

One Energy Place  
Pensacola, Florida 32520

Tel 850.444.6111

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DEC 23 2008

BUREAU OF AIR REGULATION

Certified Mail



December 16, 2008

Mr. Jonathan 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: *Jonathan*

RE: Crist Electric Generating Plant – Title V Revision

Permit Number: 0330045

Phase II NOx Averaging Plan Revision

*Project No.: 0330045-024-AV*

The Southern Company recently revised the Acid Rain Phase II NOx Averaging Plan due to the retirement of several generating units within the system. This plan was originally implemented in 1999 at Gulf Power for Plants Crist, Lansing Smith and Scholz and revised in 2004. The new plan will be effective for years 2009 through 2013. Please find attached a revised Phase II NOx Averaging Plan and subsequent request to revise the Crist Title IV and V permits. Please coordinate this request with our upcoming Title V permit renewal application earmarked for review in mid-2009.

Please let me know if you have any questions regarding our application for revision to the Crist Title V permit.

Sincerely,

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

G. Dwain Waters, Q.E.P.

Special Projects and Environmental Assets Coordinator

cc:w/o attachment:

J. O. Vick, Gulf Power Company

Greg Terry, Gulf Power Company

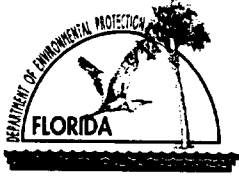
Terry Wright, Gulf Power Company

John Dominey, Gulf Power Company

Ken Boyd, Southern Company Services

Gary Perko, Hopping, Green & Smith

Rick Bradburn, FDEP- NWF District



# Department of Environmental Protection

RECEIVED

Division of Air Resource Management

DEC 23 2008

## APPLICATION FOR AIR PERMIT - LONG FORM

BUREAU OF AIR REGULATION

### I. APPLICATION INFORMATION

**Air Construction Permit** – Use this form to apply for an air construction permit:

- For any required purpose at a facility operating under a federally enforceable state air operation permit (FESOP) or Title V air operation permit;
- For a proposed project subject to prevention of significant deterioration (PSD) review, nonattainment new source review, or maximum achievable control technology (MACT);
- To assume a restriction on the potential emissions of one or more pollutants to escape a requirement such as PSD review, nonattainment new source review, MACT, or Title V; or
- To establish, revise, or renew a plantwide applicability limit (PAL).

**Air Operation Permit** – Use this form to apply for:

- An initial federally enforceable state air operation permit (FESOP); or
- An initial, revised, or renewal Title V air operation permit.

To ensure accuracy, please see form instructions.

#### Identification of Facility

1. Facility Owner/Company Name: Gulf Power Company	
2. Site Name: Crist Electric Generating Plant	
3. Facility Identification Number: 0330045	
4. Facility Location... on Pate Road, off 10 Mile Road, located on Governor's Bayou Street Address or Other Locator: 10 Mile Road City: Pensacola County: Escambia Zip Code: 32520-0340	
5. Relocatable Facility? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	6. Existing Title V Permitted Facility? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

#### Application Contact

1. Application Contact Name: Glenn Dwain Waters	
2. Application Contact Mailing Address... Organization/Firm: Gulf Power Company Street Address: One Energy Place City: Pensacola State: FL Zip Code: 32520-0329	
3. Application Contact Telephone Numbers... Telephone: (850) 444 - 6527 ext. Fax: (850) 444 - 6080	
4. Application Contact E-mail Address: <a href="mailto:gdwaters@southernco.com">gdwaters@southernco.com</a>	

#### Application Processing Information (DEP Use)

1. Date of Receipt of Application: 12-23-08	3. PSD Number (if applicable):
2. Project Number(s): 0330045-024-AV	4. Siting Number (if applicable):

## APPLICATION INFORMATION

### Purpose of Application

**This application for air permit is being submitted to obtain: (Check one)**

#### **Air Construction Permit**

- Air construction permit.
- Air construction permit to establish, revise, or renew a plantwide applicability limit (PAL).
- Air construction permit to establish, revise, or renew a plantwide applicability limit (PAL), and separate air construction permit to authorize construction or modification of one or more emissions units covered by the PAL.

#### **Air Operation Permit**

- Initial Title V air operation permit.
- Title V air operation permit revision.
- Title V air operation permit renewal.
- Initial federally enforceable state air operation permit (FESOP) where professional engineer (PE) certification is required.
- Initial federally enforceable state air operation permit (FESOP) where professional engineer (PE) certification is not required.

#### **Air Construction Permit and Revised/Renewal Title V Air Operation Permit (Concurrent Processing)**

- Air construction permit and Title V permit revision, incorporating the proposed project.
- Air construction permit and Title V permit renewal, incorporating the proposed project.

**Note: By checking one of the above two boxes, you, the applicant, are requesting concurrent processing pursuant to Rule 62-213.405, F.A.C. In such case, you must also check the following box:**

- I hereby request that the department waive the processing time requirements of the air construction permit to accommodate the processing time frames of the Title V air operation permit.

