

NOTICE OF FINAL PERMIT

In the Matter of an
Application for Permit:

Mr. Gene L. Ussery, Jr.
V.P. of Power Generation
Gulf Power Company
One Energy Place
Pensacola, Florida 32520

DEP File No.: 0630014-003-AC
Jackson County

Enclosed is the Final Air Construction Permit, No. 0630014-003-AC. The subject of the permit (letter) is to allow Gulf Power Company to conduct the requested testing and measurements on its Scholz Electric Generating Plant's Units Nos. 1 & 2's ESP (electrostatic precipitator) located in Sneads, Jackson County. This permit (letter) is issued pursuant to Chapter 403, Florida Statutes (F.S.). There were no comments received during the Public Notice period.

Any party to this order (permit) has the right to seek judicial review of the permit (letter) pursuant to Section 120.68, F.S., by the filing of a Notice of Appeal pursuant to Rule 9.110, Florida Rules of Appellate Procedure, with the Clerk of the Department in the Legal Office; and, by filing a copy of the Notice of Appeal accompanied by the applicable filing fees with the appropriate District Court of Appeal. The Notice of Appeal must be filed within 30 (thirty) days from the date this Notice is filed with the Clerk of the Department.

Executed in Tallahassee, Florida.

Trina L. Vielhauer
Chief
Bureau of Air Regulation

CERTIFICATE OF SERVICE

The undersigned duly designated deputy agency clerk hereby certifies that this NOTICE OF FINAL PERMIT (including the Final Permit) was sent by certified mail (*) and copies were mailed by U.S. Mail before the close of business on 6/12/03 to the person(s) listed or as otherwise noted:

- Mr. Gene L. Ussery, Jr.*, V.P. of Power Generation, GPC
- Ms. Sandra Veazey, NWD
- Mr. Kevin White, NWD
- Mr. Henry Hernandez, NWDB
- Mr. Gregory N. Terry, P.E., GPC

6/12/03 cc: Bruce Mitchell
Reading File
Clerk Stamp

FILING AND ACKNOWLEDGMENT FILED, on this date, pursuant to §120.52(7), Florida Statutes, with the designated Department Clerk, receipt of which is hereby acknowledged.

Barbara J. Friday 6/12/03
(Clerk) (Date)

Final Determination

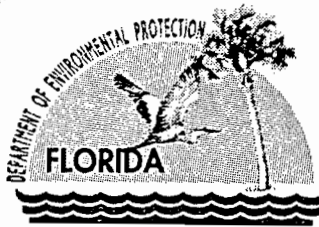
Gulf Power Company
Scholz Electric Generating Plant

Air Construction Permit No.: 0630014-003-AC

Jackson County

An Intent to Issue an air construction permit to Gulf Power Company's Scholz Electric Generating Plant, located in Sneads, Jackson County, Florida, was distributed on May 9, 2003. The Public Notice of Intent to Issue an Air Construction Permit was published in the Panama City News Herald on May 16, 2003. There were no comments submitted in response to the Public Notice.

The final action of the Department will be to issue the air construction permit as noticed.



Jeb Bush
Governor

Department of Environmental Protection

Twin Towers Office Building
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

David B. Struhs
Secretary

June 11, 2003

CERTIFIED MAIL – Return Receipt Requested

Mr. Gene L. Ussery, Jr.
V.P. of Power Generation
Gulf Power Company
One Energy Place
Pensacola, Florida 32520

Dear Mr. Ussery:

RE: Final Authorization to Conduct Additional Pollutant Testing and Parameter Measurements for the Development of a Compliance Assurance Monitoring (CAM) Protocol for the Gulf Power Company's Scholz Electric Generating Plant's Units Nos. 1 & 2's Electrostatic Precipitator (ESP)
0630014-003-AC

The Department has reviewed the request that you provided on April 28, 2003. We have considered the Department's legal authority to allow Gulf Power Company to conduct the requested testing and measurements on its Scholz Electric Generating Plant's Units Nos. 1 & 2's ESP (electrostatic precipitator) located in Sneads, Jackson County. The purpose is to help the company address Compliance Assurance Monitoring (CAM), which will have to be addressed regarding the ESP upon renewal of their Title V Operation Permit. Paragraph 403.061(16), Florida Statutes (F.S.), authorizes the Department to encourage voluntary cooperation by persons in order to achieve the purposes of the state environmental control act. Paragraph 403.061(18), F.S., authorizes the Department to encourage and conduct studies, investigations, and research relating to the causes and control of pollution. Rule 62-210.700(5), Florida Administrative Code (F.A.C.), authorizes the Department to consider variation in industrial equipment and make allowances for excess emissions that provide reasonable and practical regulatory controls consistent with public interest.

