

INTEROFFICE MEMORANDUM

TO: Michael G. Cooke

THRU: Trina L. Vielhauer
Jim Pennington *JMP*

FROM: Bruce Mitchell *BM*

DATE: May 5, 2004

SUBJECT: Authorization to Conduct Pollutant Testing and Parameter Measurements for the Development of a Compliance Assurance Monitoring (CAM) Protocol for the Gulf Power Company's Crist Electrical Generating Plant's Unit #7's Electrostatic Precipitator (ESP) 0330045-007-AC

The proposed project was requested to establish CAM information for the upcoming Title V Permit Renewal for the Crist Electrical Generating Plant. This request regards conducting various pollutant tests and data acquisition from CEMS for defining parameters that will be used for CAM purposes. The Unit #7's ESP is a new control device for the control of particulate matter and opacity.

There were no comments received during the Public Notice period (14-days), which concluded on May 1st. Therefore, it is recommended that the Final air construction permit (authorization letter) be signed as drafted and noticed.

MGC/rbm

Attachments

Mike,
This is a good thing. Gulf is being proactive in getting their CAM plan together. Also, they are thinking ahead & getting construction permit -- they want to test right up to their limits to develop good CAM plan. This is ~~is~~ precautionary in case they exceed design testing.
Trina

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. Gene L. Ussery, Jr.
 V.P. of Power Generation/
 Transmission
 Gulf Power Company
 One Energy Place
 Pensacola, Florida 32520-0328

2. Article Number
 (Transfer from service label)

7000 1670 0013 3109 9656

PS Form 3811, August 2001

Domestic Return Receipt

102595-02-M-1540

COMPLETE THIS SECTION ON DELIVERY

A. Signature
 X *R. Beach* Agent
 Addressee

B. Received by (Printed Name)
 R. BEACH

C. Date of Delivery
 5/10

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

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

7000 1670 0013 3109 9656

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

Sent To
 Mr. Gene L. Ussery, Jr.
 Street, Apt. No. or PO Box No.
 One Energy Place
 City, State, ZIP+4
 Pensacola, Florida 32520-0328

PS Form 3800, May 2000

See Reverse for Instructions

NOTICE OF FINAL AIR CONSTRUCTION PERMIT

In the Matter of an
Application for Permit:

Mr. Gene L. Ussery, Jr.
V.P. of Power Generation/Transmission
Gulf Power Company
One Energy Place
Pensacola, Florida 32520-0328

Permit Project No.: 0330045-007-AC
Crist Electrical Generating Plant
Escambia County

Enclosed is the Final Air Construction Permit (letter), No. 0330045-007-AC. The proposed project was requested to establish CAM information for the upcoming Title V Permit Renewal for the Crist Electrical Generating Plant. This request regards conducting various pollutant tests and data acquisition from CEMS for defining parameters that will be used for CAM purposes. The Unit #7's ESP is a new control device for the control of particulate matter and opacity. The facility is located in Escambia County. This permit (letter) is issued pursuant to Chapter 403, Florida Statutes (F.S.). There were no comments received during the Public Notice period (14-days).

Any party to this order (permit) has the right to seek judicial review of the permit revision pursuant to Section 120.68, F.S., by the filing of a Notice of Appeal pursuant to Rule 9.110, Florida Rules of Appellate Procedure, with the Clerk of the Department in the Legal Office; 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 of Appeal must be filed within 30 (thirty) days from the date this Notice is filed with the Clerk of the Department.

Executed in Tallahassee, Florida.

Trina L. Vielhauer, Chief
Bureau of Air Regulation

CERTIFICATE OF SERVICE

The undersigned duly designated deputy agency clerk hereby certifies that this NOTICE OF FINAL AIR CONSTRUCTION PERMIT (including the Final permit (authorization letter)) was sent by certified mail (*) and copies were mailed by U.S. Mail before the close of business on 5/7/04 to the person(s) listed or as otherwise noted:

Mr. Gene L. Ussery, Jr.*, Responsible Official and V.P. of Power Generation/Transmission, GPC
Mr. G. Dwain Waters, QEP, Air Quality Programs Supervisor, GPC
Mr. Gregory N. Terry, P.E., GPC
Ms. Sandra Veazey, DEP - NWD
Mr. Kevin White, DEP - NWD
Mr. Andy Allen, DEP - NWD
Mr. Joe Kahn, DEP - BAMMS

Clerk Stamp

FILING AND ACKNOWLEDGMENT FILED, on this date, pursuant to §120.52(7), Florida Statutes, with the designated Department Clerk, receipt of which is hereby acknowledged.

