

THE STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION

*1. BBA
2. GD
Files*
2/19/97 John Brown
RECEIVED
FEB 03 1997

In the Matter of an
Application for Permit by:

OGC CASE NO. 96-3110

Lakeland Electric & Water Utilities
501 East Lemon Street
Lakeland, Florida 33801-5079

DRAFT Permit No.: 1050003-004-AV
Charles Larsen Memorial Power Plant
Polk County

BUREAU OF
AIR REGULATION

REQUEST FOR EXTENSION OF TIME

By and through undersigned counsel, Lakeland Electric & Water Utilities (Lakeland) hereby requests, pursuant to Florida Administrative Code Rule 62-103.050(1), an extension of time, to and including April 5, 1997, in which to file a Petition for Administrative Proceedings or a Request for Mediation in the above-styled matter. As good cause for granting this request, Lakeland states the following:

1. On or about October 23, 1996, Lakeland received from the Department of Environmental Protection (Department) an "Intent to Issue Title V Air Operation Permit" (Permit No. 1050003-004-AV) for the Charles Larsen Memorial Power Plant in Polk County, Florida. Along with the Intent to Issue, Lakeland received a draft Title V permit and "Public Notice of Intent to Issue Title V Air Operation Permit."

2. By Order dated December 30, 1996, the Department granted Lakeland an extension until February 5, 1997, to file a Petition for Administrative Proceedings or a Request for Mediation.

3. The draft permit and associated documents contained several provisions that warrant clarification or correction.

4. Representatives of Lakeland have met with and corresponded with staff of the Department's Bureau of Air Regulation in an effort to resolve the issues identified by Lakeland. While a majority of the issues have indeed been resolved, Lakeland is continuing to work with the Department's air staff, and is optimistic that the remaining issues and concerns will be adequately addressed and resolved without the need for a formal hearing or mediation.

5. This request is filed simply as a protective measure to avoid waiver of Lakeland'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 likely avoid the need to file a petition and proceed to a formal administrative hearing or formal mediation.

6. Counsel for Lakeland has attempted without success to contact W. Douglas Beason with the Office of General Counsel to ascertain whether the Department has any objections to this request.

WHEREFORE, Lakeland respectfully requests that the time for filing of a Petition for Administrative Proceedings or a Request for Mediation in regard to the Department's Intent to Issue Title V Air Operation Permit for Permit No. 1050003-004-AV be formally extended to and including April 5, 1997.

Respectfully submitted this 3rd day of February, 1997.

HOPPING GREEN SAMS & SMITH, P.A.

A handwritten signature in cursive script, reading "Angela R. Morrison". The signature is written in dark ink and is positioned above a horizontal line.

Angela R. Morrison, Fla. Bar No. 0855766
123 South Calhoun Street
Post Office Box 6526
Tallahassee, FL 32314
(904) 222-7500

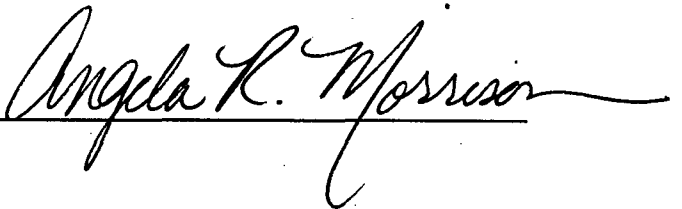
Attorney for LAKELAND ELECTRIC & WATER
UTILITIES

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the foregoing has been furnished to the following
by U.S. Mail on this 3rd day of February, 1997:

Clair H. Fancy, P.E.
Chief
Bureau of Air Regulation
Department of Environmental Protection
2600 Blair Stone Road
Tallahassee, FL 32399-2600

W. Douglas Beason
Office of General Counsel
Department of Environmental Protection
2600 Blair Stone Road
Tallahassee, FL 32399-2600



