

Charles D. McCrary  
Chief Production Officer  
President -  
Southern Company Generation

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Post Office Box 2641  
Birmingham, Alabama 35291

*Leaf*

Tel 205.257.2243  
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NOV 24 1999

November 23, 1999

BUREAU OF AIR REGULATION



Mr. Clair H. Fancy, P.E.  
Chief, Bureau of Air Regulation  
Air Resources Management Division  
Florida Department of Environmental Protection  
Mail Station 5500  
2600 Blair Stone Road  
Tallahassee, Florida 32399 - 2400

Dear Mr. Fancy:

This letter is provided in accordance with the requirements outlined in Section IV Acid Rain Part and Appendix CP.-1 of the Crist Electric Generating Plant, Scholz Electric Generating Plant, and the Lansing Smith Electric Generating Plant Title V permits. On December 8, 1997, Southern Company submitted a Phase II NOx Averaging Plan to the States of Alabama, Florida, Georgia, and Mississippi and to Jefferson County, Alabama, with copies to the U.S. Environmental Protection Agency at Region IV and the Acid Rain Division. The plan was updated on April 15, 1999, from 71 to 75 units operated by Southern Company across the four state region. Following several comments from EPA Region IV and a few administrative changes, the plan was signed and resubmitted on July 23, 1999.

The initial Southern Company NOx averaging plan has been approved by the Alabama Department of Environmental Management, Georgia Environmental Protection Division, Mississippi Department of Environmental Quality, and the Jefferson County, Alabama, Department of Health. In conjunction with final approval of the averaging plan, the agencies have or are in the process of updating permits for these units per the November 18, 1999, letter to you from Mr. R. Douglas Neeley, U.S. Environmental Protection Agency.

This certification is based on information and belief formed after reasonable inquiry. To the best of my knowledge, the statements and information in this document are true, accurate, and complete as required by 62-213.420 (4) F.A.C.

If you have questions about the plan or the status of approval, please contact Mr. Danny Herrin, Manager, Clean Air Compliance, Southern Company Generation, at (205) 257-6468.

Sincerely,

A handwritten signature in cursive script that reads "Charles D. McCrary".

cc: Ronald W. Gore, Alabama Department of Environmental Management  
Ronald C. Methier, Georgia Environmental Protection Division  
Dwight Wylie, Mississippi Department of Environmental Quality  
James I. Carroll, Jefferson County Department of Health  
R. Doug Neeley, U.S. Environmental Protection Agency  
Robert Miller, U.S. Environmental Protection Agency



Scott, FYI  
 BEST AVAILABLE COPY  
 UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
 REGION 4  
 ATLANTA FEDERAL CENTER  
 61 FORSYTH STREET  
 ATLANTA, GEORGIA 30303-8960

copy: D. Waters - Gulf  
 J. Hunter - TSC  
 11/24 E. Middelmeent - NW Dis  
 B. Dumas - SW Dis +  
 J. Campbell - HCEPC  
 P. Conner - OGT  
 H. Rhodes - VAR/m

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 Bureau of Air Regulation  
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 Florida Department of Environmental  
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 Mail Station 5500  
 2600 Blair Stone Road  
 Tallahassee, FL 32399-2400

BUREAU OF AIR REGULATION

Dear Mr. Fancy:

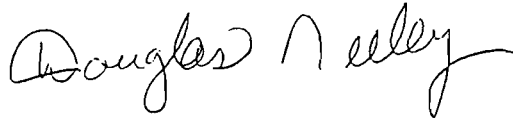
This letter is to follow up on our recent conversation regarding the approval process for the multi-state Phase II Acid Rain NOx Averaging Plan submitted by participating Southern Company plants to their respective State permitting authorities. Our conversation focused on the status of the proposed averaging plan, should the process of approval through the issuance of permits incorporating the plan not be completed by all the relevant permitting authorities by the Phase II effective date of January 1, 2000.

It is our understanding that the Florida Department of Environmental Protection (FDEP) has set a goal to complete the title V permitting process (i.e., finalize the title V permits) for the Gulf Power plants participating in the Southern Company Phase II NOx Averaging Plan by the end of this year. There remains the possibility, however, due to title V permitting delays that the FDEP may not approve Southern Company's plan and incorporate the plan into final title V permits by the end of this year.

The Acid Rain Division of the Environmental Protection Agency (EPA) considers a compliance plan submitted with an Acid Rain permit application to be part of the Acid Rain permit application (see 40 CFR 72.31(c)). This would include a Phase II NOx Averaging Plan; however, it would not include a petition for an alternative emission limitation period, a final alternative emission limitation or a renewal of a final alternative emission limitation. Therefore, the permit application shield provided in the Acid Rain regulations extends to a Phase II NOx Averaging Plan that is timely and complete (see 40 CFR 72.32(b)). Further, a complete Phase II NOx Averaging Plan is binding on the owners and operators until issuance or denial of the Acid Rain permit (see 40 CFR 72.32(c)). Under these rule provisions the units included in the Southern Company Phase II NOx Averaging Plan are required to operate in accordance with the terms of the averaging plan until the final approval of the plan (i.e., when all permitting authorities with jurisdiction over the units in the plan have approved the plan) (see 40 CFR 72.40(b)(2)).

If you have any questions or concerns regarding this matter, please contact Jenny Jachim of the EPA Region 4 staff at (404) 562-9126.

Sincerely,

A handwritten signature in black ink that reads "Douglas Neeley". The signature is written in a cursive style with a large, sweeping flourish at the end of the name.

R. Douglas Neeley  
Chief  
Air & Radiation Technology Branch  
Air, Pesticides and Toxics  
Management Branch

cc: W. Danny Herrin, Southern Company Services, Inc.  
Ronald W. Gore, Alabama Department of Environmental Management  
Ronald C. Methier, Environmental Protection Division  
James L. Carroll, Jefferson County Department of Health  
Dwight Alpern, Acid Rain Division  
Robert Miller, Acid Rain Division



8/26 Scott  
need to copy them  
on notices of intent.  
On any we have already sent  
submit a copy of intent pack  
claim - pls handle claim  
Dr

August 13, 1997

Howard Rhodes, Bureau Chief  
Bureau of Air Resources  
Florida Dept. of Env. Protection  
2600 Blairstone Rd, MS 5500  
Tallahassee, FL 32399

Re: Title V Permits

Dear Mr. Rhodes:

We understand the Bureau is reviewing applications for operating permits pursuant to DEP's authority to administer the Title V program. We are interested in potential permits for Florida's electric utilities, particularly Florida Power & Light, Florida Power Corp., **Gulf Power Co.**, and Tampa Electric Co.

We would like to be added to any list of interested persons to whom notices of intent to issue or deny permits are sent. We would also like to know what opportunities there are for public comment on proposed permits. In addition, if there is a list of pending permits, we would be grateful for a copy. Thank you for your assistance.

Sincerely,

*Gail Kamaras*

Gail Kamaras, Director  
Energy Advocacy Program

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AUG 15 1997  
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AIR REGULATION