### Application Comment

The purpose of this application is to revise the existing Crist Title IV and Title V Permits to incorporate a new Southern Company NOx Averaging Plan. The following information is attached:

- 1) Letter from the Southern Company DR noting of state implementation of the plan.
- 2) Revised Acid Rain Application
- 3) Revised Southern Company NOx Averaging Plan

**APPLICATION INFORMATION**

**Scope of Application**

<b>Emissions Unit ID Number</b>	<b>Description of Emissions Unit</b>	<b>Air Permit Type</b>	<b>Air Permit Processing Fee</b>
004	Boiler # 4		
005	Boiler # 5		
006	Boiler # 6		
007	Boiler #7		
008	Fly Ash Silos		
009	Material Handling of Coal and Ash		
010	Fugitive PM Sources		
011	General Purpose Internal Combustion Engines		
012	Cooling Towers		
013	Fugitive PM Sources –Sandblasting Operations		
014	Unit 7 Mechanical Draft Cooling Tower		


**Application Processing Fee**

**Check one:**  Attached - Amount: \$ \_\_\_\_\_  Not Applicable

**APPLICATION INFORMATION**

**Owner/Authorized Representative Statement**

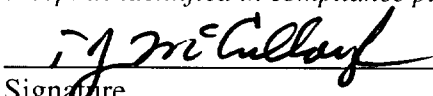
**Complete if applying for an air construction permit or an initial FESOP.**

1. Owner/Authorized Representative Name : Glenn Dwain Waters
2. Owner/Authorized Representative Mailing Address... Organization/Firm: Gulf Power Street Address: One Energy Place City: Pensacola State: Florida Zip Code: 32520-0329
3. Owner/Authorized Representative Telephone Numbers... Telephone: (850) 444 - 6527 ext. Fax: (850) 444 - 6080
4. Owner/Authorized Representative E-mail Address: <u>gdwaters@southernco.com</u>
5. Owner/Authorized Representative Statement:  <i>I, the undersigned, am the owner or authorized representative of the corporation, partnership, or other legal entity submitting this air permit application. To the best of my knowledge, the statements made in this application are true, accurate and complete, and any estimates of emissions reported in this application are based upon reasonable techniques for calculating emissions. I understand that a permit, if granted by the department, cannot be transferred without authorization from the department.</i>   Signature  <u>12-15-2008</u> Date

## APPLICATION INFORMATION

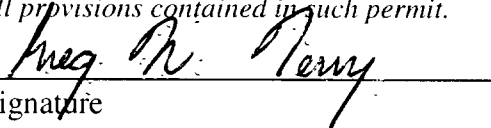
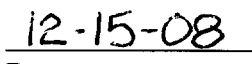
### Application Responsible Official Certification

**Complete if applying for an initial, revised, or renewal Title V air operation permit or concurrent processing of an air construction permit and revised or renewal Title V air operation permit. If there are multiple responsible officials, the "application responsible official" need not be the "primary responsible official."**

1. Application Responsible Official Name: Theodore J. McCullough
2. Application Responsible Official Qualification (Check one or more of the following options, as applicable): <input checked="" type="checkbox"/> For a corporation, the president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation, or a duly authorized representative of such person if the representative is responsible for the overall operation of one or more manufacturing, production, or operating facilities applying for or subject to a permit under Chapter 62-213, F.A.C. <input type="checkbox"/> For a partnership or sole proprietorship, a general partner or the proprietor, respectively. <input type="checkbox"/> For a municipality, county, state, federal, or other public agency, either a principal executive officer or ranking elected official. <input type="checkbox"/> The designated representative at an Acid Rain source, CAIR source, or Hg Budget source.
3. Application Responsible Official Mailing Address... Organization/Firm: Gulf Power Company Street Address: One Energy Place City: Pensacola State: Florida Zip Code: 32520-0100
4. Application Responsible Official Telephone Numbers... Telephone: (850) 444- 6383 ext. Fax: (850) 444- 6744
5. Application Responsible Official E-mail Address: <u>TJMCCULL@southernco.com</u>
6. Application Responsible Official Certification: <i>I, the undersigned, am a responsible official of the Title V source addressed in this air permit application. I hereby certify, based on information and belief formed after reasonable inquiry, that the statements made in this application are true, accurate and complete and that, to the best of my knowledge, any estimates of emissions reported in this application are based upon reasonable techniques for calculating emissions. The air pollutant emissions units and air pollution control equipment described in this application will be operated and maintained so as to comply with all applicable standards for control of air pollutant emissions found in the statutes of the State of Florida and rules of the Department of Environmental Protection and revisions thereof and all other applicable requirements identified in this application to which the Title V source is subject. I understand that a permit, if granted by the department, cannot be transferred without authorization from the department, and I will promptly notify the department upon sale or legal transfer of the facility or any permitted emissions unit. Finally, I certify that the facility and each emissions unit are in compliance with all applicable requirements to which they are subject, except as identified in compliance plan(s) submitted with this application.</i>  Signature <u>12/16/08</u> Date

