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THE STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION

In the Matter of an
Application for Permit by:

OGC CASE NO.: 04-1735
FDEP Draft Permit No.: 1030011-009-AV

Progress Energy Florida, Inc.
P. L. Bartow Power Plant
Pinellas County, Florida

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. 1030011-009-AV) for the P.L. Bartow Power Plant, located at 1601 Weedon Island Drive, St. Petersburg, Pinellas 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 Proposed Permit Renewal Determination dated November 8, 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 9th day of November, 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 9th day of November, 2004.

Robert A. Manning
Robert A. Manning

ROBERT A MANNING - FW: Bartow Proposed Permit

From: "Stenger, Scott L." <Scott.Stenger@pgnmail.com>
To: <robertm@hgslaw.com>
Date: 11/8/2004 12:33 PM
Subject: FW: Bartow Proposed Permit

Robert,

Here are the changes that will be made for the Bartow TV. If you don't have any other comments, we can withdraw the extension request.

Thanks,
Scott

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

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

From: Arif, Syed [mailto:Syed.Arif@dep.state.fl.us]
Sent: Monday, November 08, 2004 11:07 AM
To: Stenger, Scott L.
Subject: RE: Bartow Proposed Permit

Scott -

Attached is the revised Proposed Determination based on the additional comments submitted by you. Please let me know today if possible if you or Robert Manning has any additional comments, so I can go ahead and issue the Proposed Draft. Thanks

*Syed Arif, P.E
Permit Engineer
Division of Air Resources Management
Department of Environmental Protection
(850) 921-9528 or SC 291-9528*

PROPOSED Permit Renewal Determination
Progress Energy Florida, Inc.
P.L. Bartow Power Plant
Title V Permit Renewal No. 1030011-009-AV

I. Public Notice.

An "INTENT TO ISSUE TITLE V AIR OPERATION PERMIT RENEWAL" to the Progress Energy Florida, Inc. for the for the P.L. Bartow Power Plant , located at 1601 Weedon Island Drive, St. Petersburg, Florida, Pinellas County, was clerked on September 29, 2004. The "PUBLIC NOTICE OF INTENT TO ISSUE TITLE V AIR OPERATION PERMIT RENEWAL" was published in the St. Petersburg Times on Wednesday October 6, 2004. The DRAFT Title V Air Operation Permit Renewal was available for public inspection at the Department's Southwest District office in Tampa and the permitting authority's office in Tallahassee. Proof of publication of the "PUBLIC NOTICE OF INTENT TO ISSUE TITLE V AIR OPERATION PERMIT RENEWAL" was received on October 8, 2004.

II. Public Comment(s).

No comments were received from the citizens, environmental groups, municipalities or other agencies.

III. Applicant's Comments

An extension of time to file a petition for an administrative proceeding was filed by the applicant on October 13, 2004. The Department granted the extension of time until November 1, 2004. A second request for extension of time to file a petition for an administrative proceeding was filed by the applicant on November 1, 2004. Once an agreement is reached on the Proposed Permit, the applicant will withdraw the extension request.

Comments were received from the applicant by electronic mail on November 1, 2004 and confirmed by a letter received on November 4, 2004. Additional comments were submitted via a facsimile on November 8, 2004. Comments were very minor. The comments in general were considered not significant enough to require the issuance of a revised DRAFT permit. The key requests are as follows:

Section III, Subsection A.22, B.15, C.12 and D.11

Progress Energy Florida would like to include "ASTM D1552-95 *or equivalent method*" to the list of test methods for determining fuel sulfur content.

Appendix I-1

Please use this table for Appendix I-1

Brief Description of Emission Units and/or Activities

1. Water Laboratory solvent use and hood-chemical analyses for water
2. Water Laboratory flammable chemical storage cabinet
3. General Boiler Building fire protection equipment
4. Flammable liquid cabinets -- Site wide

PROPOSED Permit Renewal Determination
 Progress Energy Florida, Inc.
 P.L. Bartow Power Plant
 Title V Permit Renewal No. 1030011-009-AV

5. Plant and South Terminal – Fire suppression foam
6. Site utilization of sand blasters, drill presses, welding machines, lathes, hand-held tools, etc.
7. Large equipment outdoor sandblasting
8. Steam release during boiler blow-downs
9. General Site surface coating <6.0 gallons per day
10. General Site brazing, soldering and welding
11. Unit 1 Fly Ash Handling System
12. Lawn mowing and landscaping activities
13. Use of solvents
14. Painting and painting related cleanup
15. Use of products in the aerosol form
16. Use of small, portable generators and pumps
17. Pressure washing of machinery and buildings
18. Earth moving activities

Appendix U-1, List of Unregulated Emissions Units and/or Activities

Please use this table for Appendix U-1, the table in the draft contained duplicates and errors.

