

## Gibson, Victoria

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**From:** Gibson, Victoria  
**Sent:** Wednesday, November 03, 2004 2:31 PM  
**To:** Light, Lisa  
**Subject:** Send to the Archives - Please

**Importance:** High

Good afternoon.

Please send to the archives:

Progress Energy Florida -- Anclote  
1010017-006-AV OGC # 04-1375

The PROPOSED permit has been issued.

Thank you.

*Vickie*

Victoria Gibson, Administrative Secretary  
Bureau Chiefs Office  
DEP/Bureau of Air Regulation  
victoria.gibson@dep.state.fl.us  
350-921-9504

*not sent to archives as of 10/25/05*

**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
--------	---------------------------------

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

**Gibson, Victoria**

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**From:** Vielhauer, Trina  
**Sent:** Wednesday, October 27, 2004 3:40 PM  
**To:** Pennington, Jim; Holtom, Jonathan; Bull, Robert  
**Cc:** Gibson, Victoria  
**Subject:** Anclote

We received the withdrawal of extension of time on the Anclote permit. I've signed the proposed and it can go out/to EPA. Thanks

11/2/2004

THE STATE OF FLORIDA  
DEPARTMENT OF ENVIRONMENTAL PROTECTION

RECEIVED

OCT 27 2004

In the Matter of an  
Application for Permit by:

BUREAU OF AIR REGULATION

OGC CASE NO.: 04-1375  
DEP Draft Permit No.: 1010017-006-AV

Progress Energy Florida, Inc.  
Anclote Power Plant  
Pasco County, Florida

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**NOTICE OF WITHDRAWAL OF ENLARGEMENT OF TIME**

Progress Energy Florida, Inc. ("Progress"), 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. Progress currently has pending a Second Request for Enlargement of Time until November 15, 2004, in response to the "Intent to Issue Title V Air Operation Permit" (Draft Permit No. 1010017-006-AV) for the Anclote Power Plant, located at 1729 Baillies Bluff Road, Holiday, Pasco County, Florida, to negotiate certain changes in the Draft Title V permit with the Department. Following discussions with Department representatives, Progress and the Department have come to agreement on the issues involved in the above-referenced Draft Title V permit, as reflected in the attached preliminary Proposed Title V Permit dated October 26, 2004. Accordingly, conditioned upon the Department's issuance of the Proposed Title V permit in accordance with our agreement, Progress hereby withdraws its Request for Enlargement of Time.

RESPECTFULLY SUBMITTED this 27<sup>th</sup> day of October, 2004.

By: Robert A. Manning

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 27<sup>th</sup> day of October, 2004.

Robert A. Manning  
Robert A. Manning

**Rebecca Emerson - FW: ASTM Test method info**

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**From:** "Stenger, Scott L." <Scott.Stenger@pgnmail.com>  
**To:** <robertm@hgslaw.com>  
**Date:** 10/27/2004 10:06 AM  
**Subject:** FW: ASTM Test method info

---

Robert,

For Anclole and UF they are adding the appropriate test methods and making the corrections to Appendix I-1. They will not change the permitting note to the long version for UF. So, it looks like you can withdraw our request for extension of time on Anclole and UF.

Thanks,  
Scott

Scott L. Stenger  
Progress Energy  
Environmental Services Section  
External 727-826-4130  
Fax 727-826-4216  
Vnet 230-4130

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

**From:** Bull, Robert [mailto:Robert.Bull@dep.state.fl.us]  
**Sent:** Wednesday, October 27, 2004 8:35 AM  
**To:** Stenger, Scott L.  
**Subject:** RE: ASTM Test method info

Scott,

I talked to Jim and Trina. The test method will be added to both permits, and the correction to Appendix I-1 will be made as well. There will be no change to the permitting note. The requested changes are minor enough and will not be listed in the proposed determination. I'll be in all day if you need to discuss any other issues.

Thanks,  
Bobby

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

**From:** Stenger, Scott L. [mailto:Scott.Stenger@pgnmail.com]  
**Sent:** Wednesday, October 27, 2004 8:18 AM  
**To:** Bull, Robert  
**Subject:** ASTM Test method info

<http://www.dep.state.fl.us/Air/rules/fac/62-297.pdf>

62-297.440(1)(m)

(m) ASTM D 1552-95. Standard Test Method for Sulfur in Petroleum Products (High-Temperature Method).

Per our discussion.