# APPLICATION INFORMATION

## Professional Engineer Certification

1. Professional Engineer Name: Greg N. Terry Registration Number: 52786
2. Professional Engineer Mailing Address... Organization/Firm: Gulf Power Company Street Address: One Energy Place City: Pensacola State: Florida Zip Code: 32520-0329
3. Professional Engineer Telephone Numbers... Telephone: (850) 444 - 6144 ext. Fax: (850) 444 - 6080
4. Professional Engineer E-mail Address: <u>GNTERRY@southernco.com</u>
5. Professional Engineer Statement: <i>I, the undersigned, hereby certify, except as particularly noted herein*, that:</i> <i>(1) To the best of my knowledge, there is reasonable assurance that the air pollutant emissions unit(s) and the air pollution control equipment described in this application for air permit, when properly operated and maintained, will comply with all applicable standards for control of air pollutant emissions found in the Florida Statutes and rules of the Department of Environmental Protection; and</i> <i>(2) To the best of my knowledge, any emission estimates reported or relied on in this application are true, accurate, and complete and are either based upon reasonable techniques available for calculating emissions or, for emission estimates of hazardous air pollutants not regulated for an emissions unit addressed in this application, based solely upon the materials, information and calculations submitted with this application.</i> <i>(3) If the purpose of this application is to obtain a Title V air operation permit (check here <input checked="" type="checkbox"/>, if so), I further certify that each emissions unit described in this application for air permit, when properly operated and maintained, will comply with the applicable requirements identified in this application to which the unit is subject, except those emissions units for which a compliance plan and schedule is submitted with this application.</i> <i>(4) If the purpose of this application is to obtain an air construction permit (check here <input type="checkbox"/>, if so) or concurrently process and obtain an air construction permit and a Title V air operation permit revision or renewal for one or more proposed new or modified emissions units (check here <input type="checkbox"/>, if so), I further certify that the engineering features of each such emissions unit described in this application have been designed or examined by me or individuals under my direct supervision and found to be in conformity with sound engineering principles applicable to the control of emissions of the air pollutants characterized in this application.</i> <i>(5) If the purpose of this application is to obtain an initial air operation permit or operation permit revision or renewal for one or more newly constructed or modified emissions units (check here <input type="checkbox"/>, if so), I further certify that, with the exception of any changes detailed as part of this application, each such emissions unit has been constructed or modified in substantial accordance with the information given in the corresponding application for air construction permit and with all provisions contained in such permit.</i>   Signature   Date  (seal)

\* Attach any exception to certification statement.

## II. FACILITY INFORMATION

### A. GENERAL FACILITY INFORMATION

#### Facility Location and Type

1. Facility UTM Coordinates... Zone 16      East (km) 478.27 North (km) 3381.36		2. Facility Latitude/Longitude... Latitude (DD/MM/SS) 30/33/58 Longitude (DD/MM/SS) 87/13/44	
3. Governmental Facility Code: 0- NONE	4. Facility Status Code: A- Active	5. Facility Major Group SIC Code: 49	6. Facility SIC(s):  4911
7. Facility Comment :			

#### Facility Contact

1. Facility Contact Name: Glenn Dwain Waters
2. Facility Contact Mailing Address... Organization/Firm: Gulf Power Company Street Address: One Energy Place <div style="display: flex; justify-content: space-between; margin-top: 10px;"> <span>City: Pensacola</span> <span>State: Fl</span> <span>Zip Code: 32520-0329</span> </div>
3. Facility Contact Telephone Numbers: Telephone: (850) 444 - 6527      ext.      Fax: (850) 444 - 6080
4. Facility Contact E-mail Address: <a href="mailto:gdwaters@southernco.com">gdwaters@southernco.com</a>

#### Facility Primary Responsible Official

**Complete if an "application responsible official" is identified in Section I that is not the facility "primary responsible official."**

1. Facility Primary Responsible Official Name:
2. Facility Primary Responsible Official Mailing Address... Organization/Firm: Street Address: <div style="display: flex; justify-content: space-between; margin-top: 10px;"> <span>City:</span> <span>State:</span> <span>Zip Code:</span> </div>
3. Facility Primary Responsible Official Telephone Numbers... Telephone: ( ) -      ext.      Fax: ( ) -
4. Facility Primary Responsible Official E-mail Address:



## FACILITY INFORMATION

### Facility Regulatory Classifications

Check all that would apply *following* completion of all projects and implementation of all other changes proposed in this application for air permit. Refer to instructions to distinguish between a “major source” and a “synthetic minor source.”

1. <input type="checkbox"/> Small Business Stationary Source	<input type="checkbox"/> Unknown
2. <input type="checkbox"/> Synthetic Non-Title V Source	
3. <input checked="" type="checkbox"/> Title V Source	
4. <input checked="" type="checkbox"/> Major Source of Air Pollutants, Other than Hazardous Air Pollutants (HAPs)	
5. <input type="checkbox"/> Synthetic Minor Source of Air Pollutants, Other than HAPs	
6. <input type="checkbox"/> Major Source of Hazardous Air Pollutants (HAPs)	
7. <input type="checkbox"/> Synthetic Minor Source of HAPs	
8. <input type="checkbox"/> One or More Emissions Units Subject to NSPS (40 CFR Part 60)	
9. <input type="checkbox"/> One or More Emissions Units Subject to Emission Guidelines (40 CFR Part 60)	
10. <input type="checkbox"/> One or More Emissions Units Subject to NESHAP (40 CFR Part 61 or Part 63)	
11. <input type="checkbox"/> Title V Source Solely by EPA Designation (40 CFR 70.3(a)(5))	
12. Facility Regulatory Classifications Comment:	
<p>Plant Crist is subject to the Acid Rain Program; Application is for Title IV and Title V Permit Revisions to update the NOx Averaging Plan.</p>	





## FACILITY INFORMATION

### C. FACILITY ADDITIONAL INFORMATION

#### Additional Requirements for All Applications, Except as Otherwise Stated

1. Facility Plot Plan: (Required for all permit applications, except Title V air operation permit revision applications if this information was submitted to the department within the previous five years and would not be altered as a result of the revision being sought) <input type="checkbox"/> Attached, Document ID: _____ <input checked="" type="checkbox"/> Previously Submitted, Date: <u>06/22/2004</u>
2. Process Flow Diagram(s): (Required for all permit applications, except Title V air operation permit revision applications if this information was submitted to the department within the previous five years and would not be altered as a result of the revision being sought) <input type="checkbox"/> Attached, Document ID: _____ <input checked="" type="checkbox"/> Previously Submitted, Date: <u>06/22/2004</u>
3. Precautions to Prevent Emissions of Unconfined Particulate Matter: (Required for all permit applications, except Title V air operation permit revision applications if this information was submitted to the department within the previous five years and would not be altered as a result of the revision being sought) <input type="checkbox"/> Attached, Document ID: _____ <input checked="" type="checkbox"/> Previously Submitted, Date: <u>06/22/2004</u>