E.U. ID

<u>No.</u>	<u>Brief Description of Emissions Units and/or Activity</u>
001	Fuel Storage - Tank No. #1 (7) N. Terminal - 6,354,768 gallons No. 6 fuel oil
002	Fuel Storage - Tank No. #2 (8) N. Terminal- 6,369,342 gallons No. 6 fuel oil
003	Fuel Storage - Tank No. #3 (9) N. Terminal- 6,329, 232 gallons No. 6 fuel oil
004	Fuel Storage - Tank No. #4(10) N. Terminal- 8,447,544 gallons No. 6 fuel oil
005	Fuel Storage - Tank No. #6(11) N. Terminal - 4,118,142 gallons No. 2 fuel oil
006	Fuel Storage - Tank No. #T1(12) S. Terminal- 10,540,740 gallons No. 6 fuel oil
007	Fuel Storage - Tank No. #T2(13) S. Terminal- 10,542,294 gallons No. 6 fuel oil
008	Fuel Storage (1R1) - 1,008 gallons unleaded gasoline
009	Fuel Storage (6) - 550 gallons diesel - vehicle
010	Fuel Storage - Tank No. #12 - 300 gallons diesel - emergency fire pump
011	Tank No. #13 - 300 gallons diesel - emergency generator
012	Tank No. #16 - 5,460 gallons magnesium hydroxide fuel additive
013	Tank No. FOA - 6,100 gallons calcium nitrate fuel additive
014	Gas Turbine 1, 2, 3, and 4 - Lube oil vent with demister
015	Gas Turbine 1, 2, 3, and 4 - Underground 2,600 gallon lube oil storage tank
016	Gas Turbine 1 (2R1), 2 (3R1), 3 (4R1), and 4 (5R1) – 2,000 gallon waste oil storage tank
017	General Site - Two, 500 gallon propane gas tanks for Unit 2 and 3 ignitors

(#) = DEP assigned tank number

Table 2-1, Summary of Compliance Requirements

The frequency of testing for EU(-001) should be annually instead of every 6 months. On February 12, 1996, FDEP approved through an administrative order (attached) a reduced frequency of testing from semi-annual to annual.

PROPOSED Permit Renewal Determination
Progress Energy Florida, Inc.
P.L. Bartow Power Plant
Title V Permit Renewal No. 1030011-009-AV

The applicant would like to add "B.19" under the permit condition column for EU(-004) Bartow-Anclote Pipeline Heating Boiler. This condition excludes VE's if the boiler runs solely on gas.

IV. Department Response:

The Department agrees with the applicant's requested changes to conditions **A. 22, B.15, C.12 and D.11** by requiring that the equivalent method should be approved by the Department prior to its use. Therefore, the language for conditions **A.22, B.15, C.12 and D.11** should read as follows:

A.22. The fuel sulfur content, percent by weight, for liquid fuels shall be evaluated using either ASTM D2622-92, ASTM D4294-90, both ASTM D4057-88 and ASTM D129-91, or the latest edition, or ASTM D1552-95 or an equivalent method after Department approval.
[Rules 62-213.440, 62-296.405(1)(e)3., 62-296.405(1)(f)1.b. and 62-297.440, F.A.C.]

B.15. The fuel sulfur content, percent by weight, for liquid fuels shall be evaluated using either ASTM D2622-92, ASTM D4294-90, both ASTM D4057-88 and ASTM D129-91, or the latest edition, or ASTM D1552-95 or an equivalent method after Department approval.
[Rules 62-213.440 and 62-297.440, F.A.C.]

C.12. The fuel sulfur content, percent by weight, for liquid fuels shall be evaluated using either ASTM D2622-92, ASTM D4294-90, both ASTM D4057-88 and ASTM D129-91, or latest edition, or ASTM D1552-95 or an equivalent method after Department approval.
[Rules 62-213.440 and 62-297.440, F.A.C.]

