

Gibson, Victoria

From: Bull, Robert
Sent: Tuesday, November 02, 2004 9:51 AM
To: Gibson, Victoria
Subject: FW: New Posting #0010001

Vickie,

We all set. Thanks again

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

From: Friday, Barbara
Sent: Tuesday, November 02, 2004 9:51 AM
To: Walker, Elizabeth (AIR); Gracy Danois; Joel Huey; Kathleen Forney
Cc: Bull, Robert
Subject: New Posting #0010001

There is a new posting on Florida's website.

0010001007AV
PROGRESS ENERGY FLORIDA, INC.
UNIVERSITY OF FLORIDA COGENERATION PLANT

Proposed Permit Renewal

If you have any questions, feel free to contact me.

Thanks,
Barbara

Gibson, Victoria

From: Bull, Robert
Sent: Tuesday, November 02, 2004 9:39 AM
To: Gibson, Victoria
Subject: RE: Progress Energy - University of Florida

Great. We can go out the proposed permit.

Thank you

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

From: Gibson, Victoria
Sent: Tuesday, November 02, 2004 9:37 AM
To: Bull, Robert
Subject: RE: Progress Energy - University of Florida

Hi,

OGC has not received anything on the Univ of Florida.

Vickie

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

From: Bull, Robert
Sent: Tuesday, November 02, 2004 8:59 AM
To: Gibson, Victoria
Subject: RE: Progress Energy - University of Florida

thanks

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

From: Gibson, Victoria
Sent: Tuesday, November 02, 2004 8:59 AM
To: Bull, Robert
Subject: FW: Progress Energy - University of Florida
Importance: High

Hi,

I have put a call in to OGC and had to leave a message for a couple of people. I will let you know when they get back to me.

Vickie

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

From: Gibson, Victoria
Sent: Tuesday, November 02, 2004 8:12 AM
To: Bull, Robert
Subject: RE: Progress Energy - University of Florida

Not that I know of yet, I will check in with OGC in a few minutes.

Vickie

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

From: Bull, Robert
Sent: Tuesday, November 02, 2004 8:11 AM
To: Gibson, Victoria
Subject: RE: Progress Energy - University of Florida

Good Morning Vickie,

Did we receive anything from Progress yesterday?

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

From: Gibson, Victoria

Sent: Monday, November 01, 2004 9:53 AM

To: Bull, Robert

Cc: Vielhauer, Trina

Subject: Progress Energy - University of Florida

Good morning.

Just a FYI,

Their request for extension of time was denied on 10/25 and their time to file expires today.

Thanks.

Vickie

Victoria Gibson, Administrative Secretary
Bureau Chief's Office
DEP/Bureau of Air Regulation
victoria.gibson@dep.state.fl.us
850-921-9504

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
--------	---------------------------------

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

BEST AVAILABLE COPY

**STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION**

**PROGRESS ENERGY FLORIDA, INC.
University of Florida Cogeneration Plant**

Petitioner,

vs.

**OGC File No. 04-1648
FDEP File No. 0010001-007-AV**

**STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION**

Respondent.

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

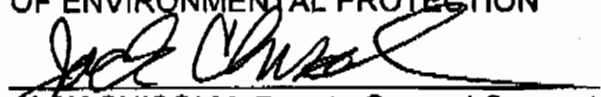
This cause has come before the Florida Department of Environmental Protection (Department) on receipt of a request made by Petitioner, Progress Energy Florida, Inc., to grant an extension of time to file a petition for administrative proceeding to allow time for further clarification or corrections on the draft permit for its facility in Alachua County, Florida. Because the request fails to show 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 **DENIED**. Petitioner shall have until **November 1, 2004** to file a petition for administrative hearing. The petition must be filed (received) in the Office of General Counsel, 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000, facsimile 850-245-2303, by 5:00pm on **November 1, 2004**.