#### Additional Requirements for Air Construction Permit Applications

1. Area Map Showing Facility Location: <input type="checkbox"/> Attached, Document ID: _____ <input type="checkbox"/> Not Applicable (existing permitted facility)
2. Description of Proposed Construction, Modification, or Plantwide Applicability Limit (PAL): <input type="checkbox"/> Attached, Document ID: _____
3. Rule Applicability Analysis: <input type="checkbox"/> Attached, Document ID: _____
4. List of Exempt Emissions Units: <input type="checkbox"/> Attached, Document ID: _____ <input type="checkbox"/> Not Applicable (no exempt units at facility)
5. Fugitive Emissions Identification: <input type="checkbox"/> Attached, Document ID: _____ <input type="checkbox"/> Not Applicable
6. Air Quality Analysis (Rule 62-212.400(7), F.A.C.): <input type="checkbox"/> Attached, Document ID: _____ <input type="checkbox"/> Not Applicable
7. Source Impact Analysis (Rule 62-212.400(5), F.A.C.): <input type="checkbox"/> Attached, Document ID: _____ <input type="checkbox"/> Not Applicable
8. Air Quality Impact since 1977 (Rule 62-212.400(4)(e), F.A.C.): <input type="checkbox"/> Attached, Document ID: _____ <input type="checkbox"/> Not Applicable
9. Additional Impact Analyses (Rules 62-212.400(8) and 62-212.500(4)(e), F.A.C.): <input type="checkbox"/> Attached, Document ID: _____ <input type="checkbox"/> Not Applicable
10. Alternative Analysis Requirement (Rule 62-212.500(4)(g), F.A.C.): <input type="checkbox"/> Attached, Document ID: _____ <input type="checkbox"/> Not Applicable

# FACILITY INFORMATION

## C. FACILITY ADDITIONAL INFORMATION (CONTINUED)

### Additional Requirements for FESOP Applications

- |   |
|---|
| 1. List of Exempt Emissions Units:<br><input type="checkbox"/> Attached, Document ID: _____ <input type="checkbox"/> Not Applicable (no exempt units at facility) |
|---|

### Additional Requirements for Title V Air Operation Permit Applications

- |  |
|--|
| 1. List of Insignificant Activities: (Required for initial/renewal applications only)<br><input type="checkbox"/> Attached, Document ID: _____ <input checked="" type="checkbox"/> Not Applicable (revision application)   |
| 2. Identification of Applicable Requirements: (Required for initial/renewal applications, and for revision applications if this information would be changed as a result of the revision being sought)<br><input type="checkbox"/> Attached, Document ID: _____<br><input checked="" type="checkbox"/> Not Applicable (revision application with no change in applicable requirements)   |
| 3. Compliance Report and Plan: (Required for all initial/revision/renewal applications)<br><input type="checkbox"/> Attached, Document ID: _____<br>Note: A compliance plan must be submitted for each emissions unit that is not in compliance with all applicable requirements at the time of application and/or at any time during application processing. The department must be notified of any changes in compliance status during application processing. |
| 4. List of Equipment/Activities Regulated under Title VI: (If applicable, required for initial/renewal applications only)<br><input type="checkbox"/> Attached, Document ID: _____<br><input type="checkbox"/> Equipment/Activities Onsite but Not Required to be Individually Listed<br><input checked="" type="checkbox"/> Not Applicable  |
| 5. Verification of Risk Management Plan Submission to EPA: (If applicable, required for initial/renewal applications only)<br><input type="checkbox"/> Attached, Document ID: _____ <input checked="" type="checkbox"/> Not Applicable   |
| 6. Requested Changes to Current Title V Air Operation Permit:<br><input checked="" type="checkbox"/> Attached, Document ID: <u>SC NOx Letter 12-11-08</u> <input type="checkbox"/> Not Applicable  |

**FACILITY INFORMATION**

**C. FACILITY ADDITIONAL INFORMATION (CONTINUED)**

**Additional Requirements for Facilities Subject to Acid Rain, CAIR, or Hg Budget Program**

1. Acid Rain Program Forms: Acid Rain Part Application (DEP Form No. 62-210.900(1)(a)): <input checked="" type="checkbox"/> Attached, Document ID: <u>Crist AR App</u> <input type="checkbox"/> Previously Submitted, Date: _____ <input type="checkbox"/> Not Applicable (not an Acid Rain source) Phase II NO <sub>x</sub> Averaging Plan (DEP Form No. 62-210.900(1)(a)1.): <input checked="" type="checkbox"/> Attached, Document ID: <u>SC NO<sub>x</sub> Plan</u> <input type="checkbox"/> Previously Submitted, Date: _____ <input type="checkbox"/> Not Applicable New Unit Exemption (DEP Form No. 62-210.900(1)(a)2.): <input type="checkbox"/> Attached, Document ID: _____ <input type="checkbox"/> Previously Submitted, Date: _____ <input type="checkbox"/> Not Applicable
2. CAIR Part (DEP Form No. 62-210.900(1)(b)): <input type="checkbox"/> Attached, Document ID: _____ <input type="checkbox"/> Previously Submitted, Date: _____ <input type="checkbox"/> Not Applicable (not a CAIR source)
3. Hg Budget Part (DEP Form No. 62-210.900(1)(c)): <input type="checkbox"/> Attached, Document ID: _____ <input type="checkbox"/> Previously Submitted, Date: _____ <input type="checkbox"/> Not Applicable (not a Hg Budget unit)

**Additional Requirements Comment**

A letter from the Southern Company Designated Representative is attached noting status of the Southern Company NO <sub>x</sub> Averaging Plan in other states. Attached, Document ID: <u>SC NO<sub>x</sub> Letter – 12/11/08</u>
--

Document ID: Crist AR App

Description: Crist Acid Rain Part Application 12/15/2008





**CRIST ELECTRIC GENERATING PLANT**

Plant Name (from STEP 1)

**STEP 3**

**Read the  
standard  
requirements.**

Acid Rain Part Requirements.

