

One Energy Place
Pensacola, Florida 32520

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MAY 02 2007

BUREAU OF AIR REGULATION

Certified Mail



April 30, 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. 0330045-016-AV & 0330045-017-AC
Intent to Issue Crist Air Construction – Public Notice Affidavit
Intent to Issue Title V Permit Revision - 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 Air Construction Permit & Draft Title V Operation Permit Revision originally sent to Penny M. Manuel (Gulf Power) on April 23, 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

PENSACOLA News Journal

Informed. In Tune. In Touch.

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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 **LESLEY L. WHALEY** 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 CONCURRENTLY ISSUE AN AIR CONSTRUCTION PERMIT & TITLE V AIR OPERATION PERMIT REVISION

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

APRIL 26, 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 26TH Day of APRIL, 2007, by **LESLEY L. WHALEY** who is personally known to me.

Lesley L. Whaley 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 CONCURRENTLY ISSUE AN AIR CONSTRUCTION PERMIT & TITLE V AIR OPERATION PERMIT REVISION

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION

Draft Air Construction Permit No. 0330045-017-AC
Draft Title V Operation Permit Revision No.: 0330045-016-AV

Gulf Power Company
Crist Electric Generating Station
Escambia County

Applicant: The applicant for this project is Gulf Power Company. The applicant's responsible official is: Ms. Penny Manuel, Vice President and SPO, One Energy Place, Pensacola, Florida 32520.

Facility Location: Gulf Power Company operates the existing Crist Electric Generating Station, which is located on Pate Road, off of 10 Mile Road on Governor's Bayou, Escambia County.

Project: The applicant, Gulf Power Company, applied on October 30, 2006 to the Department for a Title V Air Operation Permit revision to incorporate the terms and conditions of Air Construction Permit Nos. 0330045-011-AC, 0330045-012-AC and 0330045-013-AC. These projects authorized the construction of a mercury research center, Selective Non-Catalytic Reduction (SNCR) on Unit 6, and SNCR on Units 4 and 5, respectively. The applicant also requested a revision of Permit No. 0330045-005-AC to change the NOX testing requirements and PM testing frequency for Unit 7. As a result, Air Construction Permit No. 0330045-017-AC is being issued concurrently with, and incorporated into, the Title V Air Operation Permit revision. This revision process is also being used to replace the existing Appendix TV-4, Title V Conditions with Appendix TV-6, Title V Condition, as well as other minor administrative corrections noted in the Statement of Basis. These changes, as outlined in the Draft Title V Air Operation Permit Revision, are the only portions of the Title V permit that are open for review and subject to Public Comment.

Permitting Authority: Applications for Permits are subject to review in accordance with the provisions of Chapter 403, Florida Statutes (F.S.) and Chapters 62-4, 62-210, 62-213 and 62-214, Florida Administrative Code (F.A.C.). The proposed project is not exempt from air permitting requirements and a Permit is required to operate the facility. 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, Suite 4, 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 the address indicated above for the Permitting Authority. The complete project file includes the DRAFT Permits, the Statement of Basis, 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, or may view the DRAFT Permit by visiting the following website: <http://www.dep.state.fl.us/air/eproducts/ards/>. A copy of the complete project file is also available at:

Permitting Authority:
Department of Environmental Protection
Bureau of Air Regulation
111 South Magnolia Drive, Suite 4
Tallahassee, Florida 32301
Telephone: 850/488-0114
Fax: 850/921-9533

Affected District:
Department of Environmental Protection
Northwest District
160 Governmental Center
Pensacola, Florida 32501-5794
Telephone: 850/595-8364
Fax: 850/595-8096

Notice of Intent to Issue an Air Permit: The Permitting Authority gives notice of its intent to concurrently issue an Air Construction permit and a Title V Air Operation Permit Revision to the applicant for the project described above. The applicant has provided reasonable assurance that operation of the facility 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, 62-213, 62-214, 62-296, and 62-297, F.A.C. The Permitting Authority will issue a PROPOSED Title V Air Operation Permit and subsequent FINAL Air Construction and Title V Air Operation Permits in accordance with the conditions of the DRAFT Permits unless a response received in accordance with the following procedures results in a different decision or a significant change of terms or conditions:

Comments: The Permitting Authority will accept written comments concerning the Draft Air Construction Permit for a period of fourteen (14) days from the date of publication of this Public Notice and will accept comments concerning the DRAFT Title V Air Operation Permit for a period of thirty (30) days from the date of publication of this Public Notice. Written comments must be post-marked, and all e-mail or facsimile comments must be received by the close of business (5 pm), on or before the end of the 14-day or 30-day periods by the Permitting Authority at the above address, e-mail or facsimile. As part of his or her comments, any person may also request that the Permitting Authority hold a public meeting on this permitting action. If the Permitting Authority determines there is sufficient interest for a public meeting, it will publish notice of the time, date, and location in the Florida Administrative Weekly (<http://faw.dos.state.fl.us/>) and in a newspaper of general circulation in the area affected by the permitting action. For additional information, contact the Permitting Authority at the above address or phone number. If written comments or comments received at a public meeting result in a significant change to the DRAFT Permits, the Permitting Authority shall issue a Revised 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 390C 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

or 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 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. 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.

Objections: In addition to the above right to petition, pursuant to 42 United States Code (U.S.C.) Section 7661d(b)(2), any person may petition the Administrator of the EPA within sixty (60) days of the expiration of the Administrator's 45 (forty-five) day review period as established at 42 U.S.C. Section 7661d(b)(1), to object to the issuance of any Permit. Any petition shall be based only on objections to the permit that were raised with reasonable specificity during the thirty (30) day public comment period provided in the Public Notice, unless the petitioner demonstrates to the Administrator of the EPA that it was impracticable to raise such objections within the comment period or unless the grounds for such objection arose after the comment period. Filing of a petition with the Administrator of the EPA does not stay the effective date of any permit properly issued pursuant to the provisions of Chapter 62-213, F.A.C. Petitions filed with the Administrator of EPA must meet the requirements of 42 U.S.C. Section 7661d(b)(2) and must be filed with the Administrator of the EPA at: U.S. EPA, 401 M Street, S.W., Washington, D.C. 20460. For more information regarding objections, visit the EPA Region 4 web site at: www.epa.gov/region4/air/permits/florida.htm.