D.11. The fuel sulfur content, percent by weight, for liquid fuels shall be evaluated using either ASTM D2622-94, ASTM D4294-90, both ASTM D4057-88 and ASTM D129-95, or the latest edition(s), or ASTM D1552-95 or an equivalent method after Department approval.
[Rules 62-213.440 and 62-297.440, F.A.C.]

The Department concurs with the requested changes to Appendix I-1 and Appendix U-1 and will replace these tables.

The Department will also make the necessary changes as requested for Table 2-1, Summary of Compliance Requirements. The Administrative Order RTF No. 96-A-01 signed on February 10, 1997 allows the frequency of testing for EU(-001) from 6 months to annual for VE and PM. Additionally, Condition "B.19" will be added in the summary table for EU(-004) as requested by the applicant.

V. Conclusion.

The permitting authority hereby issues PROPOSED Permit Renewal No. **1030011-009-AV**, with the changes noted above.

Gibson, Victoria

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 nd 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 th 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
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11/1/2004

Progress Suwannee	extension of time expires today
Progress Turner	we denied 3 rd 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

From: Gibson, Victoria
Sent: Monday, November 01, 2004 9:48 AM
To: Arif, Syed
Cc: Vielhauer, Trina; Pennington, Jim
Subject: RE: Progress Energy - Bartow

Yes, their request for an extension of time was denied and the deadline is today by 5:00 pm. I will let you know as soon as I receive anything.

Vickie

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

From: Arif, Syed
Sent: Monday, November 01, 2004 9:24 AM
To: Gibson, Victoria
Cc: Vielhauer, Trina; Pennington, Jim
Subject: RE: Progress Energy - Bartow

I have not seen any written comments submitted by the applicant yet, but I did receive a phone call message that they will be submitting some comments on the DRAFT permit. Please let me know if Progress Energy has or will file a petition on the Turner project. I believe their time for filing a petition expires today. Thanks.

*Syed Arif, P.E
Permit Engineer
Division of Air Resources Management
Department of Environmental Protection
(850) 921-9528 or SC 291-9528*

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

From: Gibson, Victoria
Sent: Monday, November 01, 2004 9:18 AM
To: Arif, Syed; Pennington, Jim
Cc: Vielhauer, Trina
Subject: Progress Energy - Bartow

Good morning.

The extension of time on Progress Energy Florida - Bartow will expire today. What is the status on this permit?

1030011-009-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

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.: 04-1735
FDEP Draft Permit No.: 1030011-009-AV

Progress Energy Florida, Inc.
P. L. Bartow Power Plant
Pinellas County, Florida

SECOND REQUEST FOR ENLARGEMENT OF TIME

By and through undersigned counsel, Progress Energy Florida, Inc. (Progress Energy) 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, Progress Energy states the following:

1. On or about September 29, 2004, Progress Energy Florida, Inc. received from the Department of Environmental Protection ("Department") an "Intent to Issue Title V Air Operation Permit Renewal" and accompanying "Draft Permit," (Draft Permit No. 1030011-009-AV), for the P. L. Bartow Power Plant, located at 1601 Weedon Island Drive, St. Petersburg, Pinellas County, Florida.
2. Based on Progress Energy's initial review, the Draft Permit and associated documents contain several provisions that warrant clarification or corrections.
3. Progress Energy and DEP are in the process of discussing possible resolutions to the issues needing clarification or correction.

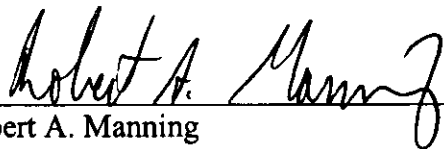
4. The Department granted Progress' first Request for Enlargement of Time, allowing until November 1, 2004, to file a petition in this matter.

5. Progress Energy 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 Progress Energy'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, Progress Energy Florida, Inc. 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 No.1030011-009-AV be formally extended to and including November 15, 2004.

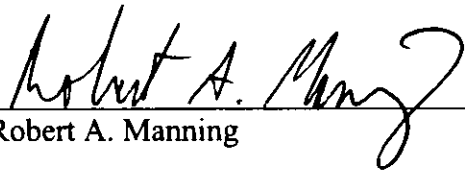
RESPECTFULLY SUBMITTED this 1st day of November, 2004.