- (1) The designated representative of each Acid Rain source and each Acid Rain unit at the source shall:
  - (i) Submit a complete Acid Rain Part application (including a compliance plan) under 40 CFR Part 72 and Rules 62-214.320 and 330, F.A.C., in accordance with the deadlines specified in Rule 62-214.320, F.A.C.; and
  - (ii) Submit in a timely manner any supplemental information that the DEP determines is necessary in order to review an Acid Rain Part application and issue or deny an Acid Rain Part;
- (2) The owners and operators of each Acid Rain source and each Acid Rain unit at the source shall:
  - (i) Operate the unit in compliance with a complete Acid Rain Part application or a superseding Acid Rain Part issued by the DEP; and
  - (ii) Have an Acid Rain Part.

Monitoring Requirements.

- (1) The owners and operators and, to the extent applicable, designated representative of each Acid Rain source and each Acid Rain unit at the source shall comply with the monitoring requirements as provided in 40 CFR Part 75, and Rule 62-214.420, F.A.C.
- (2) The emissions measurements recorded and reported in accordance with 40 CFR Part 75 shall be used to determine compliance by the unit with the Acid Rain emissions limitations and emissions reduction requirements for sulfur dioxide and nitrogen oxides under the Acid Rain Program.
- (3) The requirements of 40 CFR Part 75 shall not affect the responsibility of the owners and operators to monitor emissions of other pollutants or other emissions characteristics at the unit under other applicable requirements of the Act and other provisions of the operating permit for the source.
- (4) For applications including a SO<sub>2</sub> Opt-in unit, a monitoring plan for each SO<sub>2</sub> Opt-in unit must be submitted with this application pursuant to 40 CFR 74.14(a). For renewal applications for SO<sub>2</sub> Opt-in units include an updated monitoring plan if applicable under 40 CFR 75.53(b).

Sulfur Dioxide Requirements.

- (1) The owners and operators of each source and each Acid Rain unit at the source shall:
  - (i) Hold allowances, as of the allowance transfer deadline, in the unit's compliance subaccount (after deductions under 40 CFR 73.34(e)), or in the compliance subaccount of another Acid Rain unit at the same source to the extent provided in 40 CFR 73.35(b)(3), not less than the total annual emissions of sulfur dioxide for the previous calendar year from the unit; and
  - (ii) Comply with the applicable Acid Rain emissions limitations for sulfur dioxide.
- (2) Each ton of sulfur dioxide emitted in excess of the Acid Rain emissions limitations for sulfur dioxide shall constitute a separate violation of the Act.
- (3) An Acid Rain unit shall be subject to the requirements under paragraph (1) of the sulfur dioxide requirements as follows:
  - (i) Starting January 1, 2000, an Acid Rain unit under 40 CFR 72.6(a)(2); or
  - (ii) Starting on the later of January 1, 2000, or the deadline for monitor certification under 40 CFR Part 75, an Acid Rain unit under 40 CFR 72.6(a)(3).
- (4) Allowances shall be held in, deducted from, or transferred among Allowance Tracking System accounts in accordance with the Acid Rain Program.
- (5) An allowance shall not be deducted in order to comply with the requirements under paragraph (1) of the sulfur dioxide requirements prior to the calendar year for which the allowance was allocated.
- (6) An allowance allocated by the Administrator under the Acid Rain Program is a limited authorization to emit sulfur dioxide in accordance with the Acid Rain Program. No provision of the Acid Rain Program, the Acid Rain Part application, the Acid Rain Part, or an exemption under 40 CFR 72.7 or 72.8 and no provision of law shall be construed to limit the authority of the United States to terminate or limit such authorization.
- (7) An allowance allocated by the Administrator under the Acid Rain Program does not constitute a property right.

Nitrogen Oxides Requirements. The owners and operators of the source and each Acid Rain unit at the source shall comply with the applicable Acid Rain emissions limitation for nitrogen oxides.

Excess Emissions Requirements.

- (1) The designated representative of an Acid Rain unit that has excess emissions in any calendar year shall submit a proposed offset plan, as required under 40 CFR Part 77.
- (2) The owners and operators of an Acid Rain unit that has excess emissions in any calendar year shall:
  - (i) Pay without demand the penalty required, and pay upon demand the interest on that penalty, as required by 40 CFR Part 77; and
  - (ii) Comply with the terms of an approved offset plan, as required by 40 CFR Part 77.

Recordkeeping and Reporting Requirements.

- (1) Unless otherwise provided, the owners and operators of the source and each Acid Rain unit at the source shall keep on site at the source each of the following documents for a period of 5 years from the date the document is created. This period may be extended for cause, at any time prior to the end of 5 years, in writing by the EPA or the DEP:
  - (i) The certificate of representation for the designated representative for the source and each Acid Rain unit at the source and all documents that demonstrate the truth of the statements in the certificate of representation, in accordance with Rule 62-214.350, F.A.C.; provided that the certificate and documents shall be retained on site at the source beyond such 5-year period until such documents are superseded because of the submission of a new certificate of representation changing the designated representative;
  - (ii) All emissions monitoring information, in accordance with 40 CFR Part 75, provided that to the extent that 40 CFR Part 75 provides for a 3-year period for recordkeeping, the 3-year period shall apply;
  - (iii) Copies of all reports, compliance certifications, and other submissions and all records made or required under the Acid Rain Program; and

<b>CRIST ELECTRIC GENERATING PLANT</b>
Plant Name (from STEP 1)

**STEP 3,  
Continued.**

**Recordkeeping and Reporting Requirements (cont)**

(iv) Copies of all documents used to complete an Acid Rain Part application and any other submission under the Acid Rain Program or to demonstrate compliance with the requirements of the Acid Rain Program.