88941



**LAKELAND
ELECTRIC & WATER**

Excellence Is Our Goal, Service Is Our Job

October 16, 1996

Mr. C.H. Fancy, P.E.
Chief Bureau of Air Regulation
Department of Environmental Protection
Twin Towers Office Building
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

RECEIVED
OCT 22 1996
BUREAU OF
AIR REGULATION

Dear Mr. Fancy:

Re: Lakeland Electric & Water Utilities - Charles Larsen Memorial Power Plant

We are writing to request withdrawal of our operating permits No. AO53-175869 and AO53-175868, units NO. 4 and 5 respectively, at the above referenced facility. Please be advised that Unit No. 4 has been retired as of January 1, 1994 and Unit No. 5 was repowered as a combined cycle unit known as Unit No. 8 as of October 1, 1992.

If you should have any questions, please do not hesitate to contact Farzie Shelton at (941) 499-6603.

Sincerely

Ronald W. Tomlin, P.E.
Assistant Managing Director

CC: Mr Ed Svec - DEP

Farzie Shelton
City of Lakeland
501 E. Lemon St.
Lakeland, FL 33801-5050



Mr. C.H. Fancy, P.E.
Chief Bureau of Air Regulation
Department of Environmental Protection
Twin Towers Office Building
2600 Blair Stone Road
Tallahassee, FL 32399-2400



Is your RETURN ADDRESS completed on the reverse side?

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, and 4a & b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

- ☐ Addressee's Address
- ☐ Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:
Mr. Ronald W. Tomlin
Assistant Managing Director
Lakeland Electric & Water Utilities
501 East Lemon Street
Lakeland, Florida 33801-5079

4a. Article Number

Z 392-940-864

4b. Service Type

- | | |
|---|---|
| <input type="checkbox"/> Registered | <input type="checkbox"/> Insured |
| <input checked="" type="checkbox"/> Certified | <input type="checkbox"/> COD |
| <input type="checkbox"/> Express Mail | <input type="checkbox"/> Return Receipt for Merchandise |

7. Date of Delivery

10/18/96

8. Addressee's Address (Only if requested and fee is paid)

5. Signature (Addressee)

6. Signature (Agent)

Thank you for using Return Receipt Service.

PS Form 3811, December 1991

☆U.S. GPO: 1993-352-714

DOMESTIC RETURN RECEIPT

Z 392 940 864

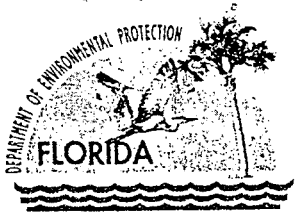


Receipt for Certified Mail

No Insurance Coverage Provided
Do not use for International Mail
(See Reverse)

PS Form 3800, March 1993

Sent to Ronald W. Tomlin <i>Asst. Managing Director</i>	
Street and No. 501 E. Lemon St. <i>Lakeland Electric & Water Utilities</i>	
P.O., State, and ZIP Code Lakeland, FL 33801-5079	
Postage	\$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, and Addressee's Address	
TOTAL Postage & Fees	\$
Postmark or Date	



Certified Mail

Department of Environmental Protection

Lawton Chiles
Governor

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

Virginia B. Wetherell
Secretary

October 16, 1996

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Mr. Ronald W. Tomlin
Assistant Managing Director
Lakeland Electric & Water Utilities
501 East Lemon Street
Lakeland, Florida 33801-5079

Re: Request for Additional Information Regarding Initial Title V Permit Application
File No. 1050003-004-AV
Charles Larsen Memorial Power Plant, Polk County

Dear Mr. Tomlin:

Your initial Title V permit application for the Charles Larsen Memorial Power Plant was "timely and complete" for purposes of the initial Title V application submission (see Rule 62-213.420(1)(a)1. and (b)2., F.A.C.).

However, in order to continue processing your application, the Department will need the below additional information pursuant to Rule 62-213.420(1)(b)3., F.A.C., and Rule 62-4.070(1), F.A.C. The additional information requested is organized by topic.

Should your response to any of the below items require new calculations, please submit the new calculations, assumptions, reference material and appropriate revised pages of the application form.