In accordance with the provisions of Paragraphs 403.061(16) and (18), F.S., and Rule 62-210.700(5), F.A.C., you are hereby authorized to conduct additional pollutant testing and parameter measurements for the development of a CAM protocol for the Gulf Power Company's Scholz Electric Generating Plant's Units Nos. 1 & 2's ESP. 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 and opacity standards. The data gathered will allow an EPRI (Electrical Power Research Institute) computer model to evaluate the performance of the Scholz Units Nos. 1 & 2's ESP to be further calibrated. The pollutants and or parameters to be measured or monitored will include sulfur dioxide [CEM (continuous emission monitor)], nitrogen oxides (CEM), particulate matter, carbon dioxide (CEM), ash content of the fuel, ultimate 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 be evaluated also.

"More Protection, Less Process"

Printed on recycled paper.

The performance tests and parameter measurements or monitoring shall be subject to the following conditions:


1. Unless waived, the permittee shall notify the Department's Northwest District Office, Northwest District Branch Office - Tallahassee, and Bureau of Air Regulation Office at least 15 days prior to commencement of the performance tests and parameter measurements or monitoring. A written report shall be submitted to these offices within 45 days upon completion of the last test run and parameter measurements and monitoring.
2. The authorized testing and measurement and monitoring schedule is from September 1 through December 31, 2003. If additional time is needed, the permittee shall provide the Department with documentation of the progress accomplished to date and shall identify what is left to be done to complete the testing and measurements or monitoring.
3. The parameters to be measured or monitored are sulfur dioxide [CEM (continuous emission monitor)], nitrogen oxides (CEM), particulate matter, carbon dioxide (CEM), ash content of the fuel, ultimate 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 be evaluated also.
4. Emissions testing shall be conducted concurrently for the following pollutants and using the following test methods:
 - a. Particulate matter EPA Test Method 17 (including EPA Test Methods 1 thru 4)
 - b. Visible emissions EPA Test Method 9
5. The performance test plans are as follows:
 1. Conduct a performance test (three 1-hour runs) using EPA Method 17 at "normal" operations;
 2. Conduct a performance test (three 1-hour runs) using EPA Method 17 at a reduction in the ESP efficiency; and,
 - 3.a. If the test results show that the PM allowable limit was exceeded; then the ESP's efficiency will be increased and a third performance test using EPA Method 17 will be conducted (supposedly between "normal" and "at the reduced efficiency"); or,
 - b. If the test results show that the PM allowable limit was not exceeded; then the ESP's efficiency will be further decreased and a third performance test using EPA Method 17 will be conducted in an attempt to define the outer range of the ESP's efficiency at which the PM allowable limit will be exceeded; and,
 - c. If the outer range is not established by the 2nd and 3rd performance tests, then the performance testing is ended for that emissions unit; and, Gulf Power Company will use the data to help define their CAM Plan for that emissions unit tested.
6. The release of objectionable odors pursuant to Rule 62-296.320(2), F.A.C., is not authorized for this activity.
7. Performance testing shall immediately cease upon the occurrence of a valid environmental complaint by a citizen or other party, or a nuisance or danger to the public health or welfare. Performance testing shall not resume until appropriate measures to correct the problem have been implemented.

Mr. Gene L. Ussery, Jr.
Gulf Power Company
Scholz Electric Generating Plant: Units Nos. 1 & 2
0630014-003-AC
Page Three

8. The performance tests and parameter measurements and monitoring shall be under the direct supervision and responsible charge of a professional engineer registered in Florida.
9. This Department action is just to authorize the performance testing and parameter measurements and monitoring for the Scholz Units Nos. 1 & 2's ESP for the purpose of developing a CAM protocol.
10. Complete documentation of the activity shall be kept on file for at least 5 (five) years.
11. The Department shall be notified in writing on the date of the last test run and parameter measurement and monitoring completion. If after work hours, notification shall occur on the next work day.
12. Attachment Section.
 - a. Mr. Richard "Mike" Markey's letter received April 28, 2003.
 - b. Final Determination.

The Department has relied on the information referenced in the Attachment Section and conversations with representatives of Gulf Power Company in authorizing this activity.