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 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 1st day of November, 2004.


Robert A. Manning

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION

PROGRESS ENERGY FLORIDA, INC.
P. L. Bartow Power Plant

Petitioner,

v.

OGC #04-1735
DEP Permit 1030011-009-AV

DEPARTMENT OF ENVIRONMENTAL
PROTECTION,

Respondent.

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

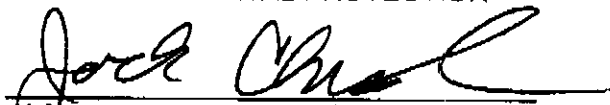
This cause has come before the Florida Department of Environmental Protection upon receipt of a request made by Petitioner PROGRESS ENERGY FLORIDA, INC., to grant an extension of time to file a petition for an administrative hearing to allow time to discuss with FDEP several specific permit conditions for its facility in Pinellas 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

PROGRESS ENERGY FLORIDA, INC.
P. L. Bartow Power Plant

Petitioner,

v.

OGC #04-1735
DEP Permit 1030011-009-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 Pinellas 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 _____ 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 HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished via
Jeb Bush 2600 Blair Stone Road Colleen M. Castille
Governor U. S. Mail __ facsimile __ **only this** Tallahassee, Florida 32399-0000, 2004, to: 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

"More Protection, Less Process"

Printed on recycled paper.

Gibson, Victoria

From: Arif, Syed
Sent: Friday, October 15, 2004 11:27 AM
To: Gibson, Victoria
Cc: Pennington, Jim
Subject: RE: extension request

Vickie –

I would prefer extension only until November 5. This will give me time to get the Proposed Permit out the following week. Nov. 12 being a Friday would mean that I'll have to get all their comments together (they usually wait till the last day of the extension to send in their comments) on the following Monday which is Nov. 15 and put the Proposed Permit together and have it e-mailed the same day to EPA. We have to have the Proposed Permit out by Nov. 15 to issue the final by Dec. 31. And, Dec. 31 happens to fall on a Friday, when I might be out.

*Syed Arif, P.E
Permit Engineer
Division of Air Resources Management
Department of Environmental Protection
(850) 921-9528 or SC 291-9528*

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

From: Gibson, Victoria
Sent: Thursday, October 14, 2004 1:27 PM
To: Arif, Syed; Pennington, Jim
Subject: FW: extension request
Importance: High

Hi,

Would you like to grant this extension of time? If so, for how long? They have requested through and including the 15th of November. Maybe through the 12th of November would be better?

Let me know how you would like to proceed.

Thanks.

Vickie

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

From: Carter, Kathy
Sent: Thursday, October 14, 2004 11:26 AM
To: Arif, Syed; Chisolm, Jack; Vielhauer, Trina
Cc: Gibson, Victoria; Light, Lisa
Subject: extension request

Syed:

FYI.

OGC received a request for extension of time from Progress Energy Florida, re: P.L. Bartow Power Plant, DEP File No. 1030011-009-AV.

Kathy

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

04-1735

RECEIVED

OCT 13 2004

THE STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
BUREAU OF AIR REGULATION

In the Matter of an
Application for Permit by:

FDEP Draft Permit No.: 1030011-009-AV

Progress Energy Florida, Inc.
P. L. Bartow Power Plant
Pinellas County, Florida

REQUEST FOR ENLARGEMENT OF TIME

By and through undersigned counsel, Progress Energy Florida, Inc. (Progress Energy) 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, Progress Energy states the following:

1. On or about September 29, 2004, Progress Energy Florida, Inc. received from the Department of Environmental Protection ("Department") an "Intent to Issue Title V Air Operation Permit Renewal" and accompanying "Draft Permit," (Draft Permit No.1030011-009-AV), for the P. L. Bartow Power Plant, located at 1601 Weedon Island Drive, St. Petersburg, Pinellas County, Florida.

2. Based on Progress Energy'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 Progress Energy'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, Progress Energy Florida, Inc. 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 No.1030011-009-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
Florida Bar ID No. 0035173
Hopping Green & Sams, P.A.
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Post Office Box 6526
Tallahassee, Florida 32314
(850) 222-7500
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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 13th day of October, 2004.

Robert A. Manning
Robert A. Manning