(Clerk) 5/7/04 (Date)

Final Determination

Gulf Power Company

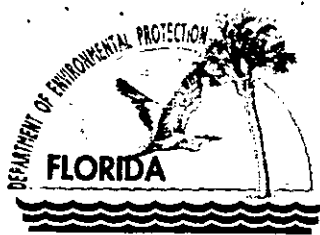
Project No.: 0330045-007-AC

I. Public Notice and Comments.

The Public Notice of the permitting project was published in the Pensacola News Journal on April 17, 2004. There were no written comments received in the commenting period (14-days), which concluded at the close of business of May 1st. Therefore, it is recommended that the Final air construction permit (authorization letter) be issued.

II. Conclusion.

It is recommended to issue the Final air construction permit (authorization letter) as drafted and public noticed.



Jeb Bush
Governor

Department of Environmental Protection

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

Colleen M. Castille
Secretary

May 6, 2004

CERTIFIED MAIL – Return Receipt Requested

Mr. Gene L. Ussery, Jr.
V.P. of Power Generation/Transmission
Gulf Power Company
One Energy Place
Pensacola, Florida 32520-0328

Dear Mr. Ussery:

RE: Authorization to Conduct Pollutant Testing and Parameter Measurements for the Development of a Compliance Assurance Monitoring (CAM) Protocol for the Gulf Power Company's Crist Electrical Generating Plant's Unit #7's Electrostatic Precipitator (ESP)
0330045-007-AC

The Department has reviewed the request that you provided on April 6, 2004. We have considered the Department's legal authority to allow Gulf Power Company to conduct the requested testing and measurements on its Crist Electrical Generating Plant's Unit #7's ESP (electrostatic precipitator) located in Pensacola, Escambia County. The purpose is to help the company address Compliance Assurance Monitoring (CAM), which will have to be addressed regarding the ESP upon renewal of their Title V Operation Permit. Paragraph 403.061(16), Florida Statutes (F.S.), authorizes the Department to encourage voluntary cooperation by persons in order to achieve the purposes of the state environmental control act. Paragraph 403.061(18), F.S., authorizes the Department to encourage and conduct studies, investigations, and research relating to the causes and control of pollution. Rule 62-210.700(5), Florida Administrative Code (F.A.C.), authorizes the Department to consider variation in industrial equipment and make allowances for excess emissions that provide reasonable and practical regulatory controls consistent with public interest. The control device's parameters to be assessed and established by the testing will be used to create Unit #7's CAM plan, which will define specific operating parameters, or indicators, that the owner or operator shall use to recognize when corrective actions must be taken to avoid non-compliance with the emission unit's permit limitations.

In accordance with the provisions of Paragraphs 403.061(16) and (18), F.S., and Rule 62-210.700(5), F.A.C., you are hereby authorized to conduct pollutant testing and parameter measurements for the development of a CAM protocol for the Gulf Power Company's Crist Electrical Generating Plant's Unit #7's ESP. This evaluation will require Gulf Power Company to vary the collection efficiency of the ESP to establish a performance curve between opacity, particulate matter emissions and ash resistivity, thus creating an operational condition near or in excess of the Florida particulate matter emissions and opacity standards. The data gathered will allow the calibration of an EPRI (Electrical Power Research Institute) computer model to evaluate the performance of the Crist Unit #7's ESP. The pollutants and or parameters to be measured or monitored will include sulfur dioxide, nitrogen oxides, particulate matter, visible emissions, carbon dioxide, ash content of the fuel, ultimate fuel analyses, unit operational parameters including load, fuel flow, excess air and flue gas temperature, and other unit specific parameters that are needed for the computer model.

"More Protection, Less Process"

Printed on recycled paper

Mr. Gene L. Ussery, Jr.
Gulf Power Company
Crist Electric Generating Plant: Unit #7
0330045-007-AC
Page Two

The performance tests and parameter measurements or monitoring shall be subject to the following conditions:

