

One Energy Place
Pensacola, Florida 32520

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APR 19 2007

BUREAU OF AIR REGULATION



Certified Mail

April 11, 2007

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

Dear Mr.Holtom:

RE: CRIST ELECTRIC GENERATION FACILITY
DEP File No. 0330045-015-AC
Intent to Issue Crist FGD Construction Permit - Public Notice Affidavit

Attached, please find Gulf Power's proof of publication, i.e., newspaper affidavit regarding the Public Notice of Intent to Issue Draft Crist FGD Construction Permit originally sent to Penny M. Manuel (Gulf Power) on March 28, 2007. An electronic (pdf) version of this affidavit was sent you earlier today.

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

Sincerely,

G. Dwain Waters, Q.E.P.
Special Projects and Environmental Assets Coordinator

Cc: Jim Vick, Gulf Power Company
Terry Wright, Gulf Power Company
John Dominey, Gulf Power Company
Rick Bradburn, FDEP, Northwest District

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BUREAU OF AIR REGULATION

Published Daily-Pensacola, Escambia County, FL

PROOF OF PUBLICATION

State of Florida

County of Escambia:

Before the undersigned authority personally appeared **ERIC D. EASLEY** 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:

**PUBLIC NOTICE OF INTENT TO ISSUE
AIR PERMIT**

Was published in said newspaper in the issue(s) of:

APRIL 4, 2007

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 that 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 4th Day of April, 2007, by **ERIC D. EASLEY** who
Is personally known to me.


_____ Affiant


_____ 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 AIR PERMIT

Bureau of Air Regulation
Florida Department of Environmental Protection
Draft Air Permit No. 0330045-015-AC
Gulf Power Company, Crist Electric Generating Plant
Escambia County, Florida

Applicant: The applicant for this project is Gulf Power Company, One Energy Place, Pensacola, Florida 32520. The applicant's authorized representative and mailing address is: Ms. Penny M. Manuel, Vice President of Power Generation, Gulf Power Company, One Energy Place, Pensacola, Florida 32520.

Facility Location: Gulf Power Company operates the 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 construct a new wet flue gas desulfurization (WFGD) system for Units 4 - 7. The system will consist of a large scrubber vessel as well as a number of subsystems for transport and processing flue gas exhaust, limestone, gypsum, other solids, and water. A limestone slurry will be injected into the flue gas exhaust to chemically react with sulfur dioxide (SO₂) in the scrubber vessel for removal as gypsum. The WFGD system will be designed to remove approximately 95% of the SO₂ emissions. In addition, the WFGD system is expected to: remove an estimated 50% to 70% of the particulate matter emissions; remove an estimated 85% of the hydrogen chloride and hydrogen fluoride emissions; and capture an estimated 80% of the oxidized mercury. The project to add controls is expected to reduce emissions and requires a minor source air construction permit.

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 Department of Environmental Protection's 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: 2800 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.

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 the 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 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 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 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 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 (in a proceeding initiated by another party) 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 when and how the petitioner received notice of the agency action or proposed decision; (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 including an explanation of the alleged facts related to the specific rules or statutes; 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 28-106.205, 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.

Legal No. 70608

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April 4, 2007