Scott

Scott L. Stenger  
Progress Energy  
Environmental Services Section  
External 727-826-4130  
Fax 727-826-4216  
Vnet 230-4130



**Gibson, Victoria**

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**From:** Vielhauer, Trina  
**Sent:** Tuesday, October 26, 2004 3:21 PM  
**To:** Bull, Robert; Pennington, Jim  
**Cc:** Gibson, Victoria; Holtom, Jonathan  
**Subject:** RE: anclote

That's right- I remember that now. Thank you. Hopefully that will get at least a couple of these to proposed so we don't have all final permits hitting Mike's desk at once.

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

**From:** Bull, Robert  
**Sent:** Tuesday, October 26, 2004 2:55 PM  
**To:** Vielhauer, Trina; Pennington, Jim  
**Cc:** Gibson, Victoria; Holtom, Jonathan  
**Subject:** RE: anclote

Trina,

The reason the permitting note was left in the permit is because the permitting note was actually in the AC. We have no other issues with the permit. I'll forward the permit to him today. I'll do the same for UF Cogen.

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

**From:** Vielhauer, Trina  
**Sent:** Tuesday, October 26, 2004 2:48 PM  
**To:** Pennington, Jim; Bull, Robert  
**Cc:** Gibson, Victoria; Holtom, Jonathan  
**Subject:** anclote

Jim and Bobby,

Since we are putting the note back in Anclote because there wasn't an AC- are there any other outstanding issues with the company? If not- could you email the proposed permit to Robert Manning [rmanning@hgslaw.com] with a note that we believe this permit is ready to go proposed and requesting that they withdraw their request for an extension of time.

Thanks,

Trina

Ps- on Suwannee and UF- we've denied their requests for extension of time. Could you also forward an electronic copy of those proposed permits to Robert Manning with a note saying we believe there are no outstanding issues with Progress on these permits as the permitting note wasn't an issue. Please let us know that you do not intend to file a petition and we will forward to EPA as proposed.

## Gibson, Victoria

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**From:** Vielhauer, Trina  
**Sent:** Thursday, October 21, 2004 2:10 PM  
**To:** Gibson, Victoria  
**Cc:** Bull, Robert  
**Subject:** RE: Progress Energy - Anclote

No. We need to deny their request for an extension and give them an opportunity to file a petition for a hearing. I would say they should file their petition by November 1.

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

**From:** Gibson, Victoria  
**Sent:** Thursday, October 21, 2004 10:00 AM  
**To:** Vielhauer, Trina  
**Cc:** Bull, Robert  
**Subject:** Progress Energy - Anclote  
**Importance:** High

Hi,

Bobby called to ask if it was fine with you for him to change the dates on the letter, etc for this permit and hopefully issue it out today? 1010017-006-AV This was one of the ones that they just requested another extension of time on last week.

*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:** Bull, Robert  
**Sent:** Monday, October 18, 2004 9:45 AM  
**To:** Gibson, Victoria; Pennington, Jim  
**Cc:** Vielhauer, Trina  
**Subject:** RE: Progress Energy Florida -- Anclote

I don't know why we would need another extension of time for this facility? I've talked to their contact people, and it doesn't seem like we should have any additional issues.

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

**From:** Gibson, Victoria  
**Sent:** Monday, October 18, 2004 9:42 AM  
**To:** Bull, Robert; Pennington, Jim  
**Cc:** Vielhauer, Trina  
**Subject:** Progress Energy Florida -- Anclote  
**Importance:** High

Hi,

I have received a request (2nd) for an extension of time on:

Progress Energy Florida  
Anclote Power Plant  
1010017-006-AV

Would you like to grant this extension until November 1st?

Thanks.

*Vickie*

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

THE STATE OF FLORIDA  
DEPARTMENT OF ENVIRONMENTAL PROTECTION

In the Matter of an  
Application for Permit by:

OGC CASE NO.: 04-1375  
DEP Draft Permit No.: 1010017-006-AV

Progress Energy Florida, Inc.  
Anclote Power Plant  
Pasco County, Florida

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**SECOND REQUEST FOR ENLARGEMENT OF TIME**

By and through undersigned counsel, Progress Energy Florida, Inc. (Progress) hereby requests, pursuant to Florida Administrative Code Rule 62-110.106(4), an enlargement of time, to and including October 18, 2004, in which to file a Petition for Administrative Proceedings in the above-styled matter. As good cause for granting this request, Progress states the following:

1. By letter dated July 13, 2004, the Department of Environmental Protection (DEP) issued an "Intent to Issue Title V Air Operation Permit" (DRAFT Permit No. 1010017-006-AV) for the facility located at 1729 Baillies Bluff Road in Holiday, Florida. Along with the Intent to Issue, DEP issued a draft Title V permit and "Public Notice of Intent to Issue Title V Air Operation Permit." Progress received these documents on or about July 20, 2004.
2. Based on Progress's review, the draft permit and associated documents contain provisions that warrant clarification or correction.
3. Progress and DEP are in the process of discussing possible resolutions to the issues needing clarification or correction.
4. The Department granted Progress' Request for Enlargement of Time, allowing until October 18, 2004, to file a petition in this matter.