1. Unless waived, the permittee shall notify the Department's Northwest District and Bureau of Air Regulation offices at least 15 days prior to commencement of the performance tests and parameter measurements or monitoring. A written report shall be submitted to these offices within 45 days upon completion of the last test run and parameter measurements and monitoring.
2. The authorized testing and measurement and monitoring schedule is from June 1 thru August 31, 2004. If additional time is needed, the permittee shall provide the Department with documentation of the progress accomplished to date and shall identify what is left to be done to complete the testing and measurements or monitoring.
3. The parameters to be measured or monitored are sulfur dioxide [CEM (continuous emission monitor)], nitrogen oxides (CEM), particulate matter, visible emissions, carbon dioxide (CEM), particulate size distribution, ash content of the fuel, ultimate fuel analyses, load, fuel flow, excess air, flue gas temperature, and other unit specific parameters that are needed for the EPRI computer model.
4. Emissions testing shall be conducted for the following pollutants and using the following test methods:
 - a. Particulate matter EPA Test Method 17 (including EPA Test Methods 1 thru 4)
 - b. Visible emissions EPA Test Method 9
5. The release of objectionable odors pursuant to Rule 62-296.320(2), F.A.C., is not authorized for this activity.
6. Performance testing shall immediately cease upon the occurrence of a valid environmental complaint by a citizen or other party, or a nuisance or danger to the public health or welfare. Performance testing shall not resume until appropriate measures to correct the problem have been implemented.
7. The performance tests and parameter measurements and monitoring shall be under the direct supervision and responsible charge of a professional engineer registered in Florida.
8. This Department action is just to authorize the performance testing and parameter measurements and monitoring for the Crist Unit #7's ESP for the purpose of developing a CAM protocol.
9. Complete documentation of the activity shall be kept on file for at least 5 (five) years.
10. The Department shall be notified in writing on the date of the last test run and parameter measurement and monitoring completion. If after work hours, notification shall occur on the next work day.

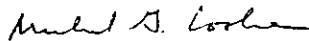
Mr. Gene L. Ussery, Jr.
Gulf Power Company
Crist Electric Generating Plant: Unit #7
0330045-007-AC
Page Three

11. Attachment Section.

- a. Mr. G. Dwain Waters's letter received April 5, 2004.
- b. Public Notice affidavit received April 26, 2004.
- c. Final Determination.

The Department has relied on the information referenced in the Attachment Section and conversations with representatives of Gulf Power Company in authorizing this activity.

Sincerely,



Michael G. Cooke, Director
Division of Air Resource Management

MGC/rbm

Enclosures

cc: Trina Vielhauer, DEP - BAR
Jim Pennington, DEP - BAR
Sandra Veazey, DEP - NWD
Andy Allen, DEP - NWD
Joe Kahn, DEP - BAMMS
G. Dwain Waters, Q.E.P., GPC
Gregory N. Terry, P.E., GPC

One Energy Place
Pensacola, Florida 32520

Tel 850.444.6111



Certified Mail

April 22, 2004

Mr. Bruce Mitchell, P.E.
Florida Department of Environmental Protection
Bureau of Air Regulation
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

RECEIVED

APR 26 2004

BUREAU OF AIR REGULATION

Dear Mr. Mitchell:

RE: CRIST ELECTRIC GENERATION FACILITY
DEP File No. 0330045-007-AC
Air Construction Permit for CAM - Public Notice Affidavit

Thanks for the quick response to Gulf Power's request for an air construction permit to conduct CAM testing 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 April 8, 2004. The notice was published on April 17, 2004 in the Pensacola News Journal.

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 that reads "Dwain Waters, Q.E.P." The signature is written in a cursive style.

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

Cc: Jim Vick, Gulf Power Company
Terry Wright, Gulf Power Company
John Dominey, Gulf Power Company
Kevin Beaty, Gulf Power Company
Sandra Veazey, FDEP, Northwest District

PUBLIC NOTICE OF INTENT TO ISSUE AN AIR CONSTRUCTION PERMIT

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
Draft Air Construction Permit No.: 0330045-007-AC
Gulf Power Company
Crist Electric Generating Plant
Escambia County

The Department of Environmental Protection (permitting authority) gives notice of its intent to issue an air construction permit (letter) to Gulf Power Company for its Crist Electric Generating Plant located in Pensacola, Escambia County. The applicant's name and address are: Gene L. Ussery, Jr., V.P. of Power Generation/ Transmission, Gulf Power Company, One Energy Place, Pensacola, Florida 32520-0328.