DONE and ORDERED this 25th 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**

BEST AVAILABLE COPY

FILED on this date, pursuant to S.120.02 Florida Statutes, with the designated Department Clerk, receipt of which is hereby acknowledged.

CLERK

DATE

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished via
___ U. S. Mail ___ facsimile ___ ON .Y, this 22nd day of October, 2004, to:

Robert A. Manning
Esquire
Hopping Green & Sams, P.A.
123 South Calhoun Street
Post Office Box 6526
Tallahassee, FL 32314
facsimile: 850-224-8551

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION



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 an internal courtesy copy to

Trina L. Vielhauer
Chief
Bureau of Air Regulation

via fax only - 850-921-9533

Gibson, Victoria

From: Gibson, Victoria
Sent: Monday, October 25, 2004 7:51 AM
To: Light, Lisa; Beason, Doug
Cc: Vielhauer, Trina
Subject: DRAFT Orders to Deny (2)

Importance: High



DENIEDProgressEr
gTurner.doc (3...



DeniedProgressEng
.Univ Fla.doc ...

Vickie

Victoria Gibson, Administrative Secretary
Bureau Chief's Office
DEP/Bureau of Air Regulation
victoria.gibson@dep.state.fl.us
850-921-9504

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION

PROGRESS ENERGY FLORIDA, INC.
University of Florida Cogeneration Plant

Petitioner,
vs.

OGC File No. 04-1648
FDEP File No. 0010001-007-AV

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION

Respondent.

ORDER **DENYING** 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, Progress Energy Florida, Inc., to grant an extension of time to file a petition for administrative proceeding to allow time for further clarification or corrections on the draft permit for its facility in Alachua County, Florida. Because the request fails to show 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 **DENIED**. Petitioner shall have until **November 1, 2004** to file a petition for administrative hearing. The petition must be filed (received) in the Office of General Counsel, 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000, facsimile 850-245-2303, by **5:00pm on November 1, 2004**.

DONE and ORDERED this 22nd 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

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

CLERK

DATE

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 22nd day of October, 2004, to:

Robert A. Manning
Esquire
Hopping Green & Sams, P.A.
123 South Calhoun Street
Post Office Box 6526
Tallahassee, FL 32314
facsimile: 850-224-8551

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION

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 an internal courtesy copy to:

Trina L. Vielhauer
Chief
Bureau of Air Regulation

via fax only - 850-921-9533

Gibson, Victoria

From: Vielhauer, Trina
Sent: Monday, October 25, 2004 7:43 AM
To: Gibson, Victoria
Subject: RE: go ahead and deny:

I made one change- see attached. If you'd make that change on both- that would be fine to send to Lisa.

Thanks,
 Trina

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

From: Gibson, Victoria
Sent: Friday, October 22, 2004 3:13 PM
To: Vielhauer, Trina
Subject: FW: go ahead and deny:
Importance: High

Hi,

If these look fine, do you want to forward them on to Lisa in OGC this afternoon?

Vickie

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

From: Gibson, Victoria
Sent: Friday, October 22, 2004 10:15 AM
To: Vielhauer, Trina
Subject: RE: go ahead and deny:

Attached are the denials for Turner and Univ of Fla for your approval. The deadline for reply is November 1st...is this okay?

Also, I couldn't deny at this time (as far as I know at the moment) for Progress Energy Bartow and Suwannee River since these were granted an extension of time through November 1st.

Vickie

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

From: Vielhauer, Trina
Sent: Thursday, October 21, 2004 7:55 AM
To: Gibson, Victoria
Subject: go ahead and deny:

Progress Turner
Progress Bartow
Progress Suwannee River

Progress U of F

We should be able to get these permits out the door because we did not remove their permitting note. Just double check with the engineers that they don't see a problem with denying the extensions for time. I would deny and give them until November 3 to file a full petition for hearing.

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION

PROGRESS ENERGY FLORIDA, INC.
Turner Power Plant

Petitioner,
vs.