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

6. This request is filed simply as a protective measure to avoid waiver of Progress's right to challenge certain conditions contained in the Draft Title V Permit, in the event that an agreement cannot be reached. 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 respectfully requests that the time for filing of a Petition for Administrative Proceedings in regard to DEP's Intent to Issue Draft Permit No. 1010017-006-AV be formally extended to and including November 15, 2004.

RESPECTFULLY SUBMITTED this 15<sup>th</sup> day of October, 2004.

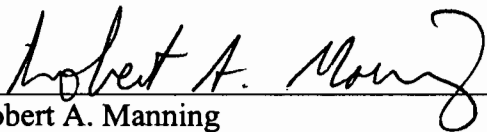
By: 

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 15<sup>th</sup> day of October, 2004.

  
Robert A. Manning

**RECEIVED**

OCT 15 2004

UNIVERSITY OF ARIZONA  
RESOURCE MANAGEMENT

## Gibson, Victoria

---

**From:** Bull, Robert  
**Sent:** Friday, October 08, 2004 8:40 AM  
**To:** Gibson, Victoria  
**Subject:** RE: Progress Energy

Good Morning,

The Public Notice was published on Sept. 15 and the public comment period ends on Thursday, Oct. 14.

On permit 1010017-006-AV, Anclote Renewal. We have an issue with the permitting note. That language is in the Construction permit. Need to speak to Trina on how we want to handle this issue.

Thanks

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

**From:** Gibson, Victoria  
**Sent:** Friday, October 08, 2004 8:36 AM  
**To:** Bull, Robert  
**Subject:** Progress Energy

Happy Friday!

Just a FYI regarding Progress Energy extension of time that will expire next Friday the 15th:

Progress Energy -- Univ of Fla 0010001-007-AV

What is the status of this permit?

Thanks.

*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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STATE OF FLORIDA  
DEPARTMENT OF ENVIRONMENTAL PROTECTION

PROGRESS ENERGY FLORIDA, INC.  
ANCLOTE POWER PLANT

Petitioner,

v.

OGC #04-1375  
DEP Permit 1010017-006-AV

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 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 Pasco 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 **October 18, 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 23rd day of August, 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

**BEST AVAILABLE COPY**

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished via  
\_\_\_ U. S. Mail  facsimile  orally, this 25<sup>th</sup> day of August, 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

## Gibson, Victoria

---

**From:** Gibson, Victoria  
**Sent:** Tuesday, August 24, 2004 12:47 PM  
**To:** Light, Lisa  
**Subject:** Draft Orders to Grant

**Importance:** High

Hi,

Have the orders to grant been signed yet for:

Indiantown Cogeneration 0850102-007-AV

Progress Energy - Anclote 1010017-006-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

## Gibson, Victoria

---

**From:** Gibson, Victoria  
**Sent:** Monday, August 16, 2004 1:35 PM  
**To:** Light, Lisa  
**Cc:** Beason, Doug  
**Subject:** DRAFT Order to Grant for Progress Energy - Anclote Power Plant -- OGC # 04-1375

**Importance:** High

Hi,

Attached is the draft order to grant:



OrdGrantProgress  
Energy.doc (3...

*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:** Friday, July 30, 2004 4:21 PM  
**To:** Gibson, Victoria  
**Subject:** FW: extension request

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

**From:** Carter, Kathy  
**Sent:** Friday, July 30, 2004 3:22 PM  
**To:** Bull, Robert  
**Cc:** Vielhauer, Trina  
**Subject:** extension request

Robert/Trina:

FYI.

OGC received a request for extension of time from Progress Energy Florida, Inc. #1010017-006-AV.

Kathy

Office of General Counsel  
Agency Clerk  
245-2212  
[Kathy.Carter@dep.state.fl.us](mailto:Kathy.Carter@dep.state.fl.us)

STATE OF FLORIDA  
DEPARTMENT OF ENVIRONMENTAL PROTECTION

PROGRESS ENERGY FLORIDA, INC.  
ANCLOTE POWER PLANT

Petitioner,

v.