Sincerely,



Howard L. Rhodes, Director
Division of Air Resource Management

HLR/rbm

Enclosures

cc: Trina L. Vielhauer, DEP - BAR
Scott Sheplak, DEP - BAR
Sandra Veazey, DEP - NWD
Kevin White, DEP - NWD
Henry Hernandez, DEP - NWDB
Joe Kahn, DEP - BAMMS
G. Dwain Waters, Q.E.P., GPC
Richard "Mike" Markey, P.G., Q.E.P., GPC
Gregory N. Terry, P.E., GPC

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:
 Mr. Gene L. Ussery, Jr.
 V.P. of Power Generation
 Gulf Power Company
 One Energy Place
 Pensacola, Florida 32520

2. Article Number
 (Transfer from service label) 7000 2870 0000 7028 1150

COMPLETE THIS SECTION ON DELIVERY

A. Signature *R. Beach* Agent
 Addressee

B. Received by (Printed Name) *R. Beach* C. Date of Delivery *6-14-03*

D. Is delivery address different from item 1? Yes
 If YES, enter delivery address below: No

3. Service Type
 Certified Mail Express Mail
 Registered Return Receipt for Merchandise
 Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee) Yes

**U.S. Postal Service
 CERTIFIED MAIL RECEIPT
 (Domestic Mail Only; No Insurance Coverage Provided)**

7000 2870 0000 7028 1150

Mr. Gene L. Ussery, Jr.

Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$

Postmark
Here

Sent To
 Mr. Gene L. Ussery, Jr.
 Street, Apt. No., or PO Box No.
 One Energy Place
 City, State, ZIP+4
 Pensacola, Florida 32520

INTEROFFICE MEMORANDUM

TO: Howard Rhodes

THRU: Scott Sheplak *SS*
Trina Vielhauer *TV*

FROM: Bruce Mitchell *BM*

DATE: June 10, 2003

SUBJECT: 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 Electric Generating Plant's Units Nos. 1 & 2's Electrostatic Precipitators

The proposed project was Public Noticed in the Panama City News Herald on May 16, 2003. There were no comments received during the Public Notice period..

In conclusion, it is recommended that the authorization letter be signed as noticed.

HLR/rbm

Attachment

Howard,

This is something we've done before after consulting w/Pat. It is actually good that they want to test so close to (and maybe in excess of) permitted limits. This gives us a much better gauge of compliance in the future.

Trina

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". The signature is fluid and cursive.

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

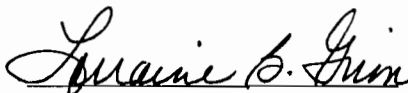
Affiant further says that the News Herald is a direct successor of the Panama City News and that this publication, together with its direct predecessor, has been continuously published in said Bay County, Florida, each day (except that the predecessor, Panama City News, was not published on Sundays), 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 na
as identification.



Lorraine B. Grimes
MY COMMISSION # CC931149 EXPIRES
August 25, 2004
BONDED THRU 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 In 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 to Gulf Power Company for its Scholz Electric Generating Plant located in Sneads, Jackson County. The applicant's name and address is: 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's 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's ESP to be further calibrated. In addition, the special testing will generate data to be used in the development of a compliance assurance monitoring plan. The pollutants and/or parameters to be measured or monitored will include sulfur dioxide (SO2) (continuous emission monitor), nitrogen oxides (CEM), particulate matter, carbon dioxide (CEM), ash content of the fuel, dilute 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 through December 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, 2600 Blair Stone Road, Mail Station #5503, 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, 8900 Commonwealth Boulevard, Tallahassee, Florida 32399-3000. (Telephone: 850/488-9780; Fax: 850/487-4936). 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 28-106.205, 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 number or identification number; (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; (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 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 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
32520-0329
Telephone: 850/595-8364
Fax: 850/595-8098
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. Sheplak, PE, at the above address, or call 850/921-9532 for additional information.
May 16, 2003



Department of Environmental Protection

Jeb Bush
Governor

Twin Towers Office Building
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

David B. Struhs
Secretary

May 8, 2003

CERTIFIED MAIL – Return Receipt Requested

Mr. Gene L. Ussery, Jr.
V.P. of Power Generation
Gulf Power Company
One Energy Place
Pensacola, Florida 32520

Re: Request 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's Electrostatic Precipitator (ESP)
0630014-003-AC

Dear Mr. Ussery:

Since Jackson County is under the jurisdiction on the Panama City Branch Office, a correction has been made to the Public Notice. Please use the changed Public Notice, instead of the one that was mailed out on May 7, 2003.

