submitted this 10th day of August, 2007.

HOPPING GREEN & SAMS, P.A.



Angela Morrison Uhland
Fla. Bar No. 0855766
123 South Calhoun Street
Post Office Box 6526
Tallahassee, FL 32314
(850) 222-7500

Attorney for CITY OF GAINESVILLE,
GAINESVILLE REGIONAL UTILITIES (GRU)

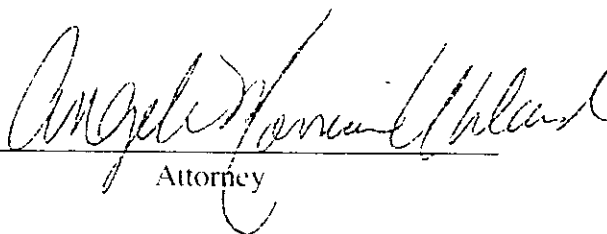
CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the foregoing has been furnished to the following by
U.S. Mail on this 10th day of August, 2007:

Patricia Comer, Esquire
Office of General Counsel
Department of Environmental Protection
3900 Commonwealth Blvd.
Tallahassee, FL 32399-2600

Trina Vielhauer, Chief
Bureau of Air Regulation
Department of Environmental Protection
2600 Blair Stone Road
Tallahassee, FL 32399-2400

Syed Arif
Bureau of Air Regulation
Department of Environmental Protection
2600 Blair Stone Road
Tallahassee, FL 32399-2400



Attorney

PERMITTEE

City of Gainesville
Gainesville Regional Utilities (GRU)
Post Office Box 147117 (A132)
Gainesville, Florida 32614-7117

Authorized Representative:

Ms. Karen Alford, Interim Assistant General Manager
Energy Supply

Permit No.:	0010006-005-AC
Facility ID No.:	0010006
Project:	Installation of Air Quality Control Systems
Expires:	September 30, 2009

PROJECT AND LOCATION

This permit authorizes the installation of selective catalytic reduction (SCR), circulating dry scrubber (CDS) and baghouse systems on existing Unit 2 at the Deerhaven Generating Station. The Deerhaven Generating Station is an existing electrical generating plant (SIC No. 4911) located at 10001 NW 13th Street in Gainesville, Alachua County, Florida. The UTM coordinates are: Zone 17; 365.7 km E; 3292.6 km N.

STATEMENT OF BASIS

The applicant elects to install the SCR, CDS and baghouse systems to provide full flexibility in implementing the federal cap and trade program under the Clean Air Interstate Rule (CAIR). Because CAIR affords a regulated facility the flexibility to evaluate market conditions to determine whether it will install controls, operate existing controls, or purchase allowances generated by other plants, the Department does not require the installation of this equipment nor its operation except as needed to comply with the New Source Performance Standards (NSPS) in Title 40, Part 60, Subpart D of the Code of Federal Regulations (CFR). However, the addition of hydrated lime to the flue gas is required when burning compliance coal (approximately up to 0.8 weight percent sulfur) and when the CDS is not fully operational to ensure there is no Prevention of Significant Deterioration (PSD) significant emission increase of sulfuric acid mist (SAM). This construction permit is issued under the provisions of Chapter 403 of the Florida Statutes (F.S.), and Chapters 62-4, 62-204, 62-210, 62-212, 62-296, and 62-297 of the Florida Administrative Code (F.A.C.) and Title 40, Part 60 of the CFR. The above named permittee is authorized to modify the facility in accordance with the conditions of this permit and as described in the application, approved drawings, plans, and other documents on file with the Department of Environmental Protection (Department).

CONTENTS

- Section 1. General Information
- Section 2. Administrative Requirements
- Section 3. Emissions Unit Specific Conditions
- Appendix GC. Construction Permit General Conditions

Executed in Tallahassee, Florida

Joseph Kahn, Director
Division of Air Resource Management

(Date)

SECTION 1. GENERAL INFORMATION

FACILITY DESCRIPTION

The City of Gainesville, GRU operates an existing electrical generating plant at the Deerhaven Generating Station (DGS). This plant consists of two steam boilers (Unit Nos. 1 and 2) and associated steam turbines; a simple cycle combustion turbine (CT No. 3); two unregulated simple cycle combustion turbines (CT Nos. 1 and 2); a recirculating cooling water system; storage and handling facilities for coal; brine salt; fly ash and bottom ash; fuel oil storage tanks; water treatment facilities; a railcar maintenance facility and ancillary equipments. Boiler No. 2 has a nominal nameplate rating of 251 megawatts (MW), electric. Emission control equipment currently installed on Boiler No. 2 consists of a hot-side electrostatic precipitator for control of particulate matter.