DEPARTMENT OF ENVIRONMENTAL  
PROTECTION,

Respondent.

OGC #04-1375  
DEP Permit 1010017-006-AV

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

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IT IS ORDERED:

The request for an extension of time to file a petition for administrative proceeding is granted. Petitioner shall have until, **October 18, 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 \_\_\_\_\_ day of August, 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 \_\_\_\_ day of August, 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

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**Florida**  
Department of Environmental Protection

"More Protection, Less Process"

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**Air Resource Management**

*Air Permit Documents Search*

Zip files contain working copies of permits and supporting documents posted for review.

The Summary page will open in a new browser window.

Owner/Company Name		Site Name		City	County		
PROGRESS ENERGY FLORIDA, INC.		ANCLOTE POWER PLANT		HOLIDAY	PASCO		
Permit Number	Permit Activity	Issue Date	Expiration Date	Posting Date	Permit Status	CAM	Project Documer
1010017-005-AV	PERMIT REVISION	7/9/2001	12/31/2004	7/11/2001	FINAL	N	<a href="#">Zip File</a>

**Search Results: 1 Facilities returned with 1 Permits as of 9/23/2004 12:23:20 PM**

Zip files contain working copies of permits and supporting documents posted for review.

Last Updated: 08/23/04





DEPARTMENT OF ENVIRONMENTAL PROTECTION

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## Permit Summary Application Search

[Help](#)

Enter AIRS ID:

**Owner:** PROGRESS ENERGY FLORIDA, INC.  
**Site Name:** ANCLOTE POWER PLANT  
**Street:** 1729 Baileys Bluff Road **County:** PASCO  
**City:** HOLIDAY **Zip Code:** 34691  
**SIC Code(s):** 4911 (Y)

### Update Existing Permit Summary Records:

<u>Permit Number</u>	<u>Permit Activity</u>	<u>Date Received</u>	<u>Agency Action</u>
1010017-005-AV	Permit Revision	2/11/2000	Issued - 7/9/2001
<b>Project Name:</b> ANCLOTE UNITS 1 & 2			
<b>Primary Processor:</b> CASCIO_T			
	Update-->	<a href="#">Final</a>	
	Update-->	<a href="#">Proposed</a>	
	Update-->	<a href="#">Draft</a>	

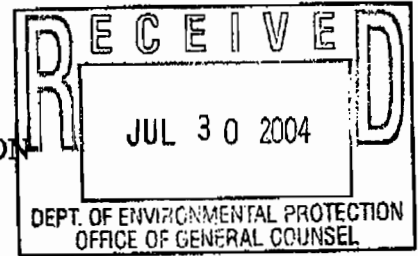
### Select Project in PA to Create a New Permit Summary:

<u>Permit Number</u>	<u>Permit Activity</u>	<u>Date Received</u>	<u>Agency Action</u>
1010017-006-AV	PERMIT RENEWAL	5/16/2004	Issue <span style="float: right;">Create Summary</span>

You are logged on as GIBSON\_V with Security Level 0

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THE STATE OF FLORIDA  
DEPARTMENT OF ENVIRONMENTAL PROTECTION



In the Matter of an  
Application for Permit by:

DEP Draft Permit No.: 1010017-006-AV

Progress Energy Florida, Inc.  
Anclote Power Plant  
Pasco County, Florida

**REQUEST FOR ENLARGEMENT OF TIME**

By and through undersigned counsel, Progress Energy Florida, Inc. (Progress) hereby requests, pursuant to Florida Administrative Code Rule 62-110.106(4), an enlargement of time, to and including October 18, 2004, in which to file a Petition for Administrative Proceedings in the above-styled matter. As good cause for granting this request, Progress states the following:

1. By letter dated July 13, 2004, the Department of Environmental Protection (DEP) issued an "Intent to Issue Title V Air Operation Permit" (DRAFT Permit No. 1010017-006-AV) for the facility located at 1729 Balfour Bluff Road in Holiday, Florida. Along with the Intent to Issue, DEP issued a draft Title V permit and "Public Notice of Intent to Issue Title V Air Operation Permit." Progress received these documents on or about July 20, 2004.

2. Based on Progress's review, the draft permit and associated documents contain provisions that warrant clarification or correction.

3. Progress and DEP are in the process of discussing possible resolutions to the issues needing clarification or correction.

