

Gibson, Victoria

From: Phillips, Cindy
Sent: Monday, November 01, 2004 9:43 AM
To: Gibson, Victoria
Cc: Vielhauer, Trina
Subject: RE:

I received proof of publication for the Big Bend permit last week. I would not grant any further extensions past November 12th because we need to propose this acid rain permit to EPA by the 15th.

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

From: Gibson, Victoria
Sent: Monday, November 01, 2004 9:15 AM
To: Phillips, Cindy
Cc: Vielhauer, Trina
Subject:
Importance: High

Hi,

A couple more extension of time are expiring today:

Tampa Electric Big Bend Station 0570039-016-AC

" " " 0570039-017-AV

TARMAC America 0250020-013-AV

Status of these permits would be?

Vickie

Victoria Gibson, Administrative Secretary
Bureau Chief's Office
DEP/Bureau of Air Regulation
victoria.gibson@dep.state.fl.us
850-921-9504

Gibson, Victoria

From: Phillips, Cindy
Sent: Thursday, November 04, 2004 9:56 AM
To: Gibson, Victoria
Subject: RE: OGC Report for November 3rd

Vickie, TECo Big Bend can not have any extensions beyond November 12th.

CFI and Tarmac can be extended.

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

From: Gibson, Victoria
Sent: Wednesday, November 03, 2004 3:11 PM
To: Kirts, Christopher; Felton-Smith, Rita; Phillips, Cindy; Cascio, Tom; Mitchell, Bruce; Holtom, Jonathan; Bull, Robert; Arif, Syed; Halpin, Mike; Holladay, Cleve; Heron, Teresa
Cc: Vielhauer, Trina; Linero, Alvaro; Pennington, Jim
Subject: OGC Report for November 3rd

<< File: OGCNovemberReport.doc >>

Vickie

Victoria Gibson, Administrative Secretary
Bureau Chief's Office
DEP/Bureau of Air Regulation
victoria.gibson@dep.state.fl.us
850-921-9504

RECEIVED

NOV 15 2004

DIVISION OF AIR
RESOURCE MANAGEMENT

THE STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION

In the Matter of an
Application for Permit by:

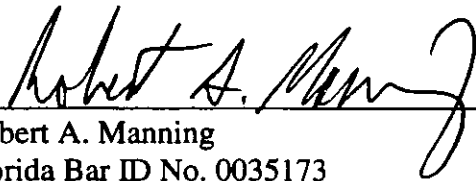
OGC CASE NO.: 04-1737
FDEP Draft Permit No.: 0570039-017-AV
0570039-016-AC

Tampa Electric Company
Big Bend Station
Hillsborough County, Florida

NOTICE OF WITHDRAWAL OF ENLARGEMENT OF TIME

Tampa Electric Company ("Tampa Electric"), by and through undersigned counsel, hereby withdraws its Second Request for Enlargement of Time to file a petition for formal administrative proceedings in accordance with Chapter 120, Florida Statutes. Tampa Electric currently has pending a Second Request for Enlargement of Time until November 15, 2004, in response to the "Intent to Issue Air Construction Permit and Title V Air Operation Permit" (Draft Permit Nos. 0570039-016-AC and 0570039-017-AV) for the Big Bend Station, located in North Ruskin, Hillsborough County, Florida, to negotiate certain changes in the Draft Title V permit with the Department. Following discussions with Department representatives, Tampa Electric and the Department have come to a resolution on the issues involved in the above-referenced Draft Title V permit. Accordingly, conditioned upon the Department's issuance of the Proposed Title V permit in accordance with this resolution, Tampa Electric hereby withdraws its Request for Enlargement of Time.

RESPECTFULLY SUBMITTED this 15th day of November, 2004.

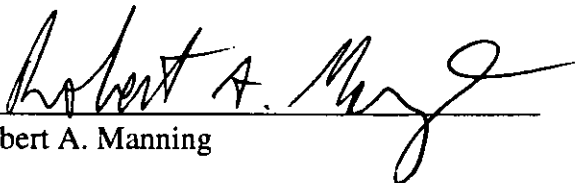
By: 

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 Tampa Electric Company

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 15th day of November, 2004.