PROJECT DESCRIPTION

This permit authorizes the installation of Air Quality Control Systems (AQCS) on DGS Unit 2 which includes the SCR, CDS and baghouse systems. The permittee elects to install these controls as part of its plan to comply with the Clean Air Interstate Rule (Rule 62-296.470(CAIR), F.A.C.) and the Clean Air Mercury Rule (Rule 62-296.480(CAMR), F.A.C.). Because CAIR affords a regulated facility the flexibility to evaluate market conditions to determine whether it will install controls, operate existing controls, or purchase allowances generated by other plants, the Department does not require the installation of this equipment nor its operation, except as needed to comply with the NSPS in 40 CFR 60, Subpart D.

Installation of the SCR system will result in collateral generation of SAM as particulate matter (PM/PM₁₀). There is a potential increase in emissions if the permittee elects not to fully operate the CDS (i.e., with water injection and ash recirculation), a situation that is only likely to occur when burning low sulfur coal (approximately up to 0.8 weight percent sulfur). The potential increase of SAM generation is a result of the oxidation of sulfur dioxide (SO₂) to sulfur trioxide (SO₃) and the subsequent reaction of SO₃ and water to form SAM. In the absence of hydrated lime injection when burning low-sulfur coal, there is a potential for increased emissions of SAM if the CDS and baghouse are not in operation. The permit requires the injection of hydrated lime to the flue gas when burning low-sulfur coal and when the CDS is not fully operational to ensure there will be no PSD-significant emissions increase of SAM due to installation of the SCR system on Unit 2. The hydrated lime will react with SO₃ to form particulate calcium compounds, which will be collected in the downstream fabric filter (FF). With the hydrated lime injection in the CDS, there will be no PSD-significant emissions increases of SAM due to the installation of SCR systems on Unit 2.

The Unit 2 steam turbine may be refurbished by replacing the high- and intermediate- pressure rotor along with the associated stationary elements. Unit 2 is currently fired with low sulfur eastern bituminous coal. Following installation and operation of the new controls, Unit 2 will be capable of firing a variety of eastern bituminous coal blend, including medium sulfur coal (up to 2.5 weight percent sulfur), and still comply with the New Source Performance Standards in 40 CFR 60, Subpart D. There will be no changes to the existing electrical generator (i.e., no expansion in steam generating capability) and no increase in maximum heat input to the boiler or steam flow capability of the turbine.

REGULATORY CLASSIFICATION

Title III: The existing facility is a major source of hazardous air pollutants (HAPs).

Title IV: The existing facility operates units subject to the acid rain provisions of the Clean Air Act.

Title V: The existing facility is a Title V major source of air pollution in accordance with Chapter 213, F.A.C.

PSD: The existing facility is a major stationary in accordance with Rule 62-212.400, F.A.C.

NSPS: The existing facility operates units subject to the New Source Performance Standards of 40 CFR 60.

SECTION 1. GENERAL INFORMATION

RELEVANT DOCUMENTS

The permit request and additional information received to make it complete are not a part of this permit; however, the information is listed in the technical evaluation which is issued concurrently with this permit.

SECTION 2. ADMINISTRATIVE REQUIREMENTS

1. Permitting Authority: All documents related to applications for permits regarding construction and operation shall be submitted to the Bureau of Air Regulation of the Florida Department of Environmental Protection (DEP) at 2600 Blair Stone Road (MS #5505), Tallahassee, Florida 32399-2400. Copies of all such documents shall also be sent to the Department's Northeast District Office.
2. Compliance Authority: All documents related to compliance activities such as reports, tests, and notifications shall be submitted to Northeast District Office.
3. Applicable Regulations, Forms and Application Procedures: Unless otherwise indicated in this permit, the construction and operation of the subject emissions unit shall be in accordance with the capacities and specifications stated in the application. The facility is subject to all applicable provisions of: Chapter 403, F.S.; Chapters 62-4, 62-204, 62-210, 62-212, 62-213, 62-296, and 62-297, F.A.C.; and Title 40, Part 60 of the CFR, adopted by reference in Rule 62-204.800, F.A.C. The terms used in this permit have specific meanings as defined in the applicable chapters of the F.A.C. The permittee shall use the applicable forms listed in Rule 62-210.900, F.A.C. and follow the application procedures in Chapter 62-4, F.A.C. Issuance of this permit does not relieve the permittee from compliance with any applicable federal, state, or local permitting or regulations. [Rules 62-204.800, 62-210.300 and 62-210.900, F.A.C.]

