

One Energy Place
Pensacola, Florida 32520

Tel 850.444.6111



Certified Mail

February 21, 2003

Mr. Jeffrey F. Koerner
Florida Department of Environmental Protection
Bureau of Air Regulation
2600 Blair Stone Road
Mail Station #5510
Tallahassee, Florida 32399-2400

RECEIVED
FEB 25 2003
BUREAU OF AIR REGULATION

Dear Mr. Koerner:

RE: CRIST ELECTRIC GENERATION FACILITY
DEP File No. 0330045-005-AC
Air Construction Permit for ESP/SCR- Public Notice Affidavit

Thanks for the quick response to Gulf Power's request for an air construction permit to begin construction of the ESP and SCR at Plant Crist. Enclosed is the proof of publication, i.e., newspaper affidavit regarding the Public Notice of Intent to Issue An Air Construction Permit originally sent to Gene L. Ussery (Gulf Power) on February 14, 2003.

Please let me know if you have any questions regarding this matter and if you receive any public comments regarding our request.

Sincerely,

A handwritten signature in black ink, appearing to read "Dwain Waters Q.E.P.", written over a horizontal line.

G. Dwain Waters, Q.E.P.
Air Quality Programs Supervisor

Cc: J. O. Vick, Gulf Power Company
Terry Wright, Gulf Power Company
John Dominey, Gulf Power Company
Sandra Veazey, FDEP, Northwest District

PENSACOLA
**News
Journal**
Informed. In Tune. In Touch.

Published Daily-Pensacola, Escambia County, FL

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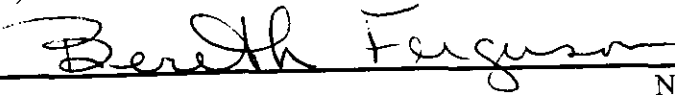
FEB 25 2003

BUREAU OF AIR REGULATION

STATE OF FLORIDA
County of Escambia

Before the undersigned authority personally appeared Kay Chastain who is personally known to me and who on oath says that he/she is a representative of The Pensacola News Journal, a daily newspaper published in Pensacola in Escambia County, Florida; that the attached copy of advertisement, being a legal in the matter of **PUBLIC NOTICE OF INTENT** was published in said newspaper in the issues of **FEBRUARY 16, 2003**. Affiant further states that the said Pensacola News Journal is a newspaper published in Pensacola, in said Escambia County, Florida, and that the said newspaper has heretofore been continuously published in said Escambia County, Florida each day and has been entered as second class mail matter at the post office in Pensacola, in said Escambia County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and Affiant further says that he/she has neither paid nor promised any person, firm, or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Sworn to and subscribed before me this **18TH DAY OF FEBRUARY**
A.D., 2003.



Notary Public

BERETH FERGUSON
"Notary Public-State of FL."
My Comm. Expires OCT. 10, 2005
Comm. No. DD048682

**PUBLIC NOTICE OF INTENT TO ISSUE AIR CONSTRUCTION PERMIT
STATE OF FLORIDA**

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Draft Air Permit No. 0330045-005-AC

Gulf Power Company

Crist Electrical Generating Plant

Unit 7 ESP/SCR Pollution Control Project

The Department of Environmental Protection (Department) gives notice of its intent to issue an air construction permit to Gulf Power Company to replace the existing electrostatic precipitator (ESP) and install a new selective catalytic reduction (SCR) system for Unit 7. The new equipment will be installed at the existing Crist Electrical Generating Plant, which is located on Governors Bayou off 10 Mile Road in Pensacola, Escambia County, Florida. The applicant's authorized representative is Gene L. Ussery, Jr., V.P. of Power Generation. The applicant's mailing address is Gulf Power Company, One Energy Place, Pensacola, FL 32520-0328.

In August of 2002, Gulf Power Company and the Florida Department of Environmental Protection entered into an agreement titled, "Agreement for the Purpose of Ensuring Compliance with the Ozone Ambient Air Quality Standards". The application under review is based on the pollution control projects for Unit 7 discussed in this agreement. Gulf Power Company proposes to install a new selective catalytic reduction (SCR) to remove emissions of nitrogen oxides (NOx) from Unit 7 at the existing Crist Electrical Generating Plant. Designed for 85% NOx removal efficiency, the SCR system is expected to reduce actual emissions of nitrogen oxides by approximately 5000 tons per year. To control particulate matter emissions, Gulf Power Company proposes to replace the existing electrostatic precipitator (ESP) with a new ESP. The new ESP is needed to structurally accommodate the proposed SCR system. Emissions of other pollutants are not expected to change. As a pollution control project defined by the regulations, the project is exempt from the PSD preconstruction review requirements of Rule 62-212.400, F.A.C. In accordance with the specific conditions, the draft permit authorizes the construction of this pollution control equipment.

The Department will issue the Final Permit with the attached conditions unless a response received in accordance with the following procedure results in a different decision or significant change of terms or conditions. The Department will accept written comments concerning the proposed permit issuance action for a period of fourteen (14) days from the date of publication of this Public Notice of Intent to Issue Air Construction Permit. Written comments should be provided to the Department's Bureau of Air Regulation at 2600 Blair Stone Road, Mail Station #5505, Tallahassee, FL 32399-2400. Any written comments filed shall be made available for public inspection. If written comments received result in a significant change in the proposed agency action, the Department shall revise the proposed permit and require, if applicable, another Public Notice.

The Department will issue the permit with the attached conditions unless a timely petition for an administrative hearing is filed pursuant to Sections 120.569 and 120.57, F.S., before the deadline for filing a petition. The procedures for petitioning for a hearing are set forth below. Mediation is not available in this proceeding.

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 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.

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.

A complete project file is available for public inspection during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at:

Department of Environmental Protection
Bureau of Air Regulation
(111 S. Magnolia Drive, Suite 4)
2600 Blair Stone Road, MS #5505
Tallahassee, Florida, 32399-2400
Telephone: 850/488-0114

Department of Environmental Protection
Northwest District Office
Air Resources Section
160 Governmental Center
Pensacola, FL 32501-5794
Telephone: 850/595-8300

The complete project file includes the application, Technical Evaluation and Preliminary Determination, Draft Permit, and the information submitted by the responsible official, exclusive of confidential records under Section 403.111, F.S. Interested persons may contact the Department's reviewing engineer for this project for additional information at the address and phone numbers listed above.

Legal# 64616 1T February 16, 2003.