(2) The designated representative of an Acid Rain source and each Acid Rain unit at the source shall submit the reports and compliance certifications required under the Acid Rain Program, including those under 40 CFR Part 72, Subpart I, and 40 CFR Part 75.

**Liability.**

- (1) Any person who knowingly violates any requirement or prohibition of the Acid Rain Program, a complete Acid Rain Part application, an Acid Rain Part, or an exemption under 40 CFR 72.7 or 72.8, including any requirement for the payment of any penalty owed to the United States, shall be subject to enforcement pursuant to section 113(c) of the Act.
- (2) Any person who knowingly makes a false, material statement in any record, submission, or report under the Acid Rain Program shall be subject to criminal enforcement pursuant to section 113(c) of the Act and 18 U.S.C. 1001.
- (3) No permit revision shall excuse any violation of the requirements of the Acid Rain Program that occurs prior to the date that the revision takes effect.
- (4) Each Acid Rain source and each Acid Rain unit shall meet the requirements of the Acid Rain Program.
- (5) Any provision of the Acid Rain Program that applies to an Acid Rain source (including a provision applicable to the designated representative of an Acid Rain source) shall also apply to the owners and operators of such source and of the Acid Rain units at the source.
- (6) Any provision of the Acid Rain Program that applies to an Acid Rain unit (including a provision applicable to the designated representative of an Acid Rain unit) shall also apply to the owners and operators of such unit. Except as provided under 40 CFR 72.44 (Phase II repowering extension plans) and 40 CFR 76.11 (NO<sub>x</sub> averaging plans), and except with regard to the requirements applicable to units with a common stack under 40 CFR Part 75 (including 40 CFR 75.16, 75.17, and 75.18), the owners and operators and the designated representative of one Acid Rain unit shall not be liable for any violation by any other Acid Rain unit of which they are not owners or operators or the designated representative and that is located at a source of which they are not owners or operators or the designated representative.
- (7) Each violation of a provision of 40 CFR Parts 72, 73, 74, 75, 76, 77, and 78 by an Acid Rain source or Acid Rain unit, or by an owner or operator or designated representative of such source or unit, shall be a separate violation of the Act.

**Effect on Other Authorities.**

No provision of the Acid Rain Program, an Acid Rain Part application, an Acid Rain Part, or an exemption under 40 CFR 72.7 or 72.8 shall be construed as:

- (1) Except as expressly provided in title IV of the Act, exempting or excluding the owners and operators and, to the extent applicable, the designated representative of an Acid Rain source or Acid Rain unit from compliance with any other provision of the Act, including the provisions of title I of the Act relating to applicable National Ambient Air Quality Standards or State Implementation Plans;
- (2) Limiting the number of allowances a unit can hold; *provided*, that the number of allowances held by the unit shall not affect the source's obligation to comply with any other provisions of the Act;
- (3) Requiring a change of any kind in any state law regulating electric utility rates and charges, affecting any state law regarding such state regulation, or limiting such state regulation, including any prudence review requirements under such state law;
- (4) Modifying the Federal Power Act or affecting the authority of the Federal Energy Regulatory Commission under the Federal Power Act; or,
- (5) Interfering with or impairing any program for competitive bidding for power supply in a state in which such program is established.

**STEP 4  
For SO<sub>2</sub> Opt-in  
units only.**

**In column "f" enter  
the unit ID# for  
every SO<sub>2</sub> Opt-in  
unit identified in  
column "a" of  
STEP 2.**

**For column "g"  
describe the  
combustion unit  
and attach  
information and  
diagrams on the  
combustion unit's  
configuration.**

**In column "h"  
enter the hours.**

f	g	h (not required for renewal application)
Unit ID#	Description of the combustion unit	Number of hours unit operated in the six months preceding initial application



Document ID: SC NOx Letter – 12/11/08

Description: Southern Company DR NOx Plan certification letter – 12/11/08

**Chris M. Hobson**  
Senior Vice President  
Research and  
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*Energy to Serve Your World<sup>®</sup>*

December 11, 2008

Mr. Jonathan 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:

This letter is provided in accordance with the requirements outlined in the State of Florida Administrative Code (F.A.C.), Operation Permits for Major Sources of Air Pollution, and the Crist Electric Generating Plant, Scholz Electric Generating Plant, and the Lansing Smith Electric Generating Plant permits. On July 15, 2008, Southern Company submitted a revised Southern Company Phase II NOx Averaging Plan to the States of Alabama, Georgia, and Mississippi and to Jefferson County, Alabama, with copies to the U.S. Environmental Protection Agency. A copy of this revised plan for the State of Florida is attached.

The existing Southern Company Phase II NOx Averaging Plan is dated November 18, 2003, for the 5-year period 2004 – 2008. This revised plan replaces that plan and covers the period 2009 – 2013.

This revised Southern Company NOx averaging plan has been accepted by the Alabama Department of Environmental Management, Georgia Environmental Protection Division, Mississippi Department of Environmental Quality, and the Jefferson County, Alabama, Department of Health. In conjunction with final approval of the averaging plan, the agencies have or are in the process of updating permits for these units to incorporate this new plan. The U.S. Environmental Protection Agency has also reviewed and accepted the plan without comment.