{Note: The capacities and specifications stated in the application are based on preliminary design and the final design could include minor changes from the capacities and specification listed in the original application.}
4. New or Additional Conditions: For good cause shown and after notice and an administrative hearing, if requested, the Department may require the permittee to conform to new or additional conditions. The Department shall allow the permittee a reasonable time to conform to the new or additional conditions, and on application of the permittee, the Department may grant additional time. [Rule 62-4.080, F.A.C.]
5. Modifications: The permittee shall notify the Compliance Authority upon commencement of construction. No emissions unit or facility subject to this permit shall be constructed or modified without obtaining an air construction permit from the Department. Such permit shall be obtained prior to beginning construction or modification. [Rules 62-210.300(1) and 62-212.300(1)(a), F.A.C.]
6. Title V Permit: This permit authorizes modification of the permitted emissions unit and initial operation to determine compliance with Department rules. A Title V operation permit is required for regular operation of the permitted emissions unit. The permittee shall apply for a Title V operation permit at least 90 days prior to expiration of this permit, but no later than 180 days after commencing operation. To apply for a Title V operation permit, the applicant shall submit the appropriate application form, compliance test results, and such additional information as the Department may by law require. The application shall be submitted to the appropriate Permitting Authority with copies to the Compliance Authority. [Rules 62-4.030, 62-4.050, 62-4.220, and Chapter 62-213, F.A.C.]
7. Source Obligation: At such time that a particular source or modification becomes a major stationary source or major modification (as these terms were defined at the time the source obtained the enforceable limitation) solely by increasing its projected actual emissions, then the requirements of subsections 62-212.400(4) through (12), F.A.C., shall apply to the source or modification as though construction has not yet commenced on the source or modification. [Rule 62-212.400(12)(c), F.A.C.]

SECTION 3. EMISSIONS UNIT SPECIFIC CONDITIONS

The specific conditions listed in this section apply to the following emission unit:

EMISSION UNIT NO.	EMISSION UNIT DESCRIPTION
005	Steam Boiler - Unit 2

Unit 2 is a fossil fuel-fired steam generator with a nominal nameplate rating of 251 MW. Authorized fuels include pulverized coal, natural gas and/or distillate fuel oils (Nos. 1 or 2) with emissions exhausted through a 350 feet stack. The maximum heat input to Unit 2 is 2,428 MMBtu/hour. Unit 2 is a dry bottom, wall-fired boiler with a hot-side electrostatic precipitator to control particulate matter. Unit 2 began commercial operation in 1981. Opacity, nitrogen oxides (NO_x) and SO₂ emissions are continuously monitored.

PREVIOUS APPLICABLE REQUIREMENTS

1. Permit Determination: This permit authorizes the installation of SCR, CDS and baghouse systems for Unit 2. Unless otherwise specified, these conditions are in addition to all existing applicable permit conditions and regulatory requirements specified in the current Title V Operation Permit (No. 0010006-003-AV). [Rule 62-4.070(3), F.A.C.]

AUTHORIZED WORK

2. SCR System: The permittee is authorized to construct, tune, operate and maintain a new SCR system for Unit 2 to reduce emissions of nitrogen oxides (NO_x) as described in the application. In general, the SCR system will include the following equipment: urea to ammonia conversion system; ammonia flow control unit; ammonia injection grid; two active layers of catalyst with space provided for a future layer; SCR reactor chamber; and other ancillary equipment, including a system to add calcium to the fuel for catalyst preservation. [Application; Rules 62-296.470(CAIR) and 62-210.200(PTE), F.A.C.]
3. CDS System: The permittee is authorized to install a new CDS system for Unit 2 to reduce emissions of SO₂ and SO₃. The new system will be installed downstream of the existing Unit 2 induced draft fan. In general, the system includes the CDS vessel, adsorbent preparation and injection, water injection; product recycle injection and a flue gas recycle system. SO₂ will be measured at the inlet of the CDS reactor; outlet SO₂ will be measured at the stack. [Application; Rules 62-296.470(CAIR) and 62-210.200(PTE), F.A.C.]
4. Baghouse System: The permittee is authorized to install one pulse-jet baghouse containing ten compartments. The baghouse will be installed between the outlet of the CDS and inlet of the booster fans. The design outlet grain loading is 0.01 grains per dry standard cubic foot (gr/dscf) at 3% oxygen. The design gas flow rate through the baghouse is 554,250 dscf/min. The design air-to-cloth ratio is 4:1. An automatic cleaning system is utilized to dislodge the filter cake. [Application; Rules 62-296.470(CAIR) and 62-210.200(PTE), F.A.C.]
5. Circumvention: No person shall circumvent any air pollution control device, or allow the emission of air pollutants without the applicable air pollution control device operating properly. Operation of the SCR and CDS is not required by this permit. As necessary, the permittee shall operate the hydrated lime addition system and baghouse for SAM emissions control to ensure the project does not result in a PSD-significant emissions increase (7 tons/year) of sulfuric acid mist emissions above baseline actual emissions (49 tons/year). [Rules 62-210.650 and 62-212.400(12), F.A.C.]

