

One Energy Place
Pensacola, Florida 32520

Tel 850.444.6111

RECEIVED

MAY 21 2003

BUREAU OF AIR REGULATION



Certified Mail

May 19, 2003

Mr. Scott Sheplak, P.E.
Florida Department of Environmental Protection
Bureau of Air Regulation
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

RE: Scholz Electric Generating Plant, Jackson County
Facility ID No.: 0630014
Intent to Issue an Air Construction Permit (CAM Testing) - Public Notice Affidavit

Dear Mr. Sheplak:

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 Gene L. Ussery (Gulf Power) on May 12, 2003. The above referenced notice was published in the Panama City News Herald on May 16, 2003.

Please let me know if you have any questions regarding this matter and if you receive any public comments this revision. My telephone number is (850) 444-6573.

Sincerely,

A handwritten signature in black ink, appearing to read "Mike Markey".

Richard "Mike" Markey, P.G., Q.E.P.
Environmental Affairs

Cc: Warren O'Shields, Gulf Power Company
Kenny Peacock, Gulf Power Company
Greg Terry, Gulf Power Company
Jim Vick, Gulf Power Company
Dwain Waters, Gulf Power Company

Trina L. Vielhauer, FDEP Tallahassee
Gerry Neubauer, FDEP Panama City
Sandra Veazey, FDEP, Northwest District
Kevin White, FDEP, Northwest District

Florida Freedom Newspapers, Inc.

PUBLISHERS OF THE NEWS HERALD
Panama City, Bay County, Florida
Published Daily

State of Florida County of Bay

Before the undersigned authority appeared _____
Pam Gregory, who on oath says that (s)he
is Advertising Director of the News Herald, a daily
newspaper published at Panama City, in Bay County, Florida; that the attached copy
of advertisement, being a Legal Advertisement- 4224
in the matter of Public Notice
Scholz Electric
in the Bay County
Court, was published in said newspaper in the issues of _____
May 16, 2003

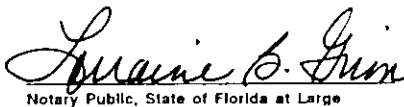
Affiant further says that the News Herald is a direct successor of the Panama City News and that this publication, together with its direct predecessor, has been continuously published in said Bay County, Florida, each day (except that the predecessor, Panama City News, was not published on Sundays), and that this publication together with its said predecessor, has been entered as a second class mail matter at the post office in Panama City in said Bay County, Florida, for a period of one year next preceding the first publication of the attached copy of the advertisement, all in accordance with the provisions of section 49.03, Florida Statutes; and affiant further says that (s)he 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.



State of Florida
County of Bay
Sworn to and subscribed before me this 16th day of May,
A. D., 2003 by Pam Gregory, Advertising Director of The
News Herald, who is personally known to me or has produced _____
as identification.



Lorraine B. Grimes
MY COMMISSION # CC931149 EXPIRES
August 25, 2004
BONDED THROUGH TROY FAIN INSURANCE, INC.



Notary Public, State of Florida at Large

4224 PUBLIC NOTICE OF INTENT TO ISSUE AN AIR CONSTRUCTION PERMIT STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION Draft Air Construction Permit No. 0630014-003-AC Gulf Power Company Scholz Electric Generating Plant Jackson County The Department of Environmental Protection (permitting authority) gives notice of its intent to issue an air construction permit for the Scholz Electric Generating Plant located in Sneads, Jackson County. The applicant's name and address are: General L. Ussery, Jr., V.P. of Power Generation, Gulf Power Company, One Energy Place, Pensacola, Florida 32520. The permittee Gulf Power Company, applied on April 28, 2003, for additional authorization to conduct pollutant testing and parameter measurements for the development of a Compliance Assurance Monitoring (CAM) protocol for the Gulf Power Company's Scholz Units Nos. 1 & 2 a ESP (electrostatic precipitator) which is located at the Scholz Electric Generating Plant in Sneads, Jackson County. This evaluation will require Gulf Power Company to vary the collection efficiency of the ESP to establish a performance curve between opacity, particulate matter, emissions and ash resistivity, thus creating an operational condition near or in excess of the Florida particulate matter emissions standard. The data gathered will allow an EPRI (Electrical Power Research Institute) computer model to evaluate the performance of the Scholz Units Nos. 1 & 2 a ESP to be further calibrated. In addition, the special testing will generate data to be used in the future to provide indicators of compliance under the federal compliance assurance monitoring plan. The pollutants and/or parameters to be measured or monitored will include sulfur dioxide (SO2), nitrogen dioxide (NO2), particulate matter, carbon dioxide (CO2), ash content of the fuel, climate fuel analyses, unit operational parameters including load, fuel flow, excess air, flue gas temperature, and other unit specific parameters that are needed for the EPRI computer model. Particulate size distribution may also be evaluated also. The development testing is scheduled to run from September 31, 2003. The permitting authority will issue the Air Construction Permit, and subsequent Final Air Construction Permit, in accordance with the conditions of the Draft Air Construction Permit unless a response received in accordance with the following procedures results in a different decision or significant change of terms or conditions. The permitting authority will accept written comments concerning the proposed Draft Air Construction Permit issuance action for a period of 14 (fourteen) days from the date of publication of this notice. Written comments should be provided to the Department's Bureau of Air Regulation, 2800 Blair Stone Road, Mail Station #505, Tallahassee, Florida 32399-2400. Any written comments filed shall be made available for public inspection. If written comments received result in a significant change in this Draft Air Construction Permit, the permitting authority shall issue a Revised Draft Air Construction Permit and require, if applicable, another Public Notice. 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 of the Florida Statutes (F.S.). The petition must contain the information set forth below and must be filed (received) in the Office of General Counsel of the Department of Environmental Protection, 9900 Commonwealth Blvd., Tallahassee, Florida 32399-3000. (Telephone: 850/488-9790; Fax: 850/487-4838). Petitions filed by any persons other than those entitled to written notice under Section 120.60(3), F.S., must be filed within fourteen days of publication of the public notice or, within fourteen days of receipt of the notice of intent, 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 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 applicable 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 will be only at the approval of the presiding officer upon the filing of a motion in compliance with Rule 28-106.206, Florida Administrative Code (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; 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 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 petitioner must so state; (e) A concise statement of the ultimate facts alleged, as well as the rules and statutes which entitle petitioner to relief; and (f) A demand for relief. 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 notice of intent. Persons whose substantial interests will be affected by any such final decision on the application have the right to petition to become a party to the proceeding in accordance with the requirements set forth above. Mediation is not available for this proceeding. A complete project file is available for public inspection during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays 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: 850/922-6979
Affected District Authority:
Department of Environmental Protection
Northwest District Office
Air Resources
160 Governmental Place
Pensacola, Florida
32520-0328
Telephone: 850/595-8384
Fax: 850/595-6096
Affected District Branch
Office Authority:
Department of Environmental Protection
Northwest District Branch
Office
2353 Jenks Avenue
Panama City, Florida
32405
Telephone: 850/872-4375
Fax: 850/872-7790
The complete project file
includes the Draft Air Construction Permit, the application/request, and the information submitted by the responsible official, exclusive of confidential records under Section 403.111, F.S. Interested persons may contact Scott M. Sheplek, P.E., at the above address, or call 850/921-9532 for additional information.
May 16, 2003