Robert A. Manning

THE STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION

RECEIVED
NOV 02 2004
BUREAU OF AIR REGULATION

In the Matter of an
Application for Permit by:

OGC CASE NO.: 04-1737
FDEP Draft Permit No.: 0570039-017-AV
0570039-016-AC

Tampa Electric Company
Big Bend Station
Hillsborough County, Florida

SECOND REQUEST FOR ENLARGEMENT OF TIME

By and through undersigned counsel, Tampa Electric Company (Tampa Electric) 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, Tampa Electric states the following:

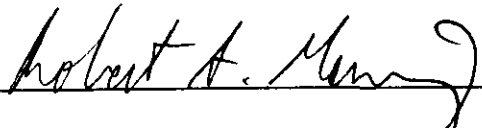
1. On or about October 1, 2004, Tampa Electric Company received from the Department of Environmental Protection ("Department") an "Intent to Issue Air Construction Permit and Title V Air Operation Permit Renewal" and accompanying "Draft Permit," (Draft Permit Nos. 0570039-016- AC and 0570039-017-AV), for the Big Bend Station, located in North Ruskin, Hillsborough County, Florida.
2. Based on Tampa Electric's initial review, the Draft Permit and associated documents contain several provisions that warrant clarification or corrections.
3. Tampa Electric and DEP are in the process of discussing possible resolutions to the issues needing clarification or correction.
4. The Department granted Tampa Electric's first Request for Enlargement of Time, allowing until November 1, 2004, to file a petition in this matter.

5. Tampa Electric is now requesting until November 15, 2004, in order to resolve remaining issues before the Departments's intended deadline to send all Title V renewals to the Environmental Protection Agency as proposed permits.

6. This second request is filed simply as a protective measure to avoid waiver of Tampa Electric'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, Tampa Electric Company respectfully requests that the time for filing of a Petition for Administrative Proceedings in regard to the Department's Intent to Issue Air Construction Permit and Title V Air Operation Permit Nos. 0570039-016- AC and 0570039-017-AV be formally extended to and including November 15, 2004.

RESPECTFULLY SUBMITTED this 1st day of November, 2004.

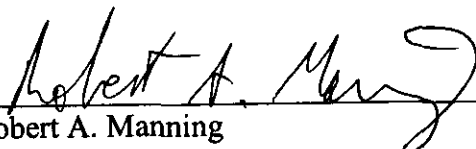
By:  _____

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

Attorneys for Tampa Electric Company

CERTIFICATE OF SERVICE

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Robert A. Manning

Gibson, Victoria

From: Phillips, Cindy
Sent: Monday, November 01, 2004 9:43 AM
To: Gibson, Victoria
Cc: Vielhauer, Trina
Subject: RE:

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Importance: High

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Tampa Electric Big Bend Station 0570039-016-AC

" " " 0570039-017-AV

~~TARMAC America 0250020-013-AV~~

Status of these permits would be?

Vickie

Victoria Gibson, Administrative Secretary
Bureau Chief's Office
DEP/Bureau of Air Regulation
victoria.gibson@dep.state.fl.us
850-921-9504

Gibson, Victoria

From: Vielhauer, Trina
Sent: Monday, November 01, 2004 9:48 AM
To: Gibson, Victoria
Subject: RE:

Vickie,

I'll be meeting with Mike at 10 on the biggest issue out there on these Title V permits [for GRU, Progress Tiger Bay, Progress DeBary, OUC Stanton, Gulf Power's facilities, and FPL Sanford].

If the companies have not filed a NEW request for extension of time- there isn't anything for us to grant or deny yet [we do need to figure out if we can close the case and issue proposed or not]. I'll be sending everyone a note after this meeting with Mike on how we can proceed...

Thanks

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

From: Gibson, Victoria
Sent: Monday, November 01, 2004 9:15 AM
To: Phillips, Cindy
Cc: Vielhauer, Trina
Subject:
Importance: High

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~~TARMAC America 0250020-013-AV~~

Status of these permits would be?