PERFORMANCE REQUIREMENTS

6. Annual SAM Emissions Projections: The permittee projected that the increase in actual annual emissions of SAM due to the project would not exceed the PSD significance level (i.e., 7 tons/year). The permittee

SECTION 3. EMISSIONS UNIT SPECIFIC CONDITIONS

shall demonstrate this by compiling and submitting the reports required by this permit. [Application; and Rules 62-212.300 and 62-210.370, F.A.C.]

{Permitting Note: The baseline actual emission of SAM is 49 tons/year.}

7. Hydrated Lime Injection for SAM Emissions Control: On an annual basis, the permittee must demonstrate that SAM emissions as a result of this project do not exceed 7 tons per year above the baseline actual emissions of 49 tons per year. The permittee shall add hydrated lime at a frequency and injection rate for SAM control to satisfy this requirement. The permittee will adjust the hydrated lime flow rate for the given set of operating conditions based on the most recent correlation curves in a performance test. [Rules 62-4.070(3) and 62-212.300(1)(e), F.A.C.]
8. Ammonia Slip: Ammonia slip measured at the stack downstream of all emission control systems shall not exceed 5 parts per million by volume (ppmv) as demonstrated by an annual test. [Design; and Rule 62-4.070(3), F.A.C.]

EMISSIONS PERFORMANCE TESTING

9. Baseline Performance Test – Hydrated Lime Injection for SAM Emissions Control: The permittee shall conduct a baseline performance test at permitted capacity to evaluate SAM emissions. A baseline performance test shall be conducted using current coal (0.8 weight percent sulfur). The baseline performance test shall be conducted prior to the installation of the AQCS. The permittee shall submit a test notification to the appropriate authorities at least 15 days prior to the test and shall submit a test report summarizing the emission test and results within 45 days of the completion of the performance test.
[Rules 62-4.070(3) and 62-212.300(1)(e), F.A.C.]
10. Post- AQCS Construction Performance Tests – Hydrated Lime Injection for SAM Emissions Control: The permittee shall conduct post-AQCS performance tests to evaluate potential changes in SAM emissions and demonstrate that there is no PSD-significant emissions increase of SAM as a result of the installation of the AQCS. Post- AQCS construction tests shall evaluate both current (up to 0.8 weight percent) and higher sulfur (up to 2.5 weight percent) coals.
 - a. No later than November 30, 2008, the permittee shall submit to the Department for review and approval a SAM Evaluation and Testing Plan which shall include as a minimum the following:
 - Evaluation of factors affecting SAM generation (e.g., fuel type, emission control devices, operating conditions, etc.)
 - Determination of the SO₂ to SO₃ conversion rates across the SCR.
 - Evaluation of the hydrated lime injection rates required to mitigate SAM emissions.
 - Testing protocol (e.g., methods, number of runs, operating scenarios, annual tests, etc.)
 - b. Testing shall be conducted no later than 180 days after the first flue gas flow through the entire AQCS.
 - c. At least 15 days prior to initiating the performance tests, the permittee shall submit a test notification, preliminary test schedule and test protocol to the Bureau of Air Regulation and the Compliance Authority.
 - d. Within 45 days following the last test run conducted, the permittee shall provide a report summarizing the emissions tests and results. All SAM emissions test data shall be provided with this report.
 - e. Within 45 days following the submittal of the emissions test report and no later than 90 days following the last test run conducted, the permittee shall submit a project report summarizing operating conditions

SECTION 3. EMISSIONS UNIT SPECIFIC CONDITIONS

and providing details for calculating and estimating the SAM emissions rate based on the level of lime injection and operating conditions.

[Rules 62-4.070(3) and 62-212.300(1)(e), F.A.C.]

11. Annual Tests – Hydrated Lime Injection for SAM Emissions Control: During each federal fiscal year, the permittee shall conduct performance tests to determine the SAM emission rates and adjust the lime injection rates as necessary. The Department may re-evaluate this requirement based on the results of the initial testing. The protocol for the performance tests shall be submitted to the Department no later than November 30, 2008. [Rules 62-4.070(3) and 62-212.300(1)(e), F.A.C.]
12. Test Notification: The permittee shall notify the Compliance Authority in writing at least 15 days prior to any required tests. [Rule 62-297.310(7)(a)9, F.A.C.]
13. Test Methods: Required tests shall be performed in accordance with the following reference methods or other Department approved methods upon request by permittee:

EPA Method	Description of Method and Comments
1-4	Traverse Points, Velocity and Flow Rate, Gas Analysis, and Moisture Content
8	Determination of Sulfuric Acid Mist Emissions
19	Determination of Sulfur Dioxide Removal Efficiency and Particulate Matter, Sulfur Dioxide, and Nitrogen Oxides Emission Rates (Optional F-factor method may be used to determine flow rate and gas analysis to calculate mass emissions in lieu of Methods 1-4.)