This certification is based on information and belief formed after reasonable inquiry. To the best of my knowledge, the statements and information in this document are true, accurate, and complete as required by State of Florida Administrative Code.

If you have questions about the plan or the status of approval, please contact Mr. Ken Boyd, Southern Company Generation, at (205) 257-7476.

Sincerely,

A handwritten signature in black ink, appearing to read "CMH", written over a horizontal line.

Attachment:

cc: Ronald W. Gore, Alabama Department of Environmental Management  
James Capp, Georgia Environmental Protection Division  
Maya Rao, Mississippi Department of Environmental Quality  
Wayne Studyvin, Jefferson County Department of Health  
R. Doug Neeley, U.S. Environmental Protection Agency  
Robert Miller, U.S. Environmental Protection Agency

Document ID: SC NOx Plan

Description: Southern Company NOx Averaging Plan 07/15/2008

# Florida Department of Environmental Protection

## Phase II NO<sub>x</sub> Averaging Plan

For more information, refer to 40 CFR 76.11

This submission is:  New  Revised

**STEP 1**

Identify the units participating in this averaging plan by plant name, state, and boiler ID# from NADB. In column (a), fill in each unit's applicable emission limitation from 40 CFR 76.5, 76.6, or 76.7. In column (b), assign an alternative contemporaneous annual emissions limitation in lb/mmBtu to each unit. In column (c), assign an annual heat input limitation in mmBtu to each unit. Continue to page 3 if necessary.

Plant Name	State	ID#	(a) Emission Limitation	(b) Alt. Contemp. Emission Limitation	(c) Annual Heat Input Limit
See Page 3.					

**STEP 2**

Use the formula to enter the Btu-weighted annual emission rate averaged over the units if they are operated in accordance with the proposed averaging plan and the Btu-weighted annual average emission rate for the same units if they are operated in compliance with 40 CFR 76.5, 76.6, or 76.7. The former must be less than or equal to the latter.

Btu-weighted annual emission rate averaged over the units if they are operated in accordance with the proposed averaging plan

Btu-weighted annual average emission rate for same units operated in compliance with 40 CFR 76.5, 76.6 or 76.7

0.46

0.46

≤

$$\frac{\sum_{i=1}^n (R_{Li} \times HI_i)}{\sum_{i=1}^n HI_i}$$

≤

$$\frac{\sum_{i=1}^n [R_{li} \times HI_i]}{\sum_{i=1}^n HI_i}$$

Where,

- R<sub>Li</sub> = Alternative contemporaneous annual emissions limitation for unit i, in lb/mmBtu, as specified in column (b) of Step 1;
- R<sub>li</sub> = Applicable emission limitation for unit i, in lb/mmBtu, as specified in column (a) of Step 1;
- HI<sub>i</sub> = Annual heat input for unit i, in mmBtu, as specified in column (c) of Step 1;
- n = Number of units in the averaging plan



**Southern Company Averaging Plan Participating Plants**  
Plant Name (from Step 1)

**STEP 3**

**Mark one of the two options and enter dates.**

This plan is effective for calendar year \_\_\_\_\_ through calendar year \_\_\_\_\_ unless notification to terminate the plan is given.

Treat this plan as  identical plans, each effective for one calendar year for the following calendar years: 2009, 2010, 2011, 2012 and 2013 unless notification to terminate one or more of these plans is given.

**STEP 4**

**Read the special provisions and certification, enter the name of the designated representative, and sign and date.**

**Special Provisions**

Emission Limitations

Each affected unit in an approved averaging plan is in compliance with the Acid Rain emission limitation for NO<sub>x</sub> under the plan only if the following requirements are met:

- (i) For each unit, the unit's actual annual average emission rate for the calendar year, in lb/mmBtu, is less than or equal to its alternative contemporaneous annual emission limitation in the averaging plan, and
  - (a) For each unit with an alternative contemporaneous emission limitation less stringent than the applicable emission limitation in 40 CFR 76.5, 76.6, or 76.7, the actual annual heat input for the calendar year does not exceed the annual heat input limit in the averaging plan,
  - (b) For each unit with an alternative contemporaneous emission limitation more stringent than the applicable emission limitation in 40 CFR 76.5, 76.6, or 76.7, the actual annual heat input for the calendar year is not less than the annual heat input limit in the averaging plan, or
- (ii) If one or more of the units does not meet the requirements of (i), the designated representative shall demonstrate, in accordance with 40 CFR 76.11(d)(1)(ii)(A) and (B), that the actual Btu-weighted annual average emission rate for the units in the plan is less than or equal to the Btu-weighted annual average rate for the same units had they each been operated, during the same period of time, in compliance with the applicable emission limitations in 40 CFR 76.5, 76.6, or 76.7.
- (iii) If there is a successful group showing of compliance under 40 CFR 76.11(d)(1)(ii)(A) and (B) for a calendar year, then all units in the averaging plan shall be deemed to be in compliance for that year with their alternative contemporaneous emission limitations and annual heat input limits under (i).

Liability

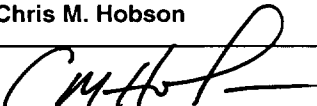
The owners and operators of a unit governed by an approved averaging plan shall be liable for any violation of the plan or this section at that unit or any other unit in the plan, including liability for fulfilling the obligations specified in part 77 of this chapter and sections 113 and 411 of the Act.