4. This request is filed simply as a protective measure to avoid waiver of Progress's right to challenge certain conditions contained in the Draft Title V Permit, in the event that an

**BEST AVAILABLE COPY**

agreement cannot be reached. 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 respectfully requests that the time for filing of a Petition for Administrative Proceedings in regard to DEP's Intent to Issue Draft Permit No. 1010017-006-AV be formally extended to and including October 18, 2004.

RESPECTFULLY SUBMITTED this 30th day of July, 2004.

By: Robert A. Manning  
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 30<sup>th</sup> day of July, 2004.

Robert A. Manning  
Robert A. Manning

RECEIVED

JUL 30 2004

THE STATE OF FLORIDA  
DEPARTMENT OF ENVIRONMENTAL PROTECTION

BUREAU OF AIR REGULATION

In the Matter of an  
Application for Permit by:

DEP Draft Permit No.: 1010017-006-AV

Progress Energy Florida, Inc.  
Anclote Power Plant  
Pasco County, Florida

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**REQUEST FOR ENLARGEMENT OF TIME**

By and through undersigned counsel, Progress Energy Florida, Inc. (Progress) hereby requests, pursuant to Florida Administrative Code Rule 62-110.106(4), an enlargement of time, to and including October 18, 2004, in which to file a Petition for Administrative Proceedings in the above-styled matter. As good cause for granting this request, Progress states the following:

1. By letter dated July 13, 2004, the Department of Environmental Protection (DEP) issued an "Intent to Issue Title V Air Operation Permit" (DRAFT Permit No. 1010017-006-AV) for the facility located at 1729 Baillies Bluff Road in Holiday, Florida. Along with the Intent to Issue, DEP issued a draft Title V permit and "Public Notice of Intent to Issue Title V Air Operation Permit." Progress received these documents on or about July 20, 2004.

2. Based on Progress's review, the draft permit and associated documents contain provisions that warrant clarification or correction.

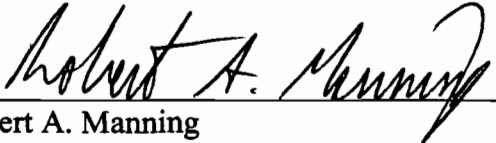
3. Progress and DEP are in the process of discussing possible resolutions to the issues needing clarification or correction.

4. This request is filed simply as a protective measure to avoid waiver of Progress's right to challenge certain conditions contained in the Draft Title V Permit, in the event that an

agreement cannot be reached. 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 respectfully requests that the time for filing of a Petition for Administrative Proceedings in regard to DEP's Intent to Issue Draft Permit No. 1010017-006-AV be formally extended to and including October 18, 2004.

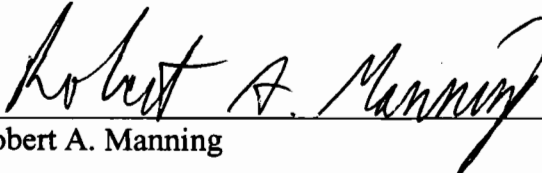
RESPECTFULLY SUBMITTED this 30th day of July, 2004.

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 30<sup>th</sup> day of July, 2004.

  
Robert A. Manning

**Chronology of Activities**

OGC Number **D4 1375 51 AV** District **SOUTHWEST** County **PASCO**  
 Style of Case **PROGRESS ENERGY FLORIDA, INC. ANCLOTE POWER PLANT V DEP**  
 Program Area **AIR TITLE V** Mode **ADMINISTRATIVE**  
 Lead Attorney **DOUG D BEASON** Status **CLOSED**  
 Forum Name \_\_\_\_\_ Forum Case Number \_\_\_\_\_  
 Permit Appl **1010017-006-AV** Final Order Number \_\_\_\_\_

Date *	Code	Activity Description
07/30/2004	AA	ASSIGNED TO LEAD ATTORNEY JACK J CHISOLM
07/30/2004	ACO	ADMIN. CASE OPENED IN OGC
07/30/2004	REX1	RECEIVED FIRST REQUEST FOR EXTENSION OF TIME
08/02/2004	AR	RE-ASSIGNED TO LEAD ATTORNEY DOUG D BEASON
08/23/2004		ORDER GRANTING EXTENSION UNTIL 10/18/2004
10/27/2004		RECEIVED NOTICE OF WITHDRAWAL OF ENLARGEMENT OF TIME
11/03/2004	CC	CASE CLOSED IN OGC