Compliance with the sulfuric acid mist emissions can also be determined with the National Council for Air and Stream Improvement (NCASI) Method 8A. Compliance with the ammonia slip limit shall be determined annually using EPA conditional test method (CTM-027), EPA method 320, or other methods approved by the Department. [Rules 62-204.800 and 62-297.100, F.A.C.; 40 CFR 60, Appendix A]

STARTUP, SHUTDOWN, AND MALFUNCTION EMISSIONS

14. Startup, Shutdown and Malfunction: Operations during periods of startup, shutdown, and malfunction shall not constitute representative conditions for the purpose of a performance test nor shall emissions in excess of the level of the applicable emission limit during periods of startup, shutdown, and malfunction be considered a violation of the applicable emission limit unless otherwise specified in the applicable standard.

[Rule 40 CFR 60.8(c)]

{Permitting Note: Boiler startup or shutdown may exceed two hours due to operational constraints of the control equipment, which include:

- a. During boiler startup or shutdown, the SCR system is fully functional once the boiler flue gas temperature at the SCR reactor inlet stabilizes to 613⁰F or greater.
- b. During boiler startup and shutdown, the CDS system is fully functional once the following sequential criteria are met:
 - The flue gas flow rate at the outlet of the baghouse stabilizes at approximately 1.5 million pounds per hour or greater for a minimum of 6 hours;
 - The boiler flue gas temperature at the CDS inlet stabilizes at 230⁰F or greater; and
 - Water has been injected into the reactor for a minimum of 2 hours. }

15. Emissions: The permittee at all times, including periods of startup, shutdown, and malfunction shall, to the extent practicable, maintain and operate any affected facility including associated air pollution control

SECTION 3. EMISSIONS UNIT SPECIFIC CONDITIONS

equipment in a manner consistent with good air pollution control practice for minimizing emissions. Determination of whether acceptable operating and maintenance procedures are being used will be based on information available to the Department which may include, but is not limited to, monitoring results, opacity observations, review of operating and maintenance procedures, and inspection of the facility.

[Rule 40 CFR 60.11(d)]

NOTIFICATIONS, RECORDS AND REPORTS

16. Test Reports: The permittee shall prepare and submit reports for all required tests in accordance with the requirements specified in Rule 62-297.310, F.A.C. For each sulfuric acid mist test run, the report shall also indicate the lime injection rate for SAM emissions control, unit load, and unit heat input rate. [Rule 62-297.310(8), F.A.C.]
 17. Operational Data: The permittee shall monitor and record the hydrated lime consumption rate for SAM emissions control when the unit is combusting compliance coal (approximately up to 0.8 weight percent sulfur) and the CDS is not fully operational. [Rule 62-4.070(3), F.A.C.]
 18. Annual SAM Emissions Reports: In accordance with Rule 62-212.300(1)(e), F.A.C., the permittee shall comply with the following monitoring, reporting and recordkeeping provisions:
 - a. The permittee shall evaluate the SAM emissions using the most reliable information available. On a calendar year basis, the permittee shall calculate and maintain a record of the annual emissions (tons per year) for a period of 5 years following resumption of regular operations after completing construction on the unit's emission control system. Emissions shall be computed in accordance with Rule 62-210.370, F.A.C.
 - b. Within 60 days after each calendar year following completion of construction, the permittee shall report to the Compliance Authority the annual emissions for the unit for the preceding calendar year. The report shall contain the following:
 - a. Name, address and telephone number of the owner or operator of the major stationary source;
 - b. Annual emissions as calculated pursuant to subparagraph 62-212.300(1)(e)1., F.A.C.;
 - c. If the emissions differ from the preconstruction projection, an explanation as to why there is a difference; and
 - d. Any other information that the owner or operator wishes to include in the report.
 - c. The information required to be documented and maintained shall be submitted to the Compliance Authority, where it will be available for review to the general public.
- [Rule 62-212.300(1)(e), F.A.C.]
19. SAM Emissions Computation and Reporting: The permittee shall compute SAM emissions in accordance with the following requirements.
 - a. For each year of reporting required, emissions shall be computed based on the controlled and uncontrolled emissions factors determined during the required annual emissions test. The owner or operator shall not compute emissions by converting an emission factor to pounds per hour and then multiplying by hours of operation, unless the owner or operator demonstrates that such computation is the most accurate method available.
 - b. With appropriate supporting test data, multiple emission factors may be used as necessary to account for variations in emission rate associated with variations in the emissions unit's operating rate or operating conditions during the period over which emissions are computed.