Termination

The designated representative may submit a notification to terminate an approved averaging plan, in accordance with 40 CFR 72.40(d), no later than October 1 of the calendar year for which the plan is to be terminated.

**Certification**

I am authorized to make this submission on behalf of the owners and operators of the affected source or affected units for which the submission is made. I certify under penalty of law that I have personally examined, and am familiar with, the statements and information submitted in this document and all its attachments. Based on my inquiry of those individuals with primary responsibility for obtaining the information, I certify that the statements and information are to the best of my knowledge and belief true, accurate, and complete. I am aware that there are significant penalties for submitting false statements and information or omitting required statements and information, including the possibility of fine or imprisonment.

Name	Chris M. Hobson
Signature	
Date	7/15/08

<b>Southern Company Averaging Plan</b> <b>Participating Plants</b> Plant Name (from Step 1)
---

**STEP 1**

Continue the identification of units from Step 1, page 1, here.

Plant Name	State	ID#	(a) Emission Limitation	(b) Alt. Contemp. Emission Limitation	(c) Annual Heat Input Limit
Barry	AL	1	0.40	0.57	9,860,460
Barry	AL	2	0.40	0.57	8,697,917
Barry	AL	3	0.40	0.57	15,390,498
Barry	AL	4	0.40	0.45	26,579,698
Barry	AL	5	0.40	0.45	41,811,371
Bowen	GA	1	0.45	0.42	43,857,264
Bowen	GA	2	0.45	0.43	52,033,363
Bowen	GA	3	0.45	0.43	60,747,005
Bowen	GA	4	0.45	0.43	60,245,171
Branch	GA	1	0.68	0.99	15,903,035
Branch	GA	2	0.50	0.72	20,954,063
Branch	GA	3	0.68	0.84	34,483,187
Branch	GA	4	0.68	0.84	29,893,099
Crist	FL	4	0.45	0.52	5,306,563
Crist	FL	5	0.45	0.60	5,321,833
Crist	FL	6	0.50	0.45	22,068,817
Crist	FL	7	0.50	0.45	36,700,987
Daniel	MS	1	0.45	0.33	40,792,453
Daniel	MS	2	0.45	0.33	34,210,453
Gadsden	AL	1	0.45	0.75	2,568,523
Gadsden	AL	2	0.45	0.75	3,084,694
Gaston	AL	1	0.50	0.52	15,475,515
Gaston	AL	2	0.50	0.52	13,226,420

Southern Company Averaging Plan  
Participating Plants  
Plant Name (from Step 1)

**STEP 1**

**Continue the identification of units from Step 1, page 1, here.**

Plant Name	State	ID#	(a) Emission Limitation	(b) Alt. Contemp. Emission Limitation	(c) Annual Heat Input Limit
Gaston	AL	3	0.50	0.52	17,263,124
Gaston	AL	4	0.50	0.52	16,744,074
Gaston	AL	5	0.45	0.48	56,376,964
Gorgas	AL	6	0.46	0.55	5,698,165
Gorgas	AL	7	0.46	0.55	6,140,227
Gorgas	AL	8	0.40	0.52	13,186,388
Gorgas	AL	9	0.40	0.52	14,567,087
Gorgas	AL	10	0.40	0.52	55,157,733
Green Co	AL	1	0.68	0.60	16,688,168
Green Co	AL	2	0.46	0.60	19,915,731
Hammond	GA	1	0.50	0.83	6,702,621
Hammond	GA	2	0.50	0.83	7,697,469
Hammond	GA	3	0.50	0.83	6,610,570
Hammond	GA	4	0.50	0.45	29,007,730
Kraft	GA	1	0.45	0.58	3,195,641
Kraft	GA	2	0.45	0.58	2,991,096
Kraft	GA	3	0.45	0.58	5,936,838
Lansing Smith	FL	1	0.40	0.62	13,643,808
Lansing Smith	FL	2	0.40	0.44	14,784,899
McDonough	GA	1	0.45	0.42	16,633,061
McDonough	GA	2	0.45	0.42	16,753,801
McIntosh	GA	1	0.50	0.86	9,215,784
Miller	AL	1	0.46	0.37	54,272,966

<b>Southern Company Averaging Plan</b> <b>Participating Plants</b> Plant Name (from Step 1)
---

**STEP 1**

Continue the identification of units from Step 1, page 1, here.

Plant Name	State	ID#	(a) Emission Limitation	(b) Alt. Contemp. Emission Limitation	(c) Annual Heat Input Limit
Miller	AL	2	0.46	0.37	52,981,813
Miller	AL	3	0.46	0.28	58,020,776
Miller	AL	4	0.46	0.28	56,910,001
Mitchell	GA	3	0.45	0.62	6,001,510
Scherer	GA	1	0.40	0.50	71,791,890
Scherer	GA	2	0.40	0.50	71,474,044
Scherer	GA	3	0.45	0.29	53,390,136
Scherer	GA	4	0.40	0.30	53,390,136
Scholz	FL	1	0.50	0.68	2,083,631
Scholz	FL	2	0.50	0.77	2,118,168
Wansley	GA	1	0.45	0.41	63,896,521
Wansley	GA	2	0.45	0.42	56,607,431
Watson	MS	4	0.50	0.60	13,463,120
Watson	MS	5	0.50	0.42	35,382,214
Yates	GA	1	0.45	0.48	5,477,394
Yates	GA	2	0.45	0.48	4,879,349
Yates	GA	3	0.45	0.48	4,830,444
Yates	GA	4	0.45	0.40	8,031,999
Yates	GA	5	0.45	0.40	7,240,618
Yates	GA	6	0.45	0.33	21,932,927
Yates	GA	7	0.45	0.30	19,834,248