



# Florida Department of Environmental Protection

Bob Martinez Center  
2600 Blair Stone Road, MS#5505  
Tallahassee, Florida 32399-2400

Charlie Crist  
Governor

Jeff Kottkamp  
Lt. Governor

Michael W. Sole  
Secretary

March 9, 2007

*Electronically Sent – Received Receipt Requested*

Ms. Jeanne Zokovitch Paben  
Senior Staff Attorney / Director ACES Program  
WildLaw  
1415 Devils Dip  
Tallahassee, FL 32308  
[Jeanne@wildlaw.org](mailto:Jeanne@wildlaw.org)

RE: Public Records and Notification Request

Dear Ms. Zokovitch Paben:

We are in receipt of your letter dated March 1, 2007 requesting public records and also regarding notifications of all future actions taken regarding the Taylor Energy Center. We appreciate WildLaw's interest in power plant permitting activities in Florida. However, our statutes do not require nor our tracking systems allow us to track notification requests for as yet unsubmitted PSD applications or Site Certification projects. Upon issuance of any Department action, the applicant will publish notice in a newspaper of general circulation. Please contact our Office of General Counsel if you have questions regarding the petition or official comment period requirements.

The Department will be posting documents related to power plant Site Certification at the following websites:

Main Website for Siting Coordination Office:

<http://www.dep.state.fl.us/siting/default.htm>

Web Site for Power Plant Siting Overview:

[http://www.dep.state.fl.us/siting/Programs/Power\\_Plant\\_Siting\\_Overview.htm](http://www.dep.state.fl.us/siting/Programs/Power_Plant_Siting_Overview.htm)

Web Site for Power Plant Applications in Process:

[http://www.dep.state.fl.us/siting/Highlights/applications\\_in\\_process.htm](http://www.dep.state.fl.us/siting/Highlights/applications_in_process.htm)

In addition, the Department's Division of Air Resource Management will be posting documents related to power plant PSD projects at the following websites:

Main Website for Division of Air Resource Management:

<http://www.dep.state.fl.us/Air/default.htm>

Web Site for New Source Review PSD Construction Permits:

<http://www.dep.state.fl.us/Air/permitting/construction.htm>

Ms. Jeanne Zokovitch Paben  
March 9, 2007  
Page 2

We are working on your public records request for documents related to the proposed Taylor Energy Center. We will forward any documents we have to-date under separate cover.

You may also email or telephone Mr. Koerner, Mr. Halpin or myself to inquire about the status of this power plant application. Upon identification of the application being submitted by Taylor County Energy Center, please email us your request to be notified of further actions on that pending project.

If you have any questions, please contact Mr. Koerner or me at 850/488-0114 and Mr. Halpin at 850/245-8002. In addition, you may contact Ms. Robinette or Mr. Goorland in our Office of General Counsel at 850/245-2242.

Sincerely,



Trina L. Vielhauer, Chief  
Bureau of Air Regulation

TLV/jk

cc: Mr. Michael Halpin, DEP Siting Coordination Office\* [mike.halpin@dep.state.fl.us](mailto:mike.halpin@dep.state.fl.us)  
Mr. Scott Goorland, DEP Office of General Counsel\* [scott.goorland@dep.state.fl.us](mailto:scott.goorland@dep.state.fl.us)  
Ms. Rebecca Robinette, DEP Office of General Counsel\* [rebecca.robinette@dep.state.fl.us](mailto:rebecca.robinette@dep.state.fl.us)  
Ms. Patty Adams, DEP Bureau of Air Regulation\* [patty.adams@dep.state.fl.us](mailto:patty.adams@dep.state.fl.us)  
Mr. Al Linero, DEP Bureau of Air Regulation\* [alvaro.linero@dep.state.fl.us](mailto:alvaro.linero@dep.state.fl.us)

(\*) All of the above cc's were sent an electronic copy with received receipt requested.