The permittee, Gulf Power Company, applied on April 5, 2004, for authorization to conduct pollutant testing and parameter measurements for the development of a Compliance Assurance Monitoring (CAM) protocol for the Gulf Power Company's Crist Unit No. 7's ESP (electrostatic precipitator), which is located at the Crist Electric Generating Plant in Pensacola, Escambia County. This evaluation will require Gulf Power Company to vary the collection efficiency of the ESP to establish a performance curve between opacity, particulate matter emissions and ash resistivity, thus creating an operational condition near or in excess of the Florida particulate matter emissions and opacity standards. The data gathered will allow the calibration of an EPRI (Electrical Power Research Institute) computer model to evaluate the performance of the Crist Unit No. 7's ESP. The pollutants and/or parameters to be measured or monitored will include sulfur dioxide (CEM (continuous emission monitor)), nitrogen oxides (CEM), particulate matter, visible emissions, carbon dioxide (CEM); ash content of the fuel, ultimate fuel analyses, unit operational parameters including load, fuel flow, excess air, flue gas temperature, and other unit specific parameters that are needed for the EPRI computer model. Particulate size distribution may be evaluated also. The development testing is scheduled to run from June 1 through August 31, 2004.

The permitting authority will issue the Air Construction Permit, and subsequent Final Air Construction Permit, in accordance with the conditions of the Draft Air Construction Permit unless a response received in accordance with the following procedures results in a different decision or significant change of terms or conditions.

The permitting authority will accept written comments concerning the proposed Draft Air Construction Permit issuance action for a period of 14 (fourteen) days from the date of publication of this Notice. Written comments should be provided to the Department's Bureau of Air Regulation, 2600 Blair Stone Road, Mail Station #5505, Tallahassee, Florida 32399-2400. Any written comments filed shall be made available for public inspection. If written comments received result in a significant change in this Draft Air Construction Permit, the permitting authority shall issue a Revised Draft Air Construction Permit and require, if applicable, another Public Notice.

A person whose substantial interests are affected by the proposed permitting decision may petition for an administrative hearing in accordance with Sections 120.569 and 120.57, Florida Statutes (F.S.). The petition must contain the information set forth below and must be filed (received) in Office of General Counsel of the Department of Environmental Protection, 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000 (Telephone: 850/488-9730; Fax: 850/487-4938). Petitions filed by any persons other than those entitled to written notice under Section 120.60(3), F.S., must be filed within fourteen days of publication of the public notice or within fourteen days of receipt of the notice of intent, whichever occurs first. Under Section 120.60(3), F.S., however, any person who asked the permitting authority for notice of agency action may file a petition within fourteen 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 applicable 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, Florida Administrative Code (F.A.C.).

A petition that disputes the material facts on which the permitting authority's action is based must contain the following information:

- (a) The name and address of each agency affected and each agency's file(s) or identification number(s), if known;
- (b) The name, address and telephone number of the petitioner; 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 petitioner's substantial rights will be affected by the agency determination;
- (c) A statement of how and when the 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 state;
- (e) A concise statement of the ultimate facts alleged, as well as the rules and statutes which entitle petitioner to relief; and
- (f) A demand for relief.

A petition that does not dispute the material facts upon which the permitting authority'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 permitting authority's final action may be different from the position taken by it in this notice of intent. Persons whose substantial interests will be affected by any such final decision of the permitting authority 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 for this proceeding.
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:

Permitting Authority:
Department of Environmental Protection
Bureau of Air Regulation
111 South Magnolia Drive, Suite 4
Tallahassee, Florida 32301
Telephone: 850/488-0114
Fax: 850/922-6979

Affected District Authority:
Dept. of Environmental Protection
Northwest District Office
Air Resources
160 Governmental Place
Pensacola, Florida 32520-0328
Telephone: 850/595-8300
Fax: 850/595-4417

The complete project file includes the Draft Air Construction Permit, the application/request, and the information submitted by the responsible official, exclusive of confidential records under Section 403.111, F.S. Interested persons may contact James K. Pennington, P.E., at the above address, or call 850/921-9515 for additional information.

RECEIVED
APR 26 2004

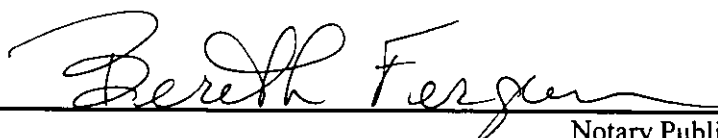
BUREAU OF AIR REGULATION

Published Daily-Pensacola, Escambia County, FL

STATE OF FLORIDA
County of Escambia

Before the undersigned authority, personally appeared NIKKI WINDHAM 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 **NOTICE OF INTENT** was published in said newspaper in the issues **APRIL 17, 2004**. Affidavit further says 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 Affidavit 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 **20TH DAY OF APRIL A.D., 2004**.



Notary Public

BERETH FERGUSON
Notary Public-State of FL
My Comm. Expires OCT. 10, 2005
Comm. No. DD048662