OGC File No. 04-1504
FDEP File No. 1270020-002-AV

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION

Respondent.

**ORDER DENYING 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, Progress Energy Florida, Inc., to grant an extension of time to file a petition for administrative proceeding to allow time for further clarification or corrections on the draft permit for its facility in Volusia County, Florida. Because the request fails to show 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 **DENIED**. Petitioner shall have until **November 1, 2004** to file a petition for administrative hearing. The petition must be filed (received) in the Office of General Counsel, 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000, facsimile 850-245-2303, by **5:00pm on November 1, 2004**.

DONE and ORDERED this 22nd 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

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

CLERK

DATE

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 22nd day of October, 2004, to:

Robert A. Manning
Esquire
Hopping Green & Sams, P.A.
123 South Calhoun Street
Post Office Box 6526
Tallahassee, FL 32314
facsimile: 850-224-8551

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION

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 an internal courtesy copy to:

Trina L. Vielhauer
Chief
Bureau of Air Regulation

via fax only - 850-921-9533

THE STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION

In the Matter of an
Application for Permit by:

OGC CASE NO.: 04-1648
DEP Draft Permit No.: 0010001-007-AV

Progress Energy Florida, Inc.
University of Florida Cogeneration Plant
Alachua County, Florida

SECOND REQUEST FOR ENLARGEMENT OF TIME

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

1. By letter dated August 26, 2004, the Department of Environmental Protection (DEP) issued an "Intent to Issue Title V Air Operation Permit" (DRAFT Permit No. 0010001-007-AV) for the facility located on Mowery Road at University of Florida, Gainesville, Florida. Along with the Intent to Issue, DEP issued a draft Title V permit and "Public Notice of Intent to Issue Title V Air Operation Permit." Progress received these documents on or about September 9, 2004.

2. Based on Progress's review, the draft permit and associated documents contain provisions that warrant clarification or correction.

3. The Department granted Progress' first Request for Enlargement of Time, allowing until October 15, 2004, to file a petition in this matter.

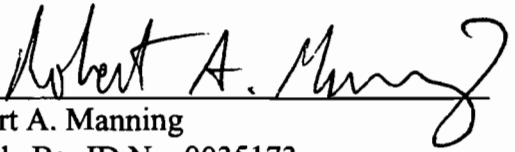
4. Progress is now requesting until November 15, 2004, in order to resolve remaining

issues before the Department's intended deadline to send all Title V renewals to the Environmental Protection Agency as proposed permits.

5. This second request is filed simply as a protective measure to avoid waiver of Progress's right to challenge certain conditions contained in the Draft Title V Permit, in the event that an agreement cannot be reached. 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 respectfully requests that the time for filing of a Petition for Administrative Proceedings in regard to DEP's Intent to Issue Draft Permit No. 0010001-007-AV be formally extended to and including November 15, 2004.

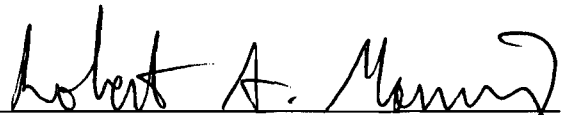
RESPECTFULLY SUBMITTED this 15th day of October, 2004.

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 15th day of October, 2004.


Robert A. Manning

RECEIVED

OCT 15 2004

OFFICE OF THE
RESOURCE MANAGER

Gibson, Victoria

From: Bull, Robert
Sent: Monday, October 18, 2004 9:46 AM
To: Gibson, Victoria
Subject: RE: Progress Energy Florida -- University of Florida

October 15, was day 30 on the public comment period.

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

From: Gibson, Victoria
Sent: Monday, October 18, 2004 9:45 AM
To: Bull, Robert
Subject: RE: Progress Energy Florida -- University of Florida

Hi,

First request was received in OGC on 9/21, granted until and through October 15.