Attached is one copy of the proposed authorization, 0630014-003-AC, to conduct additional pollutant testing and parameter measurements for the development of a CAM protocol for the Gulf Power Company's Scholz Units Nos. 1 & 2's ESP, 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's ESP to be further calibrated. The pollutants and or parameters to be measured or monitored will include sulfur dioxide [CEM (continuous emission monitor)], nitrogen oxides (CEM), particulate matter, carbon dioxide (CEM), ash content of the fuel, ultimate 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 be evaluated also. The development testing is scheduled to run from September 1 through December 31, 2003.

The permitting authority's "INTENT TO ISSUE AN AIR CONSTRUCTION PERMIT" and the "PUBLIC NOTICE OF INTENT TO ISSUE AN AIR CONSTRUCTION PERMIT" are also included. The "PUBLIC NOTICE OF INTENT TO ISSUE AN AIR CONSTRUCTION PERMIT" must be published as soon as possible. Proof of publication, i.e., newspaper affidavit, must be provided to the permitting authority's office within 7 (seven) days of publication pursuant to Rule 62-110.106(5), F.A.C. Failure to publish the notice and provide proof of publication within the allotted time may result in the denial of the permit pursuant to Rule 62-110.106(11), F.A.C.

Please submit any written comments you wish to have considered concerning the permitting authority's proposed action to Scott M. Sheplak, P.E., at the above letterhead address. If you have any other questions, please contact Bruce Mitchell at 850/413-9198.

Sincerely,

Trina L. Vielhauer
Chief
Bureau of Air Regulation

TLV/BM/m

Enclosures

"More Protection, Less Process"

In the Matter of an
Application for Permit by:

Gulf Power Company
One Energy Place
Pensacola, Florida 32520

Air Construction Permit No.: 0630014-003-AC
Scholz Electric Generating Plant
Jackson County

INTENT TO ISSUE AN AIR CONSTRUCTION PERMIT

The Department of Environmental Protection (permitting authority) gives notice of its intent to issue an air construction permit (copy of draft permit enclosed) for the facility detailed in the application specified above, to authorize Gulf Power Company to conduct pollutant testing and parameter measurements for the development of a CAM protocol for the Gulf Power Company's Scholz Units Nos. 1 & 2's electrostatic precipitator (ESP), which is located at the Scholz Electric Generating Plant in Sneads, Jackson County.

The permittee, Gulf Power Company, applied on April 28, 2003, for an additional authorization to conduct pollutant testing and parameter measurements for the development of a CAM protocol for the Gulf Power Company's Scholz Units Nos. 1 & 2's 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's ESP to be further calibrated. The pollutants and or parameters to be measured or monitored will include sulfur dioxide [CEM (continuous emission monitor)], nitrogen oxides (CEM), particulate matter, carbon dioxide (CEM), ash content of the fuel, ultimate 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 be evaluated also. The development testing is scheduled to run from September 1 through December 31, 2003.

The permitting authority has permitting jurisdiction under the provisions of Chapter 403, Florida Statutes (F.S.), and Chapters 62-4 and 62-210, F.A.C. This source is not exempt from permitting procedures. The permitting authority has determined that an Air Construction Permit is required for the proposed activity.

The permitting authority intends to issue this Air Construction Permit based on the belief that reasonable assurances have been provided to indicate that operation of the source will not adversely impact air quality, and the source will comply with all appropriate provisions of Chapters 62-4, 62-204, 62-210, 62-212, 62-213, 62-256, 62-257, 62-281, 62-296, and 62-297, F.A.C.

Pursuant to Sections 403.815 and 403.0872, F.S., and Rules 62-110.106 and 62-210.350(3), F.A.C., you (the applicant) are required to publish at your own expense the enclosed "PUBLIC NOTICE OF INTENT TO ISSUE AN AIR CONSTRUCTION PERMIT." The notice shall be published one time only as soon as possible in the legal advertisement section of a newspaper of general circulation in the area affected. For the purpose of these rules, "publication in a newspaper of general circulation in the area affected" means publication in a newspaper meeting the requirements of Sections 50.011 and 50.031, F.S., in the county where the activity is to take place. Where there is more than one newspaper of general circulation in the county, the newspaper used must be one with significant circulation in the area that may be affected by the permit. If you are uncertain that a newspaper meets these requirements, please contact the permitting authority at the address or telephone number listed below. The applicant shall provide proof of publication to the Department's Bureau of Air Regulation, 2600 Blair Stone Road, Mail Station #5505, Tallahassee, Florida 32399-2400 (Telephone: 850/488-1344; Fax: 850/922-6979), within 7 (seven) days of publication pursuant to Rule 62-110.106(5), F.A.C. Failure to publish the notice and provide proof of publication within the allotted time may result in the denial of the permit pursuant to Rule 62-110.106(11), F.A.C.