\*\*\*This letter of response was also sent by certified mail on  
3/13/07 under certified mail number 7006 2760 0005 4026 0225\*\*\*

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

**1. Article Addressed to:**

Jeanne Zokovitch Paben, Esq.  
WildLaw  
1415 Devils Dip  
Tallahassee, FL 32308

**COMPLETE THIS SECTION ON DELIVERY**
**A. Signature**
**X**
☒ Agent

☐ Addressee

**B. Received by (Printed Name)**
**C. Date of Delivery**

D. Is delivery address different from item 1? ☐ Yes  
If YES, enter delivery address below ☐ No

MAR 15 2007

**3. Service Type**
☒ Certified Mail

☐ Express Mail

☐ Registered

☐ Return Receipt for Merchandise

☐ Insured Mail

☐ USPS

**4. Restricted Delivery? (Extra Fee)**
☐ Yes

2. 7006 2760 0005 4026 0225

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

U.S. Postal Service™  
**CERTIFIED MAIL™ RECEIPT**  
(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at [www.usps.com](http://www.usps.com)

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Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$

Postmark  
Here

Sent To  
Jeanne Zokovitch Paben  
Street, Apt. No.:  
or P.O. Box No. Devils Dip  
City, State, ZIP+4  
Tallahassee, FL 32308

PS Form 3800, August 2006

See Reverse for Instructions

**From:** Gibson, Victoria  
**Sent:** Friday, March 09, 2007 2:09 PM  
**To:** 'jeanne@wildlaw.org'; Halpin, Mike; Goorland, Scott; Robinette, Rebecca; Adams, Patty; Linero, Alvaro  
**Cc:** Vielhauer, Trina; Koerner, Jeff  
**Subject:** Updated: Response to WildLaw on Taylor Energy Center

**Attachments:** Document.pdf

Good afternoon.

Attached is the updated response on the Departments letterhead with an additional e-mail address included:



Document.pdf (971 KB)

Dear Sir/Madam:

Please send a "reply" message verifying receipt of the attached documents. This may be done by selecting "Reply" on the menu bar of your e-mail software and then selecting "Send". We must receive verification of receipt and your reply will preclude subsequent e-mail transmissions to verify receipt of the documents.

The document is in Adobe Portable Document Format (pdf). Adobe Acrobat Reader can be downloaded for free at the following internet site:  
<http://www.adobe.com/products/acrobat/readstep.html>.

The Bureau of Air Regulation is issuing electronic documents for permits, notices and other correspondence in lieu of hard copies through the United States Postal System, to provide greater service to the applicants, the engineering community, and the public. Please advise this office of any changes to your e-mail address.

Thank you,

DEP, Bureau of Air Regulation

*Vickie*

Victoria Gibson, Administrative Secretary for  
Trina Vielhauer, Chief  
Bureau of Air Regulation  
Department of Air Resource Management  
[victoria.gibson@dep.state.fl.us](mailto:victoria.gibson@dep.state.fl.us)  
850-921-9504 fax 850-921-9533

## **Dates of Contact With WildLaw:**

1. Called and left a message with Bret for Ms. Paben on March 8 @ 11:40am -- letting her know that her request had been received and the Bureau was working on it for her (Vickie at Trina's request)
2. Jeanne Zokovitch Paben called on March 8 @ 12:19 pm to ask if we had received in an application on Taylor Energy Center yet. (Vickie spoke to her and said she would check and have someone call Ms. Paben back)
3. Called and left a message with Traci for Ms. Paben on March 8 @ 1:30pm -- letting her know that no application has been received yet for Taylor Energy Center. Also, left message that we would be sending her copies of e-mails or website access to them in a letter very soon. (Vickie at Trina's request)

## Gibson, Victoria

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**From:** Koerner, Jeff  
**Sent:** Thursday, March 08, 2007 10:15 AM  
**To:** Adams, Patty  
**Cc:** Vielhauer, Trina; Linero, Alvaro; Gibson, Victoria  
**Subject:** Taylor

**Attachments:** Taylor energy; RE: Taylor County waste contact; FW: Taylor County waste contact; RE: Taylor SCA copies - question; RE: Taylor SCA copies - question; Taylor SCA copies - question; Taylor; RE: Taylor County Energy Center; RE: Taylor County Energy Center; RE: Taylor County Energy Center; Taylor County Energy Center

Patty,

Here are the emails I have related to the proposed Taylor plant.

