

One Energy Place
Pensacola, Florida 32520

Tel 850.444.6111

RECEIVED

APR 26 2010

BUREAU OF
AIR REGULATION



Certified Mail
7009 1680 0001 3470 3676

April 21, 2010

Ms. Christy DeVore
Florida Department of Environmental Protection
Division of Air Resources Management
2600 Blair Stone Road
Mail Station #5505
Tallahassee, Florida 32399-2400

Dear Ms. DeVore:

RE: CRIST ELECTRIC GENERATING PLANT
PROPOSED CRIST HIGHER SULFUR COAL PROJECT
AIR PERMIT NO. 0330045-029-AC
PUBLIC NOTICE AFFIDAVIT

Please find enclosed Gulf Power's "Proof of Publication" for the above referenced permit to authorize higher sulfur coal and upgrade the Crist 6 Steam Turbine at the Crist Electric Generating Plant. An electronic copy of the affidavit was routed to you on earlier today.

Please call me at (850) 444 - 6527 regarding any questions or concerns.

Sincerely,

A handwritten signature in black ink that reads "G. Dwain Waters, Q.E.P." The signature is written in a cursive style.

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

cc: w/att: Greg Terry, Gulf Power
John Dominey, Gulf Power
Terry Wright, Gulf Power

Published Daily-Pensacola, Escambia County, FL

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PROOF OF PUBLICATION

APR 26 2010

State of Florida

**BUREAU OF
 AIR REGULATION**

County of Escambia:

Before the undersigned authority personally appeared **ANNA HAMMES** 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 15, 2010

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 15th Day of April 2010, by **ANNA HAMMES** who is personally known to me.

Anna Hammes

Affiant

Nikki E. Nichols

Notary Public

NIKKI E. NICHOLS
 Notary Public-State of FL
 Comm. Exp. Aug. 01, 2012
 Comm. No. DD 789478

PUBLIC NOTICE OF INTENT TO ISSUE AIR PERMIT

Florida Department of Environmental Protection
 Division of Air Resource Management, Bureau of Air Regulation
 Draft Air Construction Permit
 Project No. 0330045-029-AC
 Gulf Power Company, Crist Electric Generating Plant
 Escambia County, Florida

Applicant: The applicant for this project is Gulf Power Company. The applicant's authorized representative and mailing address is: James Vick, Environmental Affairs Director, Gulf Power Company, Crist Electric Generating Plant, One Energy Place, BIN 0328, Pensacola, Florida 32520.
Facility Location: Gulf Power Company operates the existing Crist Electric Generating Plant, which is located in Escambia County at 11999 Pate Street in Pensacola, Florida.

Project: The applicant requests authority to use a higher sulfur coal blend for Units 4 - 7; upgrade the existing Unit 6 steam turbine; and use additional boiler additives for Units 4-7 contingent on successful use and testing on Unit 7. The increase in fuel sulfur has the potential to increase emissions of sulfur dioxide, sulfuric acid mist (SAM) and particulate matter. However, the plant recently commenced commercial operation of a new flue gas desulfurization system, which will substantially reduce emissions from all four units. In addition, the plant is installing a permanent hydrated lime injection system to further reduce SAM emissions. The applicant requested a SAM emissions cap on the four units to ensure that the project is not subject to preconstruction review for the Prevention of Significant Deterioration (PSD) of Air Quality.

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 Permitting Authority responsible for making a permit determination for this project is the Bureau of Air Regulation in the Department of Environmental Protection's Division of Air Resource Management. The Permitting Authority's physical address is: 111 South Magnolia Drive, Suite #4, Tallahassee, Florida. The Permitting Authority's mailing address is: 2600 Blair Station Road, MS #6602, Tallahassee, Florida 32309-2400. 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 the physical address indicated above for the Permitting Authority. The complete project file includes the Draft Permit, the Technical Evaluation and Preliminary Determination, the application and information submitted by the applicant (exclusive of confidential records under Section 403.111, F.S.). Interested persons may contact the Permitting Authority's project engineer for additional information at the address and phone number listed above. In addition, electronic copies of these documents are available on the following web site by entering draft permit number: <http://www.dep.state.fl.us/air/emission/apds/default.asp>.

Notice of Intent to Issue Air Permit: The Permitting Authority gives notice of its intent to issue an air construction 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 14 days from the date of publication of this Public Notice. Written comments must be received by the Permitting Authority by close of business (5:00 p.m.) on or before the end of the 14-day period. 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. All comments filed will be made available for public inspection.

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 (Telephone: 850/245-2241). 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 how the alleged facts relate 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

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: 1459901 1T April 15, 2010