The permitting authority will issue the Final Air Construction Permit in accordance with the conditions of the enclosed 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 permit issuance action for a period of 14 (fourteen) days from the date of publication of "PUBLIC NOTICE OF INTENT TO ISSUE AN AIR CONSTRUCTION PERMIT." Written comments should be provided to the permitting authority office. 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.

The permitting authority will issue the permit with the attached conditions unless a timely petition for an administrative hearing is filed pursuant to Sections 120.569 and 120.57, F.S. Mediation under Section 120.573, F.S., will not be available for this proposed action.

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 (received) in the Office of General Counsel of the Department of Environmental Protection, 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000 (Telephone: 850/488-9730; Fax: 850/487-4938). Petitions filed by the permit applicant or any of the parties listed below must be filed within 14 (fourteen) days of receipt of this notice of intent. Petitions filed by any other person must be filed within 14 (fourteen) days of publication of the public notice or within 14 (fourteen) days of receipt of this notice of intent, whichever occurs first. A petitioner must 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 will be only at the approval of the presiding officer upon the filing of a motion in compliance with Rule 28-5.207, F.A.C.

A petition must contain the following information:

- (a) The name, address, and telephone number of each petitioner, the applicant's name and address, the Permit File Number, and the county in which the project is proposed;
- (b) A statement of how and when each petitioner received notice of the permitting authority's action or proposed action;
- (c) A statement of how each petitioner's substantial interests are affected by the permitting authority's action or proposed action;
- (d) A statement of the material facts disputed by the petitioner, if any;
- (e) A statement of the facts that the petitioner contends warrant reversal or modification of the permitting authority's action or proposed action;
- (f) A statement identifying the rules or statutes that the petitioner contends require reversal or modification of the permitting authority's action or proposed action; and,
- (g) A statement of the relief sought by the petitioner, stating precisely the action that the petitioner wants the permitting authority to take with respect to the action or proposed action addressed in this notice of intent.

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 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.

In addition to the above, a person subject to regulation has a right to apply to the Department of Environmental Protection for a variance from or waiver of the requirements of particular rules, on certain conditions, under Section 120.542, F.S. The relief provided by this state statute applies only to state rules, not statutes, and not to any federal regulatory requirements. Applying for a variance or waiver does not substitute or extend the time for filing a petition for an administrative hearing or exercising any other right that a person may have in relation to the action proposed in this notice of intent.

The application for a variance or waiver is made by filing a petition with the Office of General Counsel of the Department of Environmental Protection, 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000. The petition must specify the following information:

- (a) The name, address, and telephone number of the petitioner;
- (b) The name, address, and telephone number of the attorney or qualified representative of the petitioner, if any;
- (c) Each rule or portion of a rule from which a variance or waiver is requested;
- (d) The citation to the statute underlying (implemented by) the rule identified in (c) above;
- (e) The type of action requested;
- (f) The specific facts that would justify a variance or waiver for the petitioner;
- (g) The reason why the variance or waiver would serve the purposes of the underlying statute (implemented by the rule); and,
- (h) A statement whether the variance or waiver is permanent or temporary and, if temporary, a statement of the dates showing the duration of the variance or waiver requested.

The Department will grant a variance or waiver when the petition demonstrates both that the application of the rule would create a substantial hardship or violate principles of fairness, as each of those terms is defined in Section 120.542(2), F.S., and that the purpose of the underlying statute will be or has been achieved by other means by the petitioner.

Persons subject to regulation pursuant to any federally delegated or approved air program should be aware that Florida is specifically not authorized to issue variances or waivers from any requirements of any such federally delegated or approved program. The requirements of the program remain fully enforceable by the Administrator of the United States Environmental Protection Agency and by any person under the Clean Air Act unless and until the Administrator separately approves a variance or waiver in accordance with the procedures of the federal program.

Executed in Tallahassee, Florida.

**STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION**



Trina L. Vielhauer

Chief

Bureau of Air Regulation

CERTIFICATE OF SERVICE

The undersigned duly designated deputy agency clerk hereby certifies that this INTENT TO ISSUE AN AIR CONSTRUCTION PERMIT (including the PUBLIC NOTICE and the Draft Permit) and all copies were sent by certified mail before the close of business on 5/9/03 to the person(s) listed:

Mr. Gene L. Ussery, Jr., Responsible Official and V.P. of Power Generation, GPC

In addition, the undersigned duly designated deputy agency clerk hereby certifies that copies of this INTENT TO ISSUE AN AIR CONSTRUCTION PERMIT (including the PUBLIC NOTICE and the Draft Permit) were sent by U.S. mail on the same date to the person(s) listed:

- Mr. G. Dwain Waters, Q.E.P., Air Quality Programs Supervisor, GPC
- Mr. Richard "Mike" Markey, P.G., Q.E.P., Environmental Affairs, GPC
- Mr. Gregory N. Terry, P.E., GPC
- Ms. Sandra Veazey, DEP - NWD
- Mr. Kevin White, DEP - NWD
- Mr. Henry Hernandez, DEP - NWDB
- Mr. Joe Kahn, DEP - BAMMS

Clerk Stamp

FILING AND ACKNOWLEDGMENT FILED, on this date, pursuant to Section 120.52(7), Florida Statutes, with the designated agency Clerk, receipt of which is hereby acknowledged.

Barbara J. Friday 5/9/03
(Clerk) (Date)

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 to Gulf Power Company for its Scholz Electric Generating Plant located in Sneads, Jackson County. The applicant's name and address are: Gene 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's 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's 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 [CEM (continuous emission monitor)], nitrogen oxides (CEM), particulate matter, carbon dioxide (CEM), ash content of the fuel, ultimate 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 be evaluated also. The development testing is scheduled to run from September 1 through December 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, 2600 Blair Stone Road, Mail Station #5505, 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 Office of General Counsel of the Department of Environmental Protection, 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000 (Telephone: 850/488-9730; Fax: 850/487-4938). 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 28-106.205, 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(s) or identification number(s), 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 petition 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 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 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: 850/595-8364
Fax: 850/595-8096

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. Sheplak, P.E., at the above address, or call 850/921-9532 for additional information.



Jeb Bush
Governor

Department of Environmental Protection

Twin Towers Office Building
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

David B. Struhs
Secretary

Month Day, 2003

CERTIFIED MAIL – Return Receipt Requested

Mr. Gene L. Ussery, Jr.
V.P. of Power Generation
Gulf Power Company
One Energy Place
Pensacola, Florida 32520

Dear Mr. Ussery:

RE: **Draft** Authorization to Conduct Additional Pollutant Testing and Parameter Measurements for the Development of a Compliance Assurance Monitoring (CAM) Protocol for the Gulf Power Company's Scholz Electric Generating Plant's Units Nos. 1 & 2's Electrostatic Precipitator (ESP)
0630014-003-AC

The Department has reviewed the request that you provided on April 28, 2003. We have considered the Department's legal authority to allow Gulf Power Company to conduct the requested testing and measurements on its Scholz Electric Generating Plant's Units Nos. 1 & 2's ESP (electrostatic precipitator) located in Sneads, Jackson County. The purpose is to help the company address Compliance Assurance Monitoring (CAM), which will have to be addressed regarding the ESP upon renewal of their Title V Operation Permit. Paragraph 403.061(16), Florida Statutes (F.S.), authorizes the Department to encourage voluntary cooperation by persons in order to achieve the purposes of the state environmental control act. Paragraph 403.061(18), F.S., authorizes the Department to encourage and conduct studies, investigations, and research relating to the causes and control of pollution. Rule 62-210.700(5), Florida Administrative Code (F.A.C.), authorizes the Department to consider variation in industrial equipment and make allowances for excess emissions that provide reasonable and practical regulatory controls consistent with public interest.

In accordance with the provisions of Paragraphs 403.061(16) and (18), F.S., and Rule 62-210.700(5), F.A.C., you are hereby authorized to conduct additional pollutant testing and parameter measurements for the development of a CAM protocol for the Gulf Power Company's Scholz Electric Generating Plant's Units Nos. 1 & 2's ESP. 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 and opacity standards. The data gathered will allow an EPRI (Electrical Power Research Institute) computer model to evaluate the performance of the Scholz Units Nos. 1 & 2's ESP to be further calibrated. The pollutants and or parameters to be measured or monitored will include sulfur dioxide [CEM (continuous emission monitor)], nitrogen oxides (CEM), particulate matter, carbon dioxide (CEM), ash content of the fuel, ultimate 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 be evaluated also.

"More Protection, Less Process"

Printed on recycled paper.

