

## Gibson, Victoria

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**From:** Halpin, Mike  
**Sent:** Tuesday, November 02, 2004 8:33 AM  
**To:** Gibson, Victoria  
**Cc:** Vielhauer, Trina; Pennington, Jim  
**Subject:** RE: Progress Energy - Crystal River

I received a voice-mail from Robert Manning yesterday, indicating that Progress was satisfied with the Crystal River T5 proposed permit; therefore, they would not file for any additional extension of time (it expired yesterday). I plan to get the Crystal River Proposed permit (and hopefully the Hines PB2 T5 revision) to Trina today for signatures, as I'll be out of the office next week.  
Mike

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

**From:** Gibson, Victoria  
**Sent:** Monday, November 01, 2004 9:23 AM  
**To:** Halpin, Mike  
**Cc:** Vielhauer, Trina; Pennington, Jim  
**Subject:** RE: Progress Energy - Crystal River

Thank you Mike. Let me know how it goes.

Vickie

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

**From:** Halpin, Mike  
**Sent:** Monday, November 01, 2004 9:21 AM  
**To:** Gibson, Victoria  
**Cc:** Vielhauer, Trina; Pennington, Jim  
**Subject:** RE: Progress Energy - Crystal River

I have already been in communication this morning with Dave Meyer about this topic. Pending his satisfactory review of the revised permit (an electronic version of which I sent him an hour ago) he will ask his attorney to withdraw the extension request.  
Mike

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

**From:** Gibson, Victoria  
**Sent:** Monday, November 01, 2004 9:17 AM  
**To:** Halpin, Mike; Pennington, Jim  
**Cc:** Vielhauer, Trina  
**Subject:** Progress Energy - Crystal River  
**Importance:** High

Good morning.

The extension of time for Progress Energy Florida - Crystal River Energy expires today. What is the status on this permit?

0170004-009-AV

Thank you.

*Vickie*

Victoria Gibson, Administrative Secretary  
Bureau Chief's Office  
DEP/Bureau of Air Regulation

victoria.gibson@dep.state.fl.us  
850-921-9504

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850-921-9504

**Gibson, Victoria**

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**From:** Vielhauer, Trina  
**Sent:** Monday, November 01, 2004 1:14 PM  
**To:** Linero, Alvaro; Pennington, Jim; Holtom, Jonathan  
**Cc:** Gibson, Victoria  
**Subject:** Title V renewals

After our meeting with Mike C. this morning on the heat input issue and discussions of how to proceed and what legal actions are pending out there, I thought this would be helpful for you and all of our permittees.

Priority #1: demonstrating that the heat input issue is resolved

The renewals that are affected by this issue [according to my records] follow. For those in which extensions of time have been filed, we need to email a draft proposed permit to their attorney and a cc. to the responsible official. **IF THE COMMENT PERIOD HASN'T EXPIRED YET, WE SHOULD NOTE THAT, BARRING ANY COMMENTS, HERE IS WHAT WE INTEND TO ISSUE.** Once they've reviewed and concurred and the comment period has passed, their attorney will withdraw the extensions of time [or notify us they will not be petitioning]. Mike requested this be done by Tuesday afternoon for as many as possible. I suggest we start with those permits where heat input is the only outstanding issue.

Gulf Power Smith	no outstanding requests for extensions of time
Gulf Power Schultz	no outstanding requests for extensions of time
OUC Stanton	no outstanding requests for extensions of time
KUA	no outstanding requests for extensions of time
GRU	no outstanding requests for extensions of time
Tiger Bay	facility has requested a 2 <sup>nd</sup> extension of time; has not been acted upon [so they'd need to withdraw that request once they see the proposed and are ok with it]
DeBary check LCT: 1270028-007AV.	I'm not showing a list of any extensions requested? Vickie- can you double
Sanford	facility requested an extension of time; has not been acted upon [so they'd need to withdraw that request once they see the proposed and are ok with it]
Crist	just filed new request for extension until November 8 bc. southern company's in house attorney out of town to discuss permit shield language. I told them we need to get these out but the 8 <sup>th</sup> would be ok.
Anclote	we resolved, attorney filed withdrawal of extension of time and has gone proposed already so case can be closed in LCT

Priority #2: getting the other renewals to proposed status

The biggest issues I've heard on drafts have been CAM or heat input. Are there others we need to discuss internally? We need to get these to proposed status in the next 2 weeks also. Here is a status on extensions of time on these other renewals. I'm not sure when each permit's 30 day comment period ends.

Bartow	extension of time expires today
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11/1/2004

Progress Suwannee	extension of time expires today
Progress Turner	we denied 3 <sup>rd</sup> extension request; have until today to file full petition
Progress u of f	we denied extension of time; have until today to file a full petition
Crystal River	extension of time expires today
Seminole	extension of time expires today
TECO Big Bend	extension of time expires today
TECO Bayside	no extensions of time filed
TECO Polk	no extensions of time filed
Reliant Indian River	proposed sent to EPA
Indiantown cogen	Vickie- can you refresh my memory. Did they request extension of time?
Stock Island	no extensions of time filed
FPL Canaveral	proposed sent to EPA

11/1/2004

STATE OF FLORIDA  
DEPARTMENT OF ENVIRONMENTAL PROTECTION

PROGRESS ENERGY FLORIDA, INC.  
Crystal River Energy Center

Petitioner,

v.

DEPARTMENT OF ENVIRONMENTAL  
PROTECTION,

Respondent.

OGC #04-1740

DEP Permit 0170004-009-AV

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


This cause has come before the Florida Department of Environmental Protection upon receipt of a request made by Petitioner PROGRESS ENERGY FLORIDA, INC., to grant an extension of time to file a petition for an administrative hearing to allow time to discuss with FDEP several specific permit conditions for its facility in Citrus 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 **November 1, 2004**, to file a petition in this matter. Filing shall be complete on 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 18th day of October, 2004, in Tallahassee, Florida.