SECTION 3. EMISSIONS UNIT SPECIFIC CONDITIONS

- c. The permittee shall compute emissions by multiplying the appropriate controlled or uncontrolled emission factor by the annual heat input rate for the period over which the emissions are computed. The uncontrolled emissions factor shall be used if the minimum lime injection rate established for the latest test is not met.
- d. The permittee shall retain a copy of all records used to compute emissions pursuant to this rule for a period of five years from the date on which such emissions information is submitted to the Department or Compliance Authority for any regulatory purpose.

[Rule 62-210.370, F.A.C.]

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION

CITY OF GAINESVILLE – GAINESVILLE
REGIONAL UTILITIES, DEERHAVEN
GENERATING STATION,

Petitioner,

v.

OGC No. 07-1263
DEP Permit No. 0010006-005-AC

DEPARTMENT OF ENVIRONMENTAL
PROTECTION,

Respondent.

ORDER GRANTING REQUEST FOR
EXTENSION OF TIME TO FILE PETITION FOR HEARING

This cause has come before the Florida Department of Environmental Protection (FDEP) upon receipt of a request made by Petitioner, City of Gainesville – Gainesville Regional Utilities, Deerhaven Generating Station, to grant an extension of time to file a petition for administrative hearing to allow time to discuss with FDEP several specific permit conditions for its facility in Alachua County, Florida. Because the request shows good cause for the extension of time,

IT IS ORDERED:

The request for an extension of time to file a petition for administrative proceeding is granted. Petitioner shall have until **August 27, 2007**, to file a petition in this matter. Filing shall be complete upon receipt by the Office of General Counsel, Department of Environmental Protection, 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000.

DONE AND ORDERED on this 27th day of July, 2007, in Tallahassee, Florida.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION



JACK CHISOLM, Deputy General Counsel
3900 Commonwealth Boulevard - MS 35
Tallahassee, Florida 32399-3000
850/245-2242 facsimile 850/245-2302

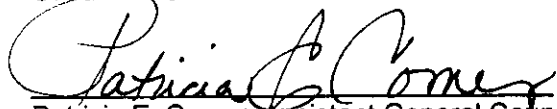
CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished via
 U. S. Mail facsimile only, this 27th day of July, 2007, to:

Angela Morrison Uhland
Hopping Green & Sams, P.A.
Post Office Box 6526
Tallahassee, FL 32314

Facsimile: 850/224-8551

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION



Patricia E. Comer, Assistant General Counsel
FL Bar 0224146
3900 Commonwealth Boulevard - MS 35
Tallahassee, Florida 32399-3000
850/245-2288 facsimile 850/245-2302

with courtesy copies via electronic mail to:

Trina Vielhauer, Chief – FDEP, BAR
Syed Arif, Project Engineer – FDEP, BAR

Gibson, Victoria

From: Miskelley, Valerie
Sent: Friday, July 27, 2007 1:13 PM
To: Gibson, Victoria; Arif, Syed
Subject: GRU Deerhaven 0010006-005-AC

Attachments: Ord Granting City of Gainesville - GRU 07-1263.pdf

Syed and Vickie,
Here is the order granting on OGC No. 07-1263 for your files. Let me know if you need anything else.



Ord Granting City of
Gainesvil...

Thanks,
Valerie I. Miskelley
Office of General Counsel
Florida Department of Environmental Protection
3900 Commonwealth Blvd. - MS 35
Tallahassee, Florida 32399-3000
email: Valerie.Miskelley@dep.state.fl.us
850/245-2260 SC/205-2250

><(((^>... ^...><(((^>... ^...><(((^>

Please Note: Florida has a very broad public records law. Electronic communications regarding state business are public records available to the public upon request. Your e-mail communications may therefore be subject to public disclosure.

Gibson, Victoria

From: Miskelley, Valerie
Sent: Friday, July 27, 2007 10:50 AM
To: Gibson, Victoria
Subject: RE: GRU - Deerhaven 0010006-005-AC

this one and the order for smurfit 015-av are going out this morning...i will email it to you shortly!

From: Gibson, Victoria
Sent: Friday, July 27, 2007 10:37 AM
To: Miskelley, Valerie
Subject: GRU - Deerhaven 0010006-005-AC

Hi,

Please give me a status update on this order to grant.

Thanks.