Mr. Gene L. Ussery, Jr.
Gulf Power Company
Scholz Electric Generating Plant: Units Nos. 1 & 2
0630014-003-AC
Page Two

The performance tests and parameter measurements or monitoring shall be subject to the following conditions:

1. Unless waived, the permittee shall notify the Department's Northwest District Office, Northwest District Branch Office - Tallahassee, and Bureau of Air Regulation Office at least 15 days prior to commencement of the performance tests and parameter measurements or monitoring. A written report shall be submitted to these offices within 45 days upon completion of the last test run and parameter measurements and monitoring.
2. The authorized testing and measurement and monitoring schedule is from September 1 through December 31, 2003. If additional time is needed, the permittee shall provide the Department with documentation of the progress accomplished to date and shall identify what is left to be done to complete the testing and measurements or monitoring.
3. The parameters to be measured or monitored are sulfur dioxide [CEM (continuous emission monitor)], nitrogen oxides (CEM), particulate matter, carbon dioxide (CEM), ash content of the fuel, ultimate 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 be evaluated also.
4. Emissions testing shall be conducted concurrently for the following pollutants and using the following test methods:
 - a. Particulate matter EPA Test Method 17 (including EPA Test Methods 1 thru 4)
 - b. Visible emissions EPA Test Method 9
5. The performance test plans are as follows:
 1. Conduct a performance test (three 1-hour runs) using EPA Method 17 at "normal" operations;
 2. Conduct a performance test (three 1-hour runs) using EPA Method 17 at a reduction in the ESP efficiency; and,
 - 3.a. If the test results show that the PM allowable limit was exceeded; then the ESP's efficiency will be increased and a third performance test using EPA Method 17 will be conducted (supposedly between "normal" and "at the reduced efficiency"); or,
 - b. If the test results show that the PM allowable limit was not exceeded; then the ESP's efficiency will be further decreased and a third performance test using EPA Method 17 will be conducted in an attempt to define the outer range of the ESP's efficiency at which the PM allowable limit will be exceeded; and,
 - c. If the outer range is not established by the 2nd and 3rd performance tests, then the performance testing is ended for that emissions unit; and, Gulf Power Company will use the data to help define their CAM Plan for that emissions unit tested.
6. The release of objectionable odors pursuant to Rule 62-296.320(2), F.A.C., is not authorized for this activity.
7. Performance testing shall immediately cease upon the occurrence of a valid environmental complaint by a citizen or other party, or a nuisance or danger to the public health or welfare. Performance testing shall not resume until appropriate measures to correct the problem have been implemented.

Mr. Gene L. Ussery, Jr.
Gulf Power Company
Scholz Electric Generating Plant: Units Nos. 1 & 2
0630014-003-AC
Page Three

8. The performance tests and parameter measurements and monitoring shall be under the direct supervision and responsible charge of a professional engineer registered in Florida.
9. This Department action is just to authorize the performance testing and parameter measurements and monitoring for the Scholz Units Nos. 1 & 2's ESP for the purpose of developing a CAM protocol.
10. Complete documentation of the activity shall be kept on file for at least 5 (five) years.
11. The Department shall be notified in writing on the date of the last test run and parameter measurement and monitoring completion. If after work hours, notification shall occur on the next work day.
12. Attachment Section.
 - a. Mr. Richard "Mike" Markey's letter received April 28, 2003.
 - b. Final Determination.

The Department has relied on the information referenced in the Attachment Section and conversations with representatives of Gulf Power Company in authorizing this activity.

Sincerely,

Howard L. Rhodes, Director
Division of Air Resource Management

HLR/rbm

Enclosures

cc: Trina L. Vielhauer, DEP - BAR
Scott Sheplak, DEP - BAR
Sandra Veazey, DEP - NWD
Kevin White, DEP - NWD
Gerry Neubauer, DEP - NWDB
Joe Kahn, DEP - BAMMS
G. Dwain Waters, Q.E.P., GPC
Richard "Mike" Markey, P.G., Q.E.P., GPC
Gregory N. Terry, P.E., GPC

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Mr. Gene L. Ussery, Jr.
 V.P. of Power Generation
 Gulf Power Company
 One Energy Place
 Pensacola, Florida 32520

2. Article Number

(Transfer from service label) 7000 2870 0000 7028 0986

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X *Richard Markey*

- Agent
 Addressee

B. Received by (Printed Name)

Richard Markey

C. Date of Delivery

5-12-03

D. Is delivery address different from item 1?

- If YES, enter delivery address below: Yes
 No

3. Service Type

- Certified Mail Express Mail
 Registered Return Receipt for Merchandise
 Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee)

- Yes

**U.S. Postal Service
 CERTIFIED MAIL RECEIPT
 (Domestic Mail Only; No Insurance Coverage Provided)**

7000 2870 0000 7028 0986

Mr. Gene L. Ussery, Jr.

Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$

Postmark
Here

Sent To

Mr. Gene L. Ussery, Jr.

