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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

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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. 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 9<sup>th</sup> 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 9<sup>th</sup> day of November, 2004.

Robert A. Manning  
Robert A. Manning

**ROBERT A MANNING - FW: Bartow Proposed Permit**

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

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Robert,

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

<b><u>No.</u></b>	<b><u>Brief Description of Emissions Units and/or Activity</u></b>
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**

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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
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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

---

**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

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**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.

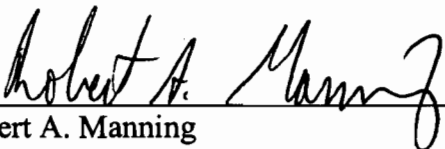
4. The Department granted Progress' first Request for Enlargement of Time, allowing until November 1, 2004, to file a petition in this matter.

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.

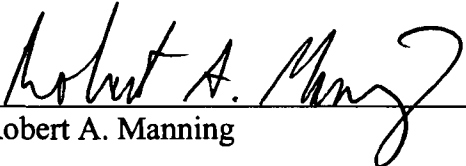
RESPECTFULLY SUBMITTED this 1<sup>st</sup> day of November, 2004.

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 1<sup>st</sup> day of November, 2004.

  
\_\_\_\_\_  
Robert A. Manning

**BEST AVAILABLE COPY**

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

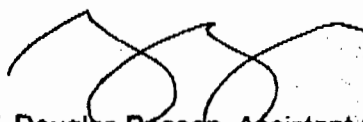
**BEST AVAILABLE COPY**

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished via  
\_ U. S. Mail  facsimile  only, this 18<sup>th</sup> 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 Deason, 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 Tallahassee, Florida 32399-2000, 2004, to:  
Governor U. S. Mail \_ facsimile \_ **only** this day of October, 2004, to:  
Colleen M. Castille  
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



## 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.  
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 13th day of October, 2004.

Robert A. Manning  
Robert A. Manning

