

Scott

THE STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION

In the Matter of an
Application for Permit by:

OGC CASE NO.:
FDEP Revised Draft Permit No.: 0010006-001-AV

City of Gainesville, Gainesville
Regional Utilities
Deerhaven Generating Station
Alachua County, Florida

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BUREAU OF
AIR REGULATION

REQUEST FOR EXTENSION OF TIME

By and through undersigned counsel, City of Gainesville, Gainesville Regional Utilities (GRU) hereby requests, pursuant to Florida Administrative Code Rule 62-110.106(4), an enlargement of time, to and including April 1, 1999, 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 October 1, 1997, GRU received from the Department of Environmental Protection (Department) an "Intent to Issue Title V Air Operation Permit" (Draft Permit No. 0010006-001-AV) for the GRU Deerhaven Generating Station located in Alachua County, Florida. GRU subsequently filed several extensions of time, until October 30, 1998, to preserve its right to file a Petition for Administrative Proceeding on this permit.

2. On or about October 15, 1998, GRU received from the Department an "Intent to Issue Title V Air Operation Permit" (REVISED Draft Permit No. 0010006-001-AV) for the GRU Deerhaven Generating Station. The Department issued this Revised Draft based on progressing

negotiations and the need to include additional applicable requirements pursuant to the Acid Rain program. GRU subsequently filed a Request for Extension of Time on this Revised Draft until February 1, 1999.

3. The Department's cover letter to the Revised Draft permit states that the initial Draft Title V permit is withdrawn. In reliance on this representation, GRU hereby files this second Request for Extension of Time on the Revised Draft permit, and understands that no further extensions of time are needed to preserve its rights in relation to the initial Title V permit because it has been effectively withdrawn. Nonetheless, insofar as the initial Draft Title V permit may be determined to still be in effect, GRU respectfully requests that this second Request for Extension of Time apply to both the initial and the Revised Draft Title V permits.

4. Based on GRU's review, the Revised Draft permit and associated documents contain several provisions that warrant clarification or correction.

5. This request is filed simply as a protective measure to avoid waiver of GRU's right to challenge certain conditions contained in the Revised Draft Title V permit. Grant of this request will not prejudice either party, but will further their mutual interest and hopefully avoid the need to file a petition and proceed to a formal administrative hearing.

WHEREFORE, GRU respectfully requests that the time for filing of a Petition for Administrative Proceedings in regard to the Department's Intent to Issue Title V Air Operation Permit for Revised Draft Permit No. 0010006-001-AV be formally extended to and including April 1, 1999. If this Request is denied, GRU requests 10 days from the date of denial to file a Petition, if necessary.

Respectfully submitted this 25 day of January, 1999.

HOPPING GREEN SAMS & SMITH, P.A.

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CERTIFICATE OF SERVICE

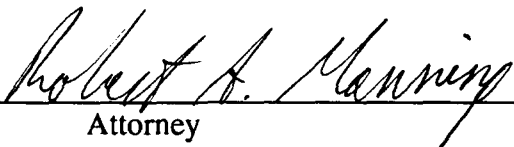
I HEREBY CERTIFY that a copy of the foregoing has been furnished to the following by

U.S. Mail on this 25 day of January, 1999:

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