Jeff



Taylor energy



RE: Taylor County waste contac...



FW: Taylor County waste contac...



RE: Taylor SCA copies - questi...



RE: Taylor SCA copies - questi...



Taylor SCA copies - question



Taylor



RE: Taylor County Energy Cente...



RE: Taylor County Energy Cente...



RE: Taylor County Energy Cente...



Taylor County Energy Center

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

**From:** Vielhauer, Trina  
**Sent:** Thursday, March 08, 2007 9:50 AM  
**To:** Koerner, Jeff; Halpin, Mike  
**Cc:** Goorland, Scott; Robinette, Rebecca; Kahn, Joseph; Adams, Patty; Mulkey, Cindy  
**Subject:** Taylor energy

We have received a request for any public record we may have related to the proposed Taylor energy center facility. I will scan and send you all this letter from Jeanne Zokovitch later today. ✓

Patty,

Can you be the lead in gathering stuff? I don't think there is much because we don't have an application yet.

If you all can check your files and emails and get your items or lack thereof to patty, that would be great.

Mike and Cindy,

Can you coordinate with other media that may have something?

I will draft letter responding to her request to be on a copy list as we have done several similar letters.

Vickie,

Can you work up a draft response letter based on what we have sent previously to sierra club? Addressee is Jeanne Zokovitch Paben, senior staff attorney, WildLaw, 1415 devils hip, tall, FL, 32308.

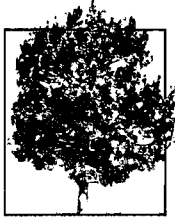
Can you also call her and let her know we have the request and are working on it. 878 ✓

6895.

Thanks.

Trina Vielhauer

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Sent from my BlackBerry Wireless Handheld



# WildLaw

A Non-profit Environmental Law Firm

March 1, 2007

**RECEIVED**

MAR 02 2007

BUREAU OF AIR REGULATION

Trina Vielhauer  
Bureau of Air Regulation  
Florida Department of Environmental Protection  
Division of Air Resource Management  
2600 Blair Stone Road  
Mail Stop (MS) #5505  
Tallahassee, Florida 32399-2400

Re: Request for Copies of Agency Records and Request to be placed on Agency Notification List

Dear Ms. Trina Vielhauer:

Pursuant to Florida Statutes Sections 119.07(1)(a), 120.57(1)(f)(7), and 120.80(16), I would like to request copies of all records, and any other information relating to the proposed Taylor Energy Center, a proposed coal-fired power plant in Taylor County, Florida. This request extends to all internal and external memoranda and correspondence including but not limited to: letters, facsimiles, and electronic mails, as contained in your records between applicants of the proposed Taylor Energy Center, Florida Department of Environmental Protection (FDEP) and any other entities. If the cost of copying these documents will exceed \$25.00, please notify me in advance so that I can reevaluate this request.

Furthermore, pursuant to Florida Statutes Section 120.60(3), I would like to request notice of all agency actions pertaining to any application for any license relating to the proposed Taylor Energy Center, where license is defined by Florida Statutes Section 120.52(9).

If I am required to adhere to any specific policies with regard to this request, please inform me in writing and with particularity these policies. Lastly, if you determine that specific records are exempt from disclosure, please state in writing and with particularity, the reasons for your conclusions. If you have any questions, please call me at (850) 878-6895.

Sincerely,

Jeanne Zokovitch Paben

Senior Staff Attorney/Director ACES Program

**Florida Office**

1415 Devils Dip • Tallahassee, Florida 32308 • p: 850.878.6895 • f: 850-878-6895 • [www.wildlaw.org](http://www.wildlaw.org)