

One Energy Place  
Pensacola, Florida 32520

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JUN 01 2004

BUREAU OF AIR REGULATION



Certified Mail

May 28, 2004

Mr. Bruce Mitchell, P.E.  
Florida Department of Environmental Protection  
Bureau of Air Regulation  
2600 Blair Stone Road  
Mail Station #5510  
Tallahassee, Florida 32399-2400

Dear Mr. Mitchell: *Bruce*

RE: CRIST ELECTRIC GENERATION FACILITY  
DEP File No. 0330045-008-AC  
Air Construction Permit for SO2 Permit Limit Reduction - Public Notice Affidavit

Thanks for the quick response to Gulf Power's request for an air construction permit to reduce the SO2 emission limiting standard 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 May 18, 2004. The notice was published on May 23, 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,

*G. Dwain Waters, Q.E.P.*

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

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 TO ISSUE** was published in said newspaper in the issues **MAY 23, 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 **28TH DAY OF MAY A.D., 2004**.



Notary Public

**RECEIVED**

JUN 01 2004

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

BUREAU OF AIR REGULATION

**PUBLIC NOTICE OF INTENT TO ISSUE**  
STATE OF FLORIDA  
**DEPARTMENT OF ENVIRONMENTAL PROTECTION**  
Draft Air Construction Permit For  
Gulf Power Company  
Crist Electric Generation Station  
Escambia County, Florida

The Department of Environmental Protection (permitting authority) is issuing a draft air construction permit (letter) to Gulf Power Company (applicant) for the construction of a new 1,200 MW Electric Generating Unit (EGU) at the Crist Electric Generation Station, Escambia County, Florida. The applicant's name is Gulf Power Company, One Electric Avenue, Gulf Breeze, Florida 32561. The permittee, Gulf Power Company, applied on May 14, 2004, for a draft air construction permit for the construction of a new 1,200 MW Electric Generating Unit (EGU) at the Crist Electric Generation Station, Escambia County, Florida. The allowable SO<sub>2</sub> emission limiting standard for the EGU (pulverized coal) is 0.15 lb SO<sub>2</sub> per 1000 Btu heat input, when burning solid fuel (pulverized coal). The allowable SO<sub>2</sub> emission limiting standard for the EGU (pulverized coal) is 0.15 lb SO<sub>2</sub> per 1000 Btu heat input, when burning solid fuel (pulverized coal). The permitting authority will issue the Air Construction Permit, in accordance with the conditions of the Draft Air Construction Permit, in accordance with the following procedures results in a permit. The permitting authority will accept written comment on the permit issuance action for a period of 14 (fourteen) days. Comments should be provided to the Department, Mail Station #5505, Tallahassee, Florida 32399-2400, for public inspection. If written comments received for the permit, the permitting authority shall issue a revised draft air construction permit, another public notice. A person whose substantial interests are affected by an administrative hearing in accordance with Sections 218.05 and 218.06, Florida Administrative Code, must contain the information set forth below and in the Department of Environmental Protection, 3900 Tallahassee, Florida 32399-3000, (Telephone: 850/488-9773) other than those entitled to written notice under 8 days of publication of the public notice or within fourteen days of publication of the public notice or, if the notice occurs first, under Section 218.06(3), F.S.; however, an agency action may file a petition within fourteen days of publication. A petitioner shall mail a copy of the petition, at the time of filing. The failure of any person to constitute a waiver of that person's right to request a hearing under 218.06 and 218.07, F.S.; or to intervene in this proceeding intervention will be only at the approval of the permitting authority in accordance with Rule 28-106.205, Florida Administrative Code. A petition that disputes the material facts on which the permitting authority is based shall contain the following information:

- (a) The name and address of each agency affected by the action, and the number(s), if known;
- (b) The name, address and telephone number of the petitioner's representative, if any, which is the course of the proceeding; and an explanation of the petitioner's interest in the proceeding;
- (c) A statement of how and when the petitioner's interest is affected by the action;
- (d) A statement of all disputed issues of material fact;
- (e) A concise statement of the ultimate facts alleged by the petitioner to be true, and the relief sought;
- (f) A demand for relief.

A petition that does not dispute the material facts on which the permitting authority is based shall state that no such facts are in dispute and that the petitioner is requesting a hearing on the course of the proceeding. Because the administrative hearing process is designed to resolve disputes on the course of the proceeding, notice of intent. Persons whose substantial interests are affected by the permitting authority on the application have the right to participate in the hearing process in accordance with the requirements set forth above. Mediation is not available for this proceeding. A complete project file is available for public inspection from 8:00 a.m. Monday through Friday, except legal holidays, at the permitting authority's office.

**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

The complete project file includes the Draft Air Construction Permit, the responsible official's exclusive, interested persons may contact James K. Pennington, at the permitting authority's office for additional information.

Legal No. 66586-IT      May 23, 2004