

Jeb Bush
Governor

Department of Environmental Protection

Twin Towers Office Building
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

Colleen M. Castille
Secretary

April 7, 2004

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Mr. Richard Craig, Vice President of Southeast Operations
Florida Gas Transmission Company
201 Rue Iberville, Suite 200
Lafayette, LA 70508

Re: Exemption from the Requirement to Obtain an Air Construction Permit
Florida Gas Transmission Company, Brooker Compressor Station 16
Replacement of Gas Generator Component of Engine No. 1607
Title V Air Operation Permit No. 0070012-006-AV

Dear Mr. Craig:

On April 7, 2004, Florida Gas Transmission Company submitted a request for an exemption from the requirement to obtain an air construction permit pursuant to Rule 62.4.040(1)(b), F.A.C. to replace the gas generator portion of existing Engine No. 1607. This emissions unit is a nominal 7000 bhp gas turbine compressor engine that is located at existing Station 16 in Bradford County approximately 3 miles north of the city of Brooker on Highway 231. The Department approved a similar request in October of 2003 and more recently in March of 2004. The newly repaired unit was tested on March 25th, but threw a bearing this week and the gas generator must once again be replaced. The replacement component will be a "like-kind" gas generator. The gas turbine will be tested within 60 days of startup to demonstrate compliance with the emission standards.

The Department approves this request and exempts the proposed replacement activity from the requirement to obtain an air construction permit. In accordance with the Department's rules, Engine 1607 remains subject to all conditions in original Air Construction Permit 0070012-004-AC and Title V Air Operation Permit No. 0070012-006-AV. This determination may be revoked if the proposed activity is substantially modified or the basis for the exemption is determined to be materially incorrect. Within 60 days after restart, the Department requires that Engine 1607 be tested to demonstrate compliance with the emission standards. Florida Gas Transmission Company shall maintain a copy of this letter at Station 16. This permitting decision is made pursuant to Chapter 403, Florida Statutes.

A person whose substantial interests are affected by the proposed permitting decision may petition for an administrative proceeding (hearing) under Sections 120.569 and 120.57, F.S. The petition must contain the information set forth below and must be filed (received) in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida, 32399-3000. Petitions filed by the permit applicant or any of the parties listed below must be filed within 21 days of receipt of this notice of intent. A petitioner shall mail a copy of the petition to the applicant at the address indicated above at the time of filing. The failure of any person to file a petition within the appropriate time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under Sections 120.569 and 120.57, F.S., or to intervene in this proceeding and participate as a party to it. Any subsequent intervention will be only at the approval of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205, F.A.C.

A petition that disputes the material facts on which the Department's action is based must contain the following information: (a) The name and address of each agency affected and each agency's file or identification number, if known; (b) The name, address, and telephone number of the petitioner, the name, address, and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how the petitioner's substantial interests will be affected by the agency determination; (c) A statement of how and when petitioner received notice of the agency action or proposed action; (d) A statement of all disputed issues of material fact. If there are none, the petition must so indicate; (e) A concise statement of the ultimate facts alleged, including the specific facts the petitioner contends warrant reversal or modification of the agency's proposed action; (f) A statement of the specific rules or

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statutes the petitioner contends require reversal or modification of the agency's proposed action; and (g) A statement of the relief sought by the petitioner, stating precisely the action petitioner wishes the agency to take with respect to the agency's proposed action.

A petition that does not dispute the material facts upon which the Department's action is based shall state that no such facts are in dispute and otherwise shall contain the same information as set forth above, as required by Rule 28-106.301, F.A.C.

Because the administrative hearing process is designed to formulate final agency action, the filing of a petition means that the Department's final action may be different from the position taken by it in this notice. Persons whose substantial interests will be affected by any such final decision of the Department on the application have the right to petition to become a party to the proceeding, in accordance with the requirements set forth above.

Mediation is not available in this proceeding.

This permitting decision is final and effective on the date filed with the clerk of the Department unless a petition is filed in accordance with the above paragraphs or unless a request for extension of time in which to file a petition is filed within the time specified for filing a petition pursuant to Rule 62-110.106, F.A.C., and the petition conforms to the content requirements of Rules 28-106.201 and 28-106.301, F.A.C. Upon timely filing of a petition or a request for extension of time, this action will not be effective until further order of the Department.

Any party to this permitting decision (order) has the right to seek judicial review of it under Section 120.68, F.S., by filing a notice of appeal under Rule 9.110 of the Florida Rules of Appellate Procedure with the clerk of the Department of Environmental Protection in the Office of General Counsel, Mail Station #35, 3900 Commonwealth Boulevard, Tallahassee, Florida, 32399-3000, and by filing a copy of the notice of appeal accompanied by the applicable filing fees with the appropriate District Court of Appeal. The notice must be filed within thirty (30) days after this order is filed with the clerk of the Department.

Executed in Tallahassee, Florida.



Michael G. Cooke, Director
Division of Air Resources Management

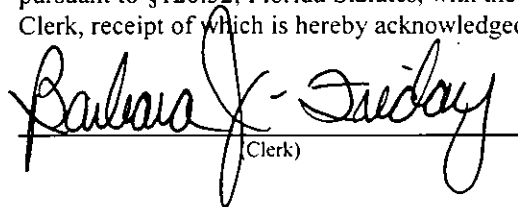
CERTIFICATE OF SERVICE

The undersigned duly designated deputy agency clerk hereby certifies that this order was sent by certified mail (*) and copies were mailed by U.S. Mail before the close of business on 4/7/04 to the persons listed:

Mr. Richard Craig, FGTC*
Mr. Jacob Krautsch, FGTC
Mr. V. Duane Pierce, AQMcS
Mr. Chris Kirts, NED

Clerk Stamp

FILING AND ACKNOWLEDGMENT FILED, on this date, pursuant to §120.52, Florida Statutes, with the designated Department Clerk, receipt of which is hereby acknowledged.


Clerk

4/7/04
(Date)

U.S. Postal Service
CERTIFIED MAIL RECEIPT
 (Domestic Mail Only. No Insurance Coverage Provided)

7001 1140 0002 1578 0843

OFFICIAL USE

Mr. Richard Craig, Vice President

Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$

Postmark
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Sent To
 Mr. Richard Craig, Vice President
 Street, Apt. No., or PO Box No. 201 Rue Iberville, Suite 200
 City, State, ZIP+4[®] Lafayette, LA 70508

PS Form 3800, January 2001 See Reverse for Instructions

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<p>■ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</p> <p>■ Print your name and address on the reverse so that we can return the card to you.</p> <p>■ Attach this card to the back of the mailpiece, or on the front if space permits.</p> <p>1. Article Addressed to: Mr. Richard Craig, Vice President of Southeast Operations Florida Gas Transmission Company 201 Rue Iberville, Suite 200 Lafayette, LA 70508</p>	<p>A. Signature <i>Lisa Allen</i> <input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name) <i>Lisa Allen</i> <input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>C. Date of Delivery <i>8/15/01</i></p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes <input type="checkbox"/> No If YES, enter delivery address below:</p>
<p>2. Article Number (Transfer from service label)</p>	<p>3. Service Type <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D. 4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes <input type="checkbox"/> No</p>
<p>7001 1140 0002 1578 0843</p>	
<p>PS Form 3811, August 2001 Domestic Return Receipt 102982-02-11-1240</p>	