

One Energy Place
Pensacola, Florida 32520

Tel 850.444.6111



Certified Mail

August 3, 2005

Mr. Jonathan Holtom, P.E.
Florida Department of Environmental Protection
Bureau of Air Regulation
2600 Blair Stone Road
Mail Station # 5505
Tallahassee, Florida 32399-2400

RECEIVED

AUG 08 2005

BUREAU OF AIR REGULATION

Dear Mr.Holtom:

RE: CRIST ELECTRIC GENERATION FACILITY
DEP File No. 0330045-012-AC
Air Construction Permit for SCNR - Public Notice Affidavit

Thanks for the quick response to Gulf Power's request for an air construction permit to install SNCR on Unit 6 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 Gulf Power on July 19, 2005. The notice was published on July 29, 2005 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, appearing to read "G. Dwain Waters, Q.E.P." with a stylized flourish at the end.

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
Sandra Veazey, FDEP, Northwest District

Published Daily-Pensacola, Escambia County, FL.

PROOF OF PUBLICATION

State of Florida

County of Escambia:

Before the undersigned authority personally appeared Kay Chastain, who on oath, says that she is a personal representative of the Pensacola News Journal, a daily newspaper published 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 issue(s) of:

JULY 29, 2005

Affiant further says that the said Pensacola News Journal is a newspaper published in said Escambia County, Florida, and that the said newspaper has heretofore been published in said Escambia County, Florida, and has been entered as second class matter at the Post Office 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 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 01 day of AUGUST, 2005, by Kay Chastain who is personally known to me.

Kay Chastain Affiant

Nikki E. Nichols Notary Public

NIKKI E. NICHOLS
 Notary Public-State of FL
 Comm. Exp. Aug. 01, 2009
 Comm. No. DD 427341

PUBLIC NOTICE OF INTENT TO ISSUE

Bureau of Air Regulation
 Draft Air Permit No. 0330045-012
 Gulf Power Company - Crist Electric Generation Station
 Escambia County

Applicant: The applicant for this project is Gulf Power Company, 10000 Gulf Breeze Parkway, Gulf Breeze, Florida 32252. The applicant's authorized representative is Dwain Waters, Q.E.P., Air Quality Programs Supervisor.

Facility Location: The applicant proposes to construct a selective catalytic reduction (SNCR) system on Unit 6 at the existing Gulf Power Plant, which is located on Pate Road, off of 10 Mile Road, Pensacola, Escambia County, Florida.

Project: The applicant proposes to install a selective catalytic reduction (SNCR) system on the existing Unit 6 for the purpose of reducing nitrogen oxide (NOX) emissions from the facility. The project is not expected to result in any significant increases of collateral pollutants. The NOX reductions achieved by the new facility-wide NOX emissions limit will comply with the new facility-wide NOX emissions limit required by the Agreement For The Purpose Of Ensuring Compliance with Ambient Air Quality Standards, dated August 28, 2002.

Permitting Authority: Applications for air construction permits are reviewed and issued in accordance with the provisions of Chapter 403, Florida Statutes, Chapters 62-4, 62-210, and 62-212 of the Florida Administrative Code. The proposed project is not exempt from air permitting requirements. The Permitting Authority is required to perform the proposed work. The Bureau of Air Regulation is the Permitting Authority responsible for making a permit determination. The Permitting Authority's physical address is: 1111 Tallahassee, Florida 32301. The Permitting Authority's mailing address is: 160 Governmental Center, Tallahassee, Florida 32301. The Permitting Authority's telephone number is 850/488-0114.

Project File: A complete project file is available for public review during normal business hours of 8:00 a.m. to 5:00 p.m., Monday through Friday (excluding legal holidays), at address indicated above for the Permitting Authority. The project file includes the Draft Permit, the Technical Evaluation Report, the application, and the information submitted in support of the application. Confidential records under Section 403.111, F.S. are exempt from public review. For more information, contact the Permitting Authority's project review engineer for a list of confidential records and an address and phone number listed above. A copy of the project file is available at the Department of Environmental Protection, 160 Governmental Center, Pensacola, Florida 32501-8364.

Notice of Intent to Issue Air Permit: The Permitting Authority is intending to issue an air permit to the applicant for the proposed project. The applicant has provided reasonable assurance that the proposed project will not adversely impact air quality and that the project complies with the provisions of Chapters 62-4, 62-204, 62-210, 62-212, and 62-213, F.A.C. The Permitting Authority will issue a Final Permit if the applicant complies with the conditions of the proposed Draft Permit unless a timely petition for a hearing is filed under Sections 120.569 and 120.57, F.S., or a change of terms or conditions is received in accordance with this notice results in a different permit.

Comments: The Permitting Authority will accept written comments on the proposed Draft Permit for a period of fourteen (14) days from the date of this Public Notice. Written comments must be provided to the Permitting Authority at the above address. Any written comments filed will be made available for public inspection. If written comments received result in a change of terms or conditions, the Permitting Authority shall revise the Draft Permit and issue another Public Notice.

