

Florida Department of
Environmental Protection

Memorandum

TO: Michael G. Cooke, Division of Air Resources Management
THRU: Trina Vielhauer, Bureau of Air Regulation ↗
James K. Pennington, North Permitting Section AKP
FROM: Michael P. Halpin, North Permitting Section PH
DATE: June 1, 2004
SUBJECT: Extension of Permit Expiration Date
Air Permit No. 1230034-011-AC
Florida Gas Transmission Company
Station No. 15 in Taylor County, Florida

Attached for your approval and signature is a modification that extends the permit expiration date for the above referenced project. Florida Gas Transmission Company (FGTC) requests a 90-day extension of the air construction permit (which authorized an up-rate for existing Engine 1507), in order to submit a Title-V application. The applicant states that the uprating as well as initial compliance tests are complete.

I recommend your approval and signature.

Attachments



Florida Gas Transmission Company
1331 Lamar Street, Suite 650, Houston, TX 77010-1331
P.O. Box 4657, Houston, TX 77210-4657
713.853.0300

May 24, 2004

RECEIVED

MAY 26 2004

Mr. Jeff Koerner, P.E.
New Source Review Section
Bureau of Air Regulation
Florida Department of Environmental Protection
Twin Towers Office Bldg.
2600 Blairstone Road
Tallahassee, FL 32399-2400

BUREAU OF AIR REGULATION

Reference: Permit No. 1230034-011-AC
Compressor Station No. 15, Taylor County

Dear Mr. Koerner:

Subject: Extension of Construction Permit Expiration

Florida Gas Transmission Company (FGT) is requesting a 90-day extension to the above referenced Construction Permit. Unit 1507 has been uprated and the initial compliance test has been completed. FGT requests the extension in order to complete and submit the application for the Title V Operating Permit prior to 90 days before expiration of the Construction Permit.

If you have any questions or need additional information, please call Jacob Krautsch at (850) 350-5042.

Sincerely,

Richard Craig
Vice President of Southeast Operations

CC: Compressor Station No. 12
V. Duane Pierce, AQMcs, LLC
Tallahassee Office
Envision Env. 3.1.20



Jeb Bush
Governor

Department of Environmental Protection

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

Colleen M. Castille
Secretary

June 2, 2004

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Mr. Richard Craig, V.P. of Southeast Operations
Florida Gas Transmission Company
P.O. Box 4657
Houston, TX 77010-4657

Re: Second Extension of Air Construction Permit Expiration Date
Taylor Compressor Station No. 15
Air Permit No. 1230034-011-AC

Dear Mr. Craig:

On May 24, 2003, Florida Gas Transmission Company (FGTC) submitted a request for a 90-day extension of air construction Permit No. 1230034-011-AC for existing Station No. 15 located near Perry in Taylor County, Florida. Specifically, the extension was requested in order to complete and submit the application for a Title-V permit prior to 90 days before the expiration of the construction permit. According to the submittal, the uprating of Unit 1507 as well as the initial compliance tests are complete.

The Department approves the request. The permit is hereby extended from **July 1, 2004** to **December 31, 2004** in order to submit a complete application for a Title V air operation permit. A copy of this letter shall be filed with the referenced permit and shall become part of the permit. This permitting decision is issued pursuant to Chapter 403 of the Florida Statutes (F.S.).

A person whose substantial interests are affected by the proposed permitting decision may petition for an administrative proceeding (hearing) under Sections 120.569 and 120.57, F.S. The petition must contain the information set forth below and must be filed (received) in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida, 32399-3000. Petitions filed by the permit applicant or any of the parties listed below must be filed within fourteen (14) days of receipt of this notice of intent. Petitions filed by any persons other than those entitled to written notice under section 120.60(3), F.S., must be filed within fourteen (14) days of publication of the public notice or within fourteen (14) days of receipt of this notice of intent, whichever occurs first. Under Section 120.60(3), F.S., however, any person who asked the Department for notice of agency action may file a petition within fourteen (14) days of receipt of that notice, regardless of the date of publication. A petitioner shall mail a copy of the petition to the applicant at the address indicated above at the time of filing. The failure of any person to file a petition within the appropriate time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under Sections 120.569 and 120.57, F.S., or to intervene in this proceeding and participate as a party to it. Any subsequent intervention will be only at the approval of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205, F.A.C.

A petition that disputes the material facts on which the Department's action is based must contain the following information: (a) The name and address of each agency affected and each agency's file or identification number, if known; (b) The name, address, and telephone number of the petitioner, the name, address, and telephone number of the petitioner's representative, if any, which shall be the address

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for service purposes during the course of the proceeding; and an explanation of how the petitioner's substantial interests will be affected by the agency determination; (c) A statement of how and when petitioner received notice of the agency action or proposed action; (d) A statement of all disputed issues of material fact. If there are none, the petition must so indicate; (e) A concise statement of the ultimate facts alleged, including the specific facts the petitioner contends warrant reversal or modification of the agency's proposed action; (f) A statement of the specific rules or statutes the petitioner contends require reversal or modification of the agency's proposed action; and (g) A statement of the relief sought by the petitioner, stating precisely the action petitioner wishes the agency to take with respect to the agency's proposed action.

A petition that does not dispute the material facts upon which the Department's action is based shall state that no such facts are in dispute and otherwise shall contain the same information as set forth above, as required by Rule 28-106.301, F.A.C.