Vickie

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

From: Bull, Robert
Sent: Monday, October 18, 2004 9:42 AM
To: Gibson, Victoria; Pennington, Jim
Cc: Vielhauer, Trina
Subject: RE: Progress Energy Florida -- University of Florida

When did the first one come in and what was the extension date?

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

From: Gibson, Victoria
Sent: Monday, October 18, 2004 9:41 AM
To: Bull, Robert; Pennington, Jim
Cc: Vielhauer, Trina
Subject: Progress Energy Florida -- University of Florida
Importance: High

Hi,

I have received a request (2nd) for an extension of time on:

Progress Energy Florida
University of Florida Cogeneration Plant
0010001-007-AV

Would you like to grant this extension until November 1st?

Thanks.

Vickie

Victoria Gibson, Administrative Secretary
Bureau Chief's Office
DEP/Bureau of Air Regulation
victoria.gibson@dep.state.fl.us

Gibson, Victoria

From: Vielhauer, Trina
Sent: Tuesday, October 26, 2004 3:21 PM
To: Bull, Robert; Pennington, Jim
Cc: Gibson, Victoria; Holtom, Jonathan
Subject: RE: anclote

That's right- I remember that now. Thank you. Hopefully that will get at least a couple of these to proposed so we don't have all final permits hitting Mike's desk at once.

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

From: Bull, Robert
Sent: Tuesday, October 26, 2004 2:55 PM
To: Vielhauer, Trina; Pennington, Jim
Cc: Gibson, Victoria; Holtom, Jonathan
Subject: RE: anclote

Trina,

The reason the permitting note was left in the permit is because the permitting note was actually in the AC. We have no other issues with the permit. I'll forward the permit to him today. I'll do the same for UF Cogen.

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

From: Vielhauer, Trina
Sent: Tuesday, October 26, 2004 2:48 PM
To: Pennington, Jim; Bull, Robert
Cc: Gibson, Victoria; Holtom, Jonathan
Subject: anclote

Jim and Bobby,

Since we are putting the note back in Anclote because there wasn't an AC- are there any other outstanding issues with the company? If not- could you email the proposed permit to Robert Manning [rmanning@hgslaw.com] with a note that we believe this permit is ready to go proposed and requesting that they withdraw their request for an extension of time.

Thanks,

Trina

Ps- on Suwannee and UF- we've denied their requests for extension of time. Could you also forward an electronic copy of those proposed permits to Robert Manning with a note saying we believe there are no outstanding issues with Progress on these permits as the permitting note wasn't an issue. Please let us know that you do not intend to file a petition and we will forward to EPA as proposed.

grant time only if ASK for
and then only thru the 12th of Nov

if no request - then close
OGC case once proposed
is issued

BEST AVAILABLE COPY

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION

PROGRESS ENERGY FLORIDA, INC.
University of Florida Cogeneration Plant

Petitioner,

v.

OGC #04-1648
DEP Permit 0010001-007-AV

DEPARTMENT OF ENVIRONMENTAL
PROTECTION,

Respondent.

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

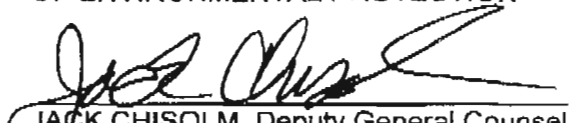
This cause has come before the Florida Department of Environmental Protection upon receipt of a request made by Petitioner PROGRESS ENERGY FLORIDA, INC., to grant an extension of time to file a petition for an administrative hearing to allow time to discuss with FDEP several specific permit conditions for its facility in Alachua 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 **October 15, 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 7th 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 ___ or by, this 7th 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

Gibson, Victoria

From: Bull, Robert
Sent: Friday, October 08, 2004 8:40 AM
To: Gibson, Victoria
Subject: RE: Progress Energy

Good Morning,

The Public Notice was published on Sept. 15 and the public comment period ends on Thursday, Oct. 14.

On permit 1010017-006-AV, Anclote Renewal. We have an issue with the permitting note. That language is in the Construction permit. Need to speak to Trina on how we want to handle this issue.

Thanks

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

From: Gibson, Victoria
Sent: Friday, October 08, 2004 8:36 AM
To: Bull, Robert
Subject: Progress Energy

Happy Friday!

Just a FYI regarding Progress Energy extension of time that will expire next Friday the 15th:

Progress Energy -- Univ of Fla 0010001-007-AV

What is the status of this permit?

Thanks.

Vickie

Victoria Gibson, Administrative Secretary
Bureau Chief's Office
DEP/Bureau of Air Regulation
victoria.gibson@dep.state.fl.us
850-921-9504

Gibson, Victoria

From: Gibson, Victoria
Sent: Thursday, September 30, 2004 1:33 PM
To: Light, Lisa; Beason, Doug
Cc: Vielhauer, Trina
Subject: DRAFT Order to Grant -- Progress Energy / Univ of Fla Co-gen

Importance: High



OrdtoGrantUnivFL.d
oc (37 KB)

Vickie

Victoria Gibson, Administrative Secretary
Bureau Chief's Office
DEP/Bureau of Air Regulation
victoria.gibson@dep.state.fl.us
850-921-9504

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION

PROGRESS ENERGY FLORIDA, INC.
University of Florida Cogeneration Plant

Petitioner,

v.

OGC #04-1648
DEP Permit 0010001-007-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 Alachua 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, October 15, 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 September, 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 ____ day of September, 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

RECEIVED

THE STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION SEP 21 2004

In the Matter of an
Application for Permit by:

BUREAU OF AIR REGULATION

DEP Draft Permit No.: 0010001-007-AV

Progress Energy Florida, Inc.
University of Florida Cogeneration Plant
Alachua County, Florida

REQUEST FOR ENLARGEMENT OF TIME

By and through undersigned counsel, Progress Energy Florida, Inc. (Progress) hereby requests, pursuant to Florida Administrative Code Rule 62-110.106(4), an enlargement of time, to and including December 9, 2004, in which to file a Petition for Administrative Proceedings in the above-styled matter. As good cause for granting this request, Progress states the following:

1. By letter dated August 26, 2004, the Department of Environmental Protection (DEP) issued an "Intent to Issue Title V Air Operation Permit" (DRAFT Permit No. 0010001-007-AV) for the facility located on Mowery Road at University of Florida, Gainesville, Florida. Along with the Intent to Issue, DEP issued a draft Title V permit and "Public Notice of Intent to Issue Title V Air Operation Permit." Progress received these documents on or about September 9, 2004.

2. Based on Progress's review, the draft permit and associated documents contain provisions that warrant clarification or correction.

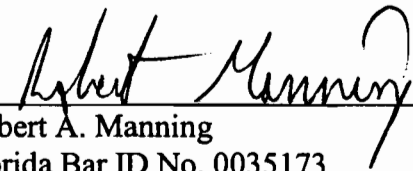
3. Progress and DEP are in the process of discussing possible resolutions to the issues needing clarification or correction.

4. This request is filed simply as a protective measure to avoid waiver of Progress's right to challenge certain conditions contained in the Draft Title V Permit, in the event that an agreement

cannot be reached. 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 respectfully requests that the time for filing of a Petition for Administrative Proceedings in regard to DEP's Intent to Issue Draft Permit No. 0010001-007-AV be formally extended to and including December 9, 2004.

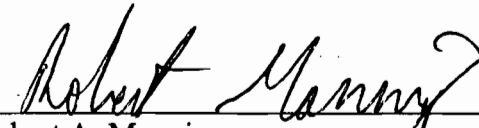
RESPECTFULLY SUBMITTED this 21st day of September, 2004.

By: 
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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 21st day of September, 2004.


Robert A. Manning