STATE OF FLORIDA DEPARTMENT  
OF ENVIRONMENTAL PROTECTION

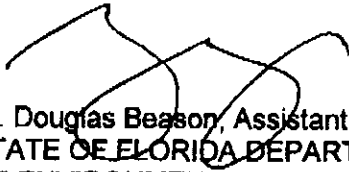
  
JACK CHISOLM, Deputy General Counsel  
3900 Commonwealth Boulevard, M.S. 35  
Tallahassee, Florida 32399-3000  
850-245-2242 facsimile 850-245-2302

**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 8th day of October, 2004, to:

Robert A. Manning, Esquire  
Hopping Green & Sams, P.A.  
Post Office Box 6526  
Tallahassee, FL 32314

Facsimile 850-224-8551



W. Douglas Beason, Assistant General Counsel  
STATE OF FLORIDA DEPARTMENT  
OF ENVIRONMENTAL PROTECTION  
3900 Commonwealth Boulevard - Mail Station 35  
Tallahassee, FL 32399-3000  
850-245-2242 facsimile 850-245-2302

with a courtesy copy to:

Trina L. Vielhauer  
Chief  
Bureau of Air Regulation

facsimile: 850-921-9533

STATE OF FLORIDA  
DEPARTMENT OF ENVIRONMENTAL PROTECTION

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STATE OF FLORIDA DEPARTMENT  
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W. Douglas Beason, Assistant General Counsel  
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OF ENVIRONMENTAL PROTECTION  
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Chief  
Bureau of Air Regulation

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04-1749

THE STATE OF FLORIDA  
DEPARTMENT OF ENVIRONMENTAL PROTECTION

RECEIVED

OCT 13 2004

BUREAU OF AIR REGULATION

In the Matter of an  
Application for Permit by:

FDEP Draft Permit No.: 0170004-009-AV

Progress Energy Florida, Inc.  
Crystal River Energy Center  
Citrus County, Florida

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**REQUEST FOR ENLARGEMENT OF TIME**

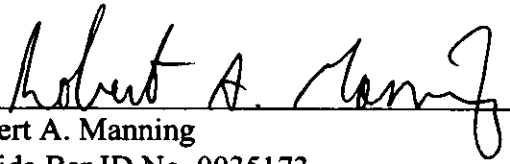
By and through undersigned counsel, Progress Energy Florida, Inc. (Progress Energy) hereby requests, pursuant to Florida Administrative Code Rule 62-110.106(4), an enlargement of time, to and including November 15, 2004, in which to file a Petition for Administrative Proceedings in the above-styled matter. As good cause for granting this request, Progress Energy states the following:

1. On or about October 7, 2004, Progress Energy Florida, Inc. received from the Department of Environmental Protection ("Department") an "Intent to Issue Title V Air Operation Permit Renewal" and accompanying "Draft Permit," (Draft Permit No.0170004-009-AV), for the Crystal River Energy Center, located at 15760 West Power Line Street, Crystal River, Citrus County, Florida.
2. Based on Progress Energy's initial review, the Draft Permit and associated documents contain several provisions that warrant clarification or corrections.
3. This request is filed simply as a protective measure to avoid waiver of Progress Energy's right to challenge certain conditions contained in the 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, Progress Energy Florida, Inc. 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 No.0170004-009-AV be formally extended to and including November 15, 2004.

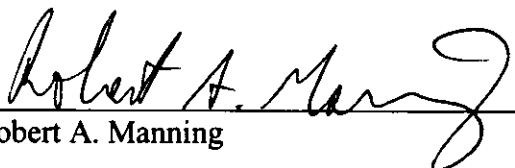
RESPECTFULLY SUBMITTED this 13<sup>th</sup> day of October, 2004.

By:   
Robert A. Manning  
Florida Bar ID No. 0035173  
Hopping Green & Sams, P.A.  
123 South Calhoun Street  
Post Office Box 6526  
Tallahassee, Florida 32314  
(850) 222-7500  
(850) 224-8551 Facsimile

Attorneys for PROGRESS ENERGY FLORIDA,  
INC.

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by Hand Delivery to Kathy Carter, Agency Clerk, and Doug Beason, General Counsel, Florida Department of Environmental Protection, 3900 Commonwealth Boulevard, Suite 300, Tallahassee, Florida 32399-3000; and Trina Vielhauer, Florida Department of Environmental Protection, Division of Air Resource Management, 111 S. Magnolia Drive, Suite 23, Tallahassee, Florida 32399 this 13<sup>th</sup> day of October, 2004.

  
Robert A. Manning

## Gibson, Victoria

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**From:** Gibson, Victoria  
**Sent:** Thursday, October 14, 2004 1:18 PM  
**To:** Halpin, Mike; Pennington, Jim  
**Subject:** FW: extension request

**Importance:** High

Hi,

Would you like to grant this extension of time? If so, how long? They have requested through and including the 15th of November. Maybe it would be better to grant through the 12th?

Let me know how you would like to proceed.

Thanks.

Vickie

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

**From:** Carter, Kathy  
**Sent:** Thursday, October 14, 2004 11:33 AM  
**To:** Vielhauer, Trina; Chisolm, Jack; Halpin, Mike  
**Cc:** Gibson, Victoria; Light, Lisa  
**Subject:** extension request

Mike:

FYI

DGC received a request for extension of time from Progress Energy FLorida, re: Crystal River Energy Center, DEP 0170004-009-AV on 10/13/04

Kathy  
Office of General Counsel  
Agency Clerk  
245-2212  
Kathy.Carter@dep.state.fl.us