Street, Apt. No.; or PO Box No.

One Energy Place

City, State, ZIP+4

Pensacola, Florida 32520



Jeb Bush
Governor

Department of Environmental Protection

Twin Towers Office Building
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

David B. Struhs
Secretary

May 6, 2003

CERTIFIED MAIL – Return Receipt Requested

Mr. Gene L. Ussery, Jr.
V.P. of Power Generation
Gulf Power Company
One Energy Place
Pensacola, Florida 32520

Re: Request 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's Electrostatic Precipitator (ESP)
0630014-003-AC

Dear Mr. Ussery:

Attached is one copy of the proposed authorization, 0630014-003-AC, to conduct additional pollutant testing and parameter measurements for the development of a CAM protocol for the Gulf Power Company's Scholz Units Nos. 1 & 2's ESP, 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's ESP to be further calibrated. The pollutants and or parameters to be measured or monitored will include sulfur dioxide [CEM (continuous emission monitor)], nitrogen oxides (CEM), particulate matter, carbon dioxide (CEM), ash content of the fuel, ultimate 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 be evaluated also. The development testing is scheduled to run from September 1 through December 31, 2003.

The permitting authority's "INTENT TO ISSUE AN AIR CONSTRUCTION PERMIT" and the "PUBLIC NOTICE OF INTENT TO ISSUE AN AIR CONSTRUCTION PERMIT" are also included. The "PUBLIC NOTICE OF INTENT TO ISSUE AN AIR CONSTRUCTION PERMIT" must be published as soon as possible. Proof of publication, i.e., newspaper affidavit, must be provided to the permitting authority's office within 7 (seven) days of publication pursuant to Rule 62-110.106(5), F.A.C. Failure to publish the notice and provide proof of publication within the allotted time may result in the denial of the permit pursuant to Rule 62-110.106(11), F.A.C.

Please submit any written comments you wish to have considered concerning the permitting authority's proposed action to Scott M. Sheplak, P.E., at the above letterhead address. If you have any other questions, please contact Bruce Mitchell at 850/413-9198.

Sincerely,

Trina L. Vielhauer
Chief
Bureau of Air Regulation

TLV/BM/m

Enclosures

"More Protection, Less Process"

Printed on recycled paper.

In the Matter of an
Application for Permit by:

Gulf Power Company
One Energy Place
Pensacola, Florida 32520

Air Construction Permit No.: 0630014-003-AC
Scholz Electric Generating Plant
Jackson County

INTENT TO ISSUE AN AIR CONSTRUCTION PERMIT

The Department of Environmental Protection (permitting authority) gives notice of its intent to issue an air construction permit (copy of draft permit enclosed) for the facility detailed in the application specified above, to authorize Gulf Power Company to conduct pollutant testing and parameter measurements for the development of a CAM protocol for the Gulf Power Company's Scholz Units Nos. 1 & 2's electrostatic precipitator (ESP), which is located at the Scholz Electric Generating Plant in Sneads, Jackson County.

The permittee, Gulf Power Company, applied on April 28, 2003, for an additional authorization to conduct pollutant testing and parameter measurements for the development of a CAM protocol for the Gulf Power Company's Scholz Units Nos. 1 & 2's 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's ESP to be further calibrated. The pollutants and or parameters to be measured or monitored will include sulfur dioxide [CEM (continuous emission monitor)], nitrogen oxides (CEM), particulate matter, carbon dioxide (CEM), ash content of the fuel, ultimate 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 be evaluated also. The development testing is scheduled to run from September 1 through December 31, 2003.

The permitting authority has permitting jurisdiction under the provisions of Chapter 403, Florida Statutes (F.S.), and Chapters 62-4 and 62-210, F.A.C. This source is not exempt from permitting procedures. The permitting authority has determined that an Air Construction Permit is required for the proposed activity.

The permitting authority intends to issue this Air Construction Permit based on the belief that reasonable assurances have been provided to indicate that operation of the source will not adversely impact air quality, and the source will comply with all appropriate provisions of Chapters 62-4, 62-204, 62-210, 62-212, 62-213, 62-256, 62-257, 62-281, 62-296, and 62-297, F.A.C.

Pursuant to Sections 403.815 and 403.0872, F.S., and Rules 62-110.106 and 62-210.350(3), F.A.C., you (the applicant) are required to publish at your own expense the enclosed "PUBLIC NOTICE OF INTENT TO ISSUE AN AIR CONSTRUCTION PERMIT." The notice shall be published one time only as soon as possible in the legal advertisement section of a newspaper of general circulation