Petitions: A person whose substantial interests are affected by the proposed action may petition for an administrative determination under Sections 120.569 and 120.57, F.S. The petition must contain the following information: (a) The name, address and telephone number of the petitioner; (b) The name and telephone number of the petitioner's representative, if any, for service purposes during the course of the proceeding; (c) A statement of how and when the petitioner received notice of the proposed action; (d) A statement of all disputed facts alleged, including the specific facts the petitioner contends are in dispute; (e) A concise statement of the agency's proposed action; (f) A statement of the petitioner's contention that the proposed action is unlawful, and (g) A statement of the relief sought. A petition that does not dispute the material facts on which the proposed action is based shall be considered a request for a hearing and otherwise shall contain the same information required by Rule 28-106.301, F.A.C.

A petition that disputes the material facts on which the proposed action is based must contain the following information: (a) The name, address and telephone number of the petitioner; (b) The name and telephone number of the petitioner's representative, if any, for service purposes during the course of the proceeding; (c) A statement of how and when the petitioner received notice of the proposed action; (d) A statement of all disputed facts alleged, including the specific facts the petitioner contends are in dispute; (e) A concise statement of the agency's proposed action; (f) A statement of the petitioner's contention that the proposed action is unlawful, and (g) A statement of the relief sought. A petition that does not dispute the material facts on which the proposed action is based shall be considered a request for a hearing and otherwise shall contain the same information required by Rule 28-106.301, F.A.C.

PUBLIC NOTICE OF INTENT TO ISSUE AIR PERMIT

Bureau of Air Regulation
Draft Air Permit No. 0330045-012-AC
Gulf Power Company - Crist Electric Generating Plant
Escambia County

Applicant: The applicant for this project is Gulf Power Company, One Energy Place, Pensacola, Florida 322520. The applicant's authorized representative is G. Dwain Waters, Q.E.P., Air Quality Programs Supervisor.

Facility Location: The applicant proposes to construct a new selective non-catalytic reduction (SNCR) system on Unit 6 at the existing Crist Electric Generating Plant, which is located on Pate Road, off of 10 Mile Road on Governors Bayou in Pensacola, Escambia County, Florida.

Project: The applicant proposes to install a selective non-catalytic reduction (SNCR) system on the existing Unit 6 for the purpose of reducing nitrogen oxide (NOX) emissions from the facility. The project is not expected to result in any significant increases of collateral pollutants. The NOX reduction is being made in order to comply with the new facility-wide NOX emissions limit of 0.2 lb/MMBtu that was required by the Agreement For The Purpose Of Ensuring Compliance With Ozone Ambient Air Quality Standards, dated August 28, 2002.

Permitting Authority: Applications for air construction permits are subject to review in accordance with the provisions of Chapter 403, Florida Statutes (F.S.) and Chapters 62-4, 62-210, and 62-212 of the Florida Administrative Code (F.A.C.). The proposed project is not exempt from air permitting requirements and an air permit is required to perform the proposed work. The Bureau of Air Regulation is the Permitting Authority responsible for making a permit determination regarding this project. The Permitting Authority's physical address is: 111 South Magnolia Drive, Tallahassee, Florida 32301. The Permitting Authority's mailing address is: 2600 Blair Stone Road, Mail Station 5505, Tallahassee, Florida 32399-2400. The Permitting Authority's telephone number is 850/488-0114.

Project File: A complete project file is available for public inspection during the normal business hours of 8:00 a.m. to 5:00 p.m., Monday through Friday (except legal holidays), at address indicated above for the Permitting Authority. The complete project file includes the Draft Permit, the Technical Evaluation and Preliminary Determination, the application, and the information submitted by the applicant, exclusive of confidential records under Section 403.111, F.S. Interested persons may contact the Permitting Authority's project review engineer for additional information at the address and phone number listed above. A copy of the complete project file is also available at the Department of Environmental Protection's Northwest District Office at 160 Governmental Center, Pensacola, Florida 32501-5794 (Telephone: 850/595-8364).

Notice of Intent to Issue Air Permit: The Permitting Authority gives notice of its intent to issue an air permit to the applicant for the project described above. The applicant has provided reasonable assurance that operation of proposed equipment will not adversely impact air quality and that the project will comply with all appropriate provisions of Chapters 62-4, 62-204, 62-210, 62-212, 62-296, and 62-297, F.A.C. The Permitting Authority will issue a Final Permit in accordance with the conditions of the proposed Draft Permit unless a timely petition for an administrative hearing is filed under Sections 120.569 and 120.57, F.S. or unless public comment received in accordance with this notice results in a different decision or a significant change of terms or conditions.

Comments: The Permitting Authority will accept written comments concerning the proposed Draft Permit for a period of fourteen (14) days from the date of publication of this Public Notice. Written comments must be provided to the Permitting Authority at the above address. Any written comments filed will be made available for public inspection. If written comments received result in a significant change to the Draft Permit, the Permitting Authority shall revise the Draft Permit and require, if applicable, another Public Notice.

Petitions: 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, F.S. The petition must contain the information set forth below and must be filed with (received by) the Department's Agency Clerk in the Office of General Counsel of the Department of Environmental Protection at 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000. 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 this Public Notice or receipt of a written notice, 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 (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 the 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 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 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 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, 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 the 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 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 Public Notice of Intent to Issue Air Permit. 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: Mediation is not available for this proceeding.