Oil-Fired Steam Generators #4 and #5

1. The Department's records indicate that you have valid air operation permits (AO53-175869 and AO53-175868) for Oil-Fired Steam Generators #4 and #5, respectively, that have been extended by rule. However, the initial Title V application does not address these two emissions units. It is our understanding that Generator #4 has been dismantled and Generator #5 is the heat recovery steam generator utilized by the Combined Cycle Combustion Turbine Unit #8. Please provide the appropriate application data if you

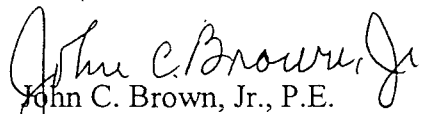
Mr. Ronald W. Tomlin
October 16, 1996
Page 2 of 2

choose to include these boilers in the Title V permit. If you choose not to obtain a Title V permit for these units, you should submit a letter to the Southwest District Office that states that you are surrendering the operating permits and provide a copy of the letter to the Title V Section in Tallahassee.

The Department must receive a response from you within 90 (ninety) days of receipt of this letter, unless you (the applicant) request additional time under Rule 62-213.420(1)(b)6., F.A.C.

If you should have any questions, please call Edward Svec or me at 904/488-1344.

Sincerely,


John C. Brown, Jr., P.E.
Administrator
Title V Section

JCB/es

copy to:
Kennard Kosky, P.E., KBN Engineering and Applied Sciences, Inc.
Bill Thomas, P.E., FDEP, SWD

I N T E R O F F I C E M E M O R A N D U M

Sensitivity: COMPANY CONFIDENTIAL

Date: 18-Oct-1996 10:01am EST
From: Scott Sheplak TAL
SHEPLAK_S
Dept: Air Resources Manager
Tel No: 904/488-1344
SUNCOM:

TO: Bill Proses TPA

(PROSES_B @ A1 @ TPA1)

CC: Bruce Mitchell TAL

(MITCHELL_B)

CC: Ed Svec TAL

(SVEC_E)

Subject: FWD: Larsen - 1050003-004-AV

Since we are not the "compliance authority," we would like for you to verify the "Compliance Statement" for those Title V applications that we start to process. We will notify the DAPA when we start to process one. The idea is to let the permitting side of the house know also.

Here's what I think should happen:

If at the time of submission of a Title application any emissions unit are not in compliance the applicant should provide a compliance plan. The compliance plan is almost like consent order but, now the applicant does them and we will include them in the TV permit. We may have emissions units under consent order now or pending.

After we receive verification of compliance for those known to be in compliance we will issue the DRAFT permit. You will receive the DRAFT permit for 3 big reasons: (1) for public access; we inform the public of a convenient location where they can look at the permit, (2) for District/Local permit review/comment, and (3) for compliance.

What we want to try to avoid is issuing a TV permit to someone who is known to be out of compliance without either a compliance plan or consent order.

By the way, the Larsen DRAFT permit will be coming your way shortly. Thank you for the prompt reply.

Copy to Jonathan Holton 1/23/17

I N T E R O F F I C E M E M O R A N D U M

Sensitivity: COMPANY CONFIDENTIAL

Date: 22-Aug-1996 02:54pm EST
From: Bill Proses TPA
PROSES_B@A1@TPA1
Dept: Southwest District Office
Tel No: 813/744-6100
SUNCOM:

TO: Bruce Mitchell TAL

(MITCHELL_B@A1@DER)

CC: Ed Svec TAL

(SVEC_E@A1@DER)

CC: Scott Sheplak TAL

(SHEPLAK_S@A1@DER)

Subject: Larsen - 1050003-004-AV

In response to your memo dated 8/12/96:

Larsen Memorial Power plant was in, and remains in compliance.

Contact Hank Gotsch SC 5426100 ext. 113 if any additional information is desired about that facility.

Should compliance provide a memo in response to all completeness review memos or only respond if facility were not in compliance?