

**STATE OF FLORIDA  
DEPARTMENT OF ENVIRONMENTAL PROTECTION**

SEMINOLE ELECTRIC COOPERATIVE, INC.,

Petitioner,

vs.

OGC CASE NO. 97-1620

STATE OF FLORIDA DEPARTMENT  
OF ENVIRONMENTAL PROTECTION,

Respondent.

**RECEIVED**

OCT 13 1998

BUREAU OF  
AIR REGULATION

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

This cause has come before the Florida Department of Environmental Protection (Department) on receipt of a request made by Petitioner, SEMINOLE ELECTRIC COOPERATIVE, INC., to grant an extension of time to file a petition for an administrative hearing on application No. 1070025-001-AV. See Exhibit 1.

Respondent, State of Florida Department of Environmental Protection, has no objection to it. Therefore,

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, 1998, 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 12 day of October, 1998, in  
Tallahassee, Florida.

STATE OF FLORIDA DEPARTMENT  
OF ENVIRONMENTAL PROTECTION

  
F. PERRY ODOM  
General Counsel

Douglas Building  
3900 Commonwealth Boulevard  
Mail Station #35  
Tallahassee, FL. 32399-3000  
Telephone: (850) 488-9314

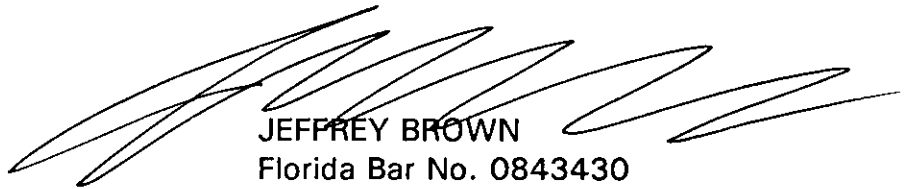
**CERTIFICATE OF SERVICE**

I CERTIFY that a copy of the foregoing has been mailed to:

Robert A. Manning, Esquire  
HOPPING, GREEN, SAMS & SMITH, P.A.  
Post Office Box 6526  
Tallahassee, FL 32314-6526

on this 13 day of October, 1998.

STATE OF FLORIDA DEPARTMENT  
OF ENVIRONMENTAL PROTECTION

  
JEFFREY BROWN  
Florida Bar No. 0843430  
Assistant General Counsel

3900 Commonwealth Boulevard  
Mail Station #35  
Tallahassee, FL. 32399-3000  
Telephone: (850) 488-9314

97-162

THE STATE OF FLORIDA  
DEPARTMENT OF ENVIRONMENTAL PROTECTION

In the Matter of an  
Application for Permit by:

OGC CASE NO.:

FDEP Revised Draft Permit No.: 1070025-001-AV

Seminole Electric Cooperative, Inc.  
Seminole Power Plant  
Putnam County, Florida

---

**RECEIVED**  
SEP 30 1998

~~Dept. of Environmental Protection~~  
Office of General Counsel

REQUEST FOR EXTENSION OF TIME

By and through undersigned counsel, Seminole Electric Cooperative, Inc. (Seminole) hereby requests, pursuant to Florida Administrative Code Rule 62-110.106(4), an enlargement of time, to and including November 1, 1998, in which to file a Petition for Administrative Proceedings in the above-styled matter. As good cause for granting this request, Seminole states the following:

1. On or about September 12, 1997, Seminole received from the Department of Environmental Protection (Department) an "Intent to Issue Title V Air Operation Permit" (Draft Permit No. 1070025-001-AV) for the Seminole Power Plant located in Putnam County, Florida. Seminole subsequently filed several extensions of time, until September 30, 1998, to preserve its right to file a Petition for Administrative Proceeding on this permit.

2. On or about August 20, 1998, Seminole received from the Department an "Intent to Issue Title V Air Operation Permit" (**REVISED** Draft Permit No. 1070025-001-AV) for the Seminole Power Plant. The Department issued this Revised Draft based on progressing

negotiations and the need to include additional applicable requirements pursuant to the Acid Rain program.

3. Mr. Scott Sheplak of the Department's Bureau of Air Regulation informed Seminole that the initial Draft Title V permit was effectively withdrawn upon the issuance of the Revised Draft Title V permit, and therefore no further proceedings could occur on the initial Draft permit. In reliance on this representation, Seminole filed its first Request for Extension of Time on the Revised Draft permit, and understood that no further extensions of time would be needed to preserve its rights in relation to the initial Title V permit because it has been effectively withdrawn. Nonetheless, insofar as the initial Draft Title V permit may be determined to still be in effect, Seminole respectfully requests that this second Request for Extension of Time apply to both the initial and the Revised Draft Title V permits.

4. Based on Seminole's review, the Revised Draft permit and associated documents contain several provisions that warrant clarification or correction.

5. This request is filed simply as a protective measure to avoid waiver of Seminole's right to challenge certain conditions contained in the Revised 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, Seminole 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 for Revised Draft Permit No. 1070025-001-AV be formally extended to and including November 1, 1998. If the Department denies this Request, Seminole requests the opportunity to file a Petition for Administrative Proceeding within 10 days of such denial.

Respectfully submitted this 30 day of September, 1998.

HOPPING GREEN SAMS & SMITH, P.A.

By: Robert A. Manning

Robert A. Manning

Fla. Bar No. 0035173

123 South Calhoun Street

Post Office Box 6526

Tallahassee, FL 32314

(850) 222-7500

Attorneys for SEMINOLE ELECTRIC  
COOPERATIVE, INC.

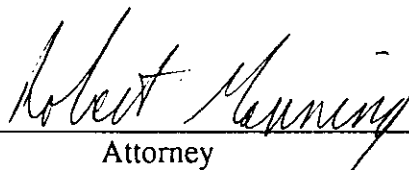
**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a copy of the foregoing has been furnished to the following  
by U.S. Mail on this 30 day of September, 1998:

Clair H. Fancy, P.E., Chief  
Bureau of Air Regulation  
Department of Environmental Protection  
2600 Blair Stone Road  
Tallahassee, FL 32399-2400

Ed Svec  
Bureau of Air Regulation  
Department of Environmental Protection  
2600 Blair Stone Road  
Tallahassee, FL 32399-2400

Jeff Brown, Esq.  
Department of Environmental Protection  
Room 669  
2600 Blair Stone Road  
Tallahassee, FL 32399-2400

  
\_\_\_\_\_  
Attorney