Vickie

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STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION

TAMPA ELECTRIC COMPANY
Big Bend Station

Petitioner,

v.

DEPARTMENT OF ENVIRONMENTAL
PROTECTION,

Respondent.

OGC #04-1737
DEP Permit 0570039-016-AC

**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 TAMPA ELECTRIC COMPANY, 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 Hillsborough 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

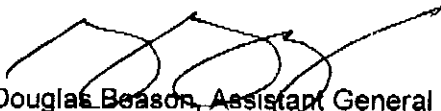

JACK CHISOLM, Deputy General Counsel
3900 Commonwealth Boulevard, M.S. 35
Tallahassee, Florida 32399-3000
850-245-2242 facsimile 850-245-2302

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 18th 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

TAMPA ELECTRIC COMPANY
Big Bend Station

Petitioner,

v.

OGC #04-1737
DEP Permit 0570039-016-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 upon receipt of a request made by Petitioner TAMPA ELECTRIC COMPANY, 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 Hillsborough County, Florida. Because the request shows good cause for the extension of time,

IT IS ORDERED:

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DONE AND ORDERED on this _____ 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



Department of Environmental Protection

CERTIFICATE OF SERVICE

I, Jeb Bush Governor of the State of Florida, thereby CERTIFY that a true and correct copy of the foregoing has been furnished via U. S. Mail facsimile only and correct copy to Trina L. Vielhauer at the Twin Towers Office Building 2600 Blair Stone Road Tallahassee, Florida 32309 on the 11th day of October 2004, to: Colleen M. Castille Secretary

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

Chronology of Activities

OGC Number: AV District: County:
 Style of Case:
 Program Area: Mode:
 Lead Attorney: Status:
 Forum Name: Forum Case Number:
 Permit Appl: Final Order Number:

Date *	Code	Activity Description
10/13/2004	REX1	RECEIVED FIRST REQUEST FOR EXTENSION OF TIME
10/14/2004	AA	ASSIGNED TO LEAD ATTORNEY TRINA L VIELHAUER
10/14/2004	ACO	ADMIN. CASE OPENED IN OGC
10/18/2004		ORDER GRANTING EXTENSION UNTIL 11/1/2004

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION

TAMPA ELECTRIC COMPANY
Big Bend Station

Petitioner,

v.

DEPARTMENT OF ENVIRONMENTAL
PROTECTION,

Respondent.

OGC #04-1738
DEP Permit 0570039-017-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 TAMPA ELECTRIC COMPANY, 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 Hillsborough 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

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 U. S. Mail facsimile only, this 18th 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

TAMPA ELECTRIC COMPANY
Big Bend Station

Petitioner,

v.

OGC #04-1738
DEP Permit 0570039-017-AV

DEPARTMENT OF ENVIRONMENTAL
PROTECTION,

Respondent.

**ORDER GRANTING REQUEST FOR EXTENSION
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DONE AND ORDERED on this _____ 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



Department of Environmental Protection

CERTIFICATE OF SERVICE

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Twin Towers Office Building
2600 Blair Stone Road
Tallahassee, Florida 32309
Jeb Bush
Governor
U. S. Mail _ facsimile _ **only** this Tallahassee, Florida 12 October 2004, to:
Colleen M. Castille
Secretary

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
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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

THE STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION

04-1737-14-AC
1738-19-AV
RECEIVED

OCT 13 2004

In the Matter of an
Application for Permit by:

OGC CASE NO.:

FDEP Draft Permit No.: 0570039-017-AV
BUREAU OF AIR REGULATION
0570039-016-AC

Tampa Electric Company
Big Bend Station
Hillsborough County, Florida

REQUEST FOR ENLARGEMENT OF TIME

By and through undersigned counsel, Tampa Electric Company (Tampa Electric) 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, Tampa Electric states the following:

1. On or about October 1, 2004, Tampa Electric Company received from the Department of Environmental Protection ("Department") an "Intent to Issue Air Construction Permit and Title V Air Operation Permit Renewal" and accompanying "Draft Permit," (Draft Permit Nos. 0570039-016- AC and 0570039-017-AV), for the Big Bend Station, located in North Ruskin, Hillsborough County, Florida.
2. Based on Tampa Electric'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 Tampa Electric'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, Tampa Electric Company respectfully requests that the time for filing of a Petition for Administrative Proceedings in regard to the Department's Intent to Issue Air Construction Permit and Title V Air Operation Permit Nos. 0570039-016- AC and 0570039-017-AV be formally extended to and including November 15, 2004.

RESPECTFULLY SUBMITTED this 13th day of October, 2004.

By: Robert A. Manning

Robert A. Manning
Fla. Bar No. 0035173
Hopping, Green & Sams, P.A.
123 South Calhoun Street
Post Office Box 6526
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(850) 222-7500
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Attorneys for Tampa Electric Company

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Robert A. Manning
Robert A. Manning

THE STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION

RECEIVED

OCT 13 2004

In the Matter of an
Application for Permit by:

OGC CASE NO.:
FDEP Draft Permit No.: 0570039-017-AV
0570039-016-AC

DEPARTMENT OF AIR REGULATION

Tampa Electric Company
Big Bend Station
Hillsborough County, Florida

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Robert A. Manning
Robert A. Manning

Gibson, Victoria

From: Phillips, Cindy
Sent: Thursday, October 14, 2004 2:32 PM
To: Gibson, Victoria
Cc: Vielhauer, Trina
Subject: RE: extension request

Vickie, please grant Tampa Electric's requests through and including the November 12th. (The 15th is cutting it too close to issue a final Title V permit by December 30th.)

Al said that Trina suggested 30 days for Tarmac so let's give them through and including November 15th.

Thanks,

Cindy

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

From: Gibson, Victoria
Sent: Thursday, October 14, 2004 1:59 PM
To: Phillips, Cindy
Cc: Vielhauer, Trina
Subject: FW: extension request
Importance: High

Hi,

Would you like to grant these extensions of time? If so, for how long?

Tampa Electric has requested through and including the 15th of November. Maybe the 12th would be better?

TARMAC has requested through the 29th of November.

Let me know how to proceed on these for you.

Thanks.

Vickie

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

From: Phillips, Cindy
Sent: Thursday, October 14, 2004 1:08 PM
To: Carter, Kathy; Chisolm, Jack; Vielhauer, Trina
Cc: Gibson, Victoria; Light, Lisa; Linero, Alvaro; 'muthim@miamidade.gov'; 'harman@epchc.org'; Waters, Jason
Subject: RE: extension request

Thanks for the info Kathy. For Tampa Electric Company, it should be 0570039-017-AV.

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

From: Carter, Kathy
Sent: Thursday, October 14, 2004 11:30 AM
To: Phillips, Cindy; Chisolm, Jack; Vielhauer, Trina
Cc: Gibson, Victoria; Light, Lisa
Subject: extension request

Cindy:

FYI

Ogc received three requests for extension of time listed below:

Tampa Electric Company, DEP 0570039-016-AC & 0570039-017-AC, Big Bend Station, rec'd. 10/13/04
and
Tarmac America, Inc. , DEP 0250020-013-AV, for Tarmac Pennsuco Cement Plant, rec'd 10/13/04.

Kathy

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

Chronology of Activities

OGC Number: District: County:

Style of Case:

Program Area: Mode:

Lead Attorney: Status:

Forum Name: Forum Case Number:

Permit Appl: Final Order Number:

Date *	Code	Activity Description
10/13/2004	REX1	RECEIVED FIRST REQUEST FOR EXTENSION OF TIME
10/14/2004	AA	ASSIGNED TO LEAD ATTORNEY TRINA L. VIELHAUER
10/14/2004	ACO	ADMIN. CASE OPENED IN OGC
10/18/2004		ORDER GRANTING EXTENSION UNTIL 11/1/2004