



Florida Department of Environmental Protection

Marjory Stoneman Douglas Building
3900 Commonwealth Boulevard
Tallahassee, Florida 32399-3000

Charlie Crist
Governor

Jeff Kottkamp
Lt. Governor

Michael W. Sole
Secretary

August 17, 2009

Mr. John Griffin, PPS, CFE
Director, Tangible Personal Property
Osceola County
2505 East Irlo Bronson Memorial Highway
Post Office Box 423427
Kissimmee, Florida 34742-3427

Re: PEF Intercession City Plant
Pollution Control Devices

Dear Mr. Griffin:

I have reviewed the material attached to your letter dated August 6, 2009 concerning pollution control devices at the Progress Energy Florida (PEF) Intercession City Plant.

In accordance with §193.621, Florida Statutes, if it becomes necessary for a manufacturing or industrial plant or installation “to install or construct a facility in order to eliminate or reduce industrial air or water pollution, those facilities shall be deemed to have value for purposes of assessment for ad valorem property taxes no greater than their market value as salvage”. Note that only those facilities installed to eliminate or reduce air or water pollution are eligible for this type of assessment.

In my opinion, most of the equipment listed on the submitted form is indeed “primarily for the purpose of air or water pollution control” and is eligible for assessment as a pollution control device pursuant to §193.621, Florida Statutes. However, items that I do not consider as consistent with the aforementioned Statute include the items listed as Combustion Turbine Noise Equipment, Noise/Acoustical Enclosure, and Exhaust Stacks.

It is my opinion that:

- Equipment listed in the “noise” category does not qualify as air or water pollution.
- The primary purpose of exhaust stacks is not pollution control. However, because federal regulations include requirements that apply “good engineering practices” to stack heights, as a matter of practice we recommend that up to 60% of the value of exhaust stacks be assessed at no greater than the “salvage value”.

If you have any questions on this determination, please contact Cindy Mulkey at (850) 245-2175.

Sincerely,

Michael P. Halpin, P.E.
Administrator, Siting Office