Vickie

Victoria Gibson, Administrative Secretary for
Trina Vielhauer, Chief
Bureau of Air Regulation
Department of Air Resource Management
victoria.gibson@dep.state.fl.us
850-921-9504 fax 850-921-9533

Gibson, Victoria

From: Miskelley, Valerie
Sent: Friday, July 20, 2007 3:33 PM
To: Gibson, Victoria
Subject: RE: GRU - Deerhaven Generating Station - AC Permit NO. 0010006-005-AC
Follow Up Flag: Follow up
Flag Status: Red

Vickie,

I was finally got this case. I have drafted the order granting and it is in Jack's box. I will email it to you as soon as it is signed.

Thanks,
Valerie

...and in case you hadn't heard...next Friday is my last day with the Department. I accepted a position with the Fla Assoc of Counties. It has been great working with you!!!

From: Gibson, Victoria
Sent: Monday, July 16, 2007 1:53 PM
To: Koerner, Jeff
Cc: Comer, Patricia; Miskelley, Valerie
Subject: RE: GRU - Deerhaven Generating Station - AC Permit NO. 0010006-005-AC

Thank you. I will forward this on to Pat Comer and her assistant, Valerie Miskelley.

Vickie

From: Koerner, Jeff
Sent: Monday, July 16, 2007 1:47 PM
To: Gibson, Victoria
Cc: Arif, Syed
Subject: FW: GRU - Deerhaven Generating Station - AC Permit NO. 0010006-005-AC

FYI ...

Jeff

From: Arif, Syed
Sent: Wednesday, July 11, 2007 1:23 PM
To: Jonynas, Yolanta E
Cc: Koerner, Jeff
Subject: RE: GRU - Deerhaven Generating Station - AC Permit NO. 0010006-005-AC

7/24/2007

Yolanta,

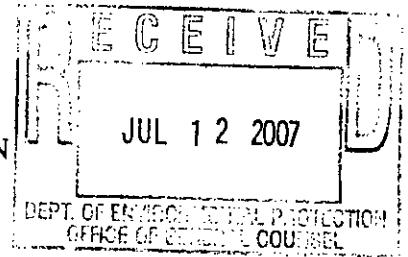
We don't have any objections in your filing an extension of time. I thought you needed this permit ASAP. Normally the extension is for 30 days but if you need 45 days, I don't have a problem with it and neither does Jeff.

Syed

From: Jonynas, Yolanta E [mailto:JONYNASYE@gru.com]
Sent: Wednesday, July 11, 2007 10:30 AM
To: Koerner, Jeff; Arif, Syed
Cc: Angela Morrison Uhland
Subject: GRU - Deerhaven Generating Station - AC Permit NO. 0010006-005-AC
Importance: High

Jeff and Syed, we are going to need to file for an extension of time (45 days) for filing for an administrative hearing. Do you have any objection to this? Thanks.

THE STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION



In the Matter of an
Application for Air Construction Permit by:

OGC No. _____

City of Gainesville
Gainesville Regional Utilities (GRU)
Post Office Box 147117 (A132)
Gainesville, FL 32614-7117

Deerhaven Generating Station (DGS)
Facility ID No. 0010005
Draft Permit No. 0010006-005-AC
Alachua County

REQUEST FOR EXTENSION OF TIME

By and through undersigned counsel, the City of Gainesville, Gainesville Regional Utilities (GRU) hereby requests, pursuant to Florida Administrative Code Rule 62-110.106(4), an extension of time to and including August 27, 2007, in which to file a Petition for Administrative Proceedings in the above-styled matter. As good cause for granting this request, GRU states the following:

1. On or about June 29, 2007, GRU received from the Department of Environmental Protection (Department) a Technical Evaluation and Preliminary Determination, a Proposed Draft Permit, and a Written Notice of Intent to Issue Air Permit (Permit No. 0010006-005-AC) for the Deerhaven Generating Station located in Alachua County, Florida.

2. The draft permit contains several provisions that warrant clarification or correction.

3. Representatives of GRU will correspond with staff of the Department's Bureau of Air Regulation in an effort to resolve all issues.

4. This request is filed simply as a protective measure to avoid waiver of GRU's right to challenge certain conditions contained in the Notice of Intent to Issue Air Permit. Grant of this request will not prejudice either party, but will further their mutual interest and likely avoid the need to file a petition and proceed to a formal administrative hearing.

5. Counsel for GRU has attempted without success to contact Patricia Comer with the Department's Office of General Counsel regarding this request.

6. GRU representatives have contacted Syed Arif with the Department's Bureau of Air Regulation, and he has no objection to the Request for Extension.

WHEREFORE, GRU respectfully requests that the time for filing a Petition for Administrative Proceedings with regard to the above-referenced Technical Evaluation and Preliminary Determination, Proposed Draft Permit, and Written Notice of Intent to Issue Air Permit (Permit No. 0010006-005-AC) be formally extended to and including August 27, 2007. If the Department denies this request, GRU requests the opportunity to file a Petition for Administrative Proceedings within 10 days of such denial.

Respectfully submitted this 12th day of July, 2007.

HOPPING GREEN & SAMS, P.A.



Angela Morrison Uhlend
Fla. Bar No. 0855766
123 South Calhoun Street
Post Office Box 6526
Tallahassee, FL 32314
(850) 222-7500

Attorney for CITY OF GAINESVILLE,
GAINESVILLE REGIONAL UTILITIES (GRU)

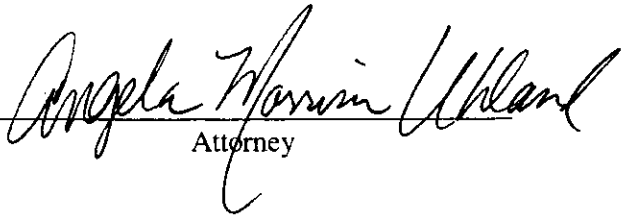
CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the foregoing has been furnished to the following by
U.S. Mail on this 12th day of July, 2007:

Patricia Comer, Esquire
Office of General Counsel
Department of Environmental Protection
3900 Commonwealth Blvd.
Tallahassee, FL 32399-2600

Trina Vielhauer, Chief
Bureau of Air Regulation
Department of Environmental Protection
2600 Blair Stone Road
Tallahassee, FL 32399-2400

Syed Arif
Bureau of Air Regulation
Department of Environmental Protection
2600 Blair Stone Road
Tallahassee, FL 32399-2400



Attorney

Gibson, Victoria

From: Gibson, Victoria
Sent: Thursday, July 12, 2007 3:55 PM
To: Koerner, Jeff
Subject: FW: Request for Extension of Time rec'd. - 0010006-005-AC - City of Gainesville (Gainesville Regional Utilities)

and to Patty

Attachments: Di4700707121547A.PDF

From: Crandall, Lea
Sent: Thursday, July 12, 2007 3:51 PM
To: Gibson, Victoria; Arif, Syed
Subject: FW: Request for Extension of Time rec'd. - 0010006-005-AC - City of Gainesville (Gainesville Regional Utilities)



Di4700707121547A
.PDF (531 KB)

Lea Crandall

Agency Clerk
Department of Environmental Protection
3900 Commonwealth Boulevard, MS 35
Tallahassee, FL 32399-3000
Phone: (850) 245-2212 SC: 205-2212
Fax: (850) 245-2303

-----Original Message-----

From: Crandall, Lea
Sent: Thursday, July 12, 2007 2:45 PM
To: Chisolm, Jack; Brown, Lisa L.; Gibson, Victoria; Arif, Syed
Subject: Request for Extension of Time rec'd. - 0010006-005-AC - City of Gainesville (Gainesville Regional Utilities)

FYI, a Request for Extension of Time was rec'd. today re: 0010006-005-AC - City of Gainesville (Gainesville Regional Utilities).

Thanks,
Lea

Lea Crandall

Agency Clerk
Department of Environmental Protection
3900 Commonwealth Boulevard, MS 35
Tallahassee, FL 32399-3000
Phone: (850) 245-2212 SC: 205-2212
Fax: (850) 245-2303

Chronology of Activities

OGC Number: **1263** District: **NORTHEAST** County: **ALACHUA**

Style of Case: **GAINESVILLE, CITY OF (GAINESVILLE REGIONAL UTILITES) VS. DEP**

Program Area: **AIR CONSTRUCT** Mode: **ADMINISTRATIVE**

Lead Attorney: **PATRICIA E COMER** Status: **CLOSED**

Forum Name: _____ Forum Case Number: _____

Permit Appl: **0010006-005-AC** Final Order Number: _____

Date	Code	Activity Description
06/28/2007	ITP	INTENT TO ISSUE PERMIT
07/12/2007	AA	ASSIGNED TO LEAD ATTORNEY JACK J CHRISOLM
07/12/2007	ACO	ADMIN CASE OPENED IN OGC
07/12/2007	REX1	RECEIVED FIRST REQUEST FOR EXTENSION OF TIME
07/20/2007	AR	RE-ASSIGNED TO LEAD ATTORNEY PATRICIA E COMER
07/27/2007		ORD GRANTING REQ FOR EXT OF TIME - UNTIL 08/27/07
08/14/2007		WITHDRAWAL OF REQ FOR EXT OF TIME
08/14/2007	SWOF	CASE SETTLED WITHOUT FINAL ORDER
08/14/2007	CC	CASE CLOSED IN OGC
08/14/2007		CASE TO BE ARCHIVED