Because the administrative hearing process is designed to formulate final agency action, the filing of a petition means that the Department's final action may be different from the position taken by it in this notice. Persons whose substantial interests will be affected by any such final decision of the Department on the application have the right to petition to become a party to the proceeding, in accordance with the requirements set forth above.

Mediation is not available in this proceeding.

In addition to the above, a person subject to regulation has a right to apply for a variance from or waiver of the requirements of particular rules, on certain conditions, under Section 120.542, F.S. The relief provided by this state statute applies only to state rules, not statutes, and not to any federal regulatory requirements. Applying for a variance or waiver does not substitute or extend the time for filing a petition for an administrative hearing or exercising any other right that a person may have in relation to the action proposed in this notice of intent.

The application for a variance or waiver is made by filing a petition with the Office of General Counsel of the Department, 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000. The petition must specify the following information: (a) The name, address, and telephone number of the petitioner; (b) The name, address, and telephone number of the attorney or qualified representative of the petitioner, if any; (c) Each rule or portion of a rule from which a variance or waiver is requested; (d) The citation to the statute underlying (implemented by) the rule identified in (c) above; (e) The type of action requested; (f) The specific facts that would justify a variance or waiver for the petitioner; (g) The reason why the variance or waiver would serve the purposes of the underlying statute (implemented by the rule); and (h) A statement whether the variance or waiver is permanent or temporary and, if temporary, a statement of the dates showing the duration of the variance or waiver requested.

The Department will grant a variance or waiver when the petition demonstrates both that the application of the rule would create a substantial hardship or violate principles of fairness, as each of those terms is defined in Section 120.542(2), F.S., and that the purpose of the underlying statute will be or has been achieved by other means by the petitioner.

Persons subject to regulation pursuant to any federally delegated or approved air program should be aware that Florida is specifically not authorized to issue variances or waivers from any requirements of any such federally delegated or approved program. The requirements of the program remain fully enforceable by the Administrator of the EPA and by any person under the Clean Air Act unless and until the Administrator separately approves any variance or waiver in accordance with the procedures of the federal program.

This permitting decision is final and effective on the date filed with the clerk of the Department unless a petition is filed in accordance with the above paragraphs or unless a request for extension of time in which to file a petition is filed within the time specified for filing a petition pursuant to Rule 62-110.106,

F.A.C., and the petition conforms to the content requirements of Rules 28-106.201 and 28-106.301, F.A.C. Upon timely filing of a petition or a request for extension of time, this action will not be effective until further order of the Department.

Any party to this permitting decision (order) has the right to seek judicial review of it under Section 120.68, F.S., by filing a notice of appeal under Rule 9.110 of the Florida Rules of Appellate Procedure with the clerk of the Department of Environmental Protection in the Office of General Counsel, Mail Station #35, 3900 Commonwealth Boulevard, Tallahassee, Florida, 32399-3000, and by filing a copy of the notice of appeal accompanied by the applicable filing fees with the appropriate District Court of Appeal. The notice must be filed within thirty (30) days after this order is filed with the clerk of the Department.

Executed in Tallahassee, Florida.



Michael G. Cooke, Director
Division of Air Resources Management

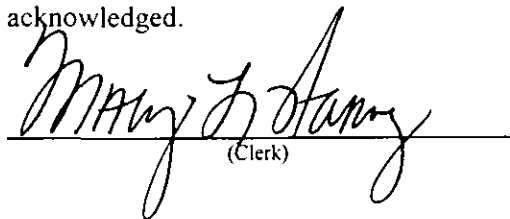
CERTIFICATE OF SERVICE

The undersigned duly designated deputy agency clerk hereby certifies that this order was sent by certified mail (*) and copies were mailed by U.S. Mail before the close of business on 6/2/04 to the persons listed:

- Mr. Richard Craig, FGTC*
- Mr. Jacob Krautsch, FGTC
- Mr. V. Duane Pierce, AQMcS
- Mr. Chris Kirts, NED

Clerk Stamp

FILING AND ACKNOWLEDGMENT FILED, on this date, pursuant to §120.52, Florida Statutes, with the designated Department Clerk, receipt of which is hereby acknowledged.



(Clerk)

6/2/04
(Date)

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

7000 1670 0013 3109 9465

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

Sent To **Florida Gas Transmission Company**
Mr. Richard Craig, Vice President
 Street, Apt. No. or PO Box No. **Post Office Box 4657**
 City, State, ZIP+4
Houston, TX 77010-4657

PS Form 3800, May 2000 See Reverse for Instructions

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:
Mr. Richard Craig, Vice President
of Southeast Operations
Florida Gas Transmission
Company
Post Office Box 4657
Houston, TX 77010-4657

COMPLETE

A. Signature *J. Salazar* - 9051 Agent
 Addressee

B. Received by (Printed Name) *J. Salazar* C. Date of Delivery *JUN - 7 2004*

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

3. Service Type
 Certified Mail Express Mail
 Registered Return Receipt for Merchandise
 Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee) Yes

2. Article Number (Transfer from service label) **7000 1670 0013 3109 9465**



Florida Gas Transmission Company
1331 Lamar Street, Suite 650, Houston, TX 77010-1331
P.O. Box 4657, Houston, TX 77210-4657
713.853.0300

May 24, 2004

Mr. Jeff Koerner, P.E.
New Source Review Section
Bureau of Air Regulation
Florida Department of Environmental Protection
Twin Towers Office Bldg.
2600 Blairstone Road
Tallahassee, FL 32399-2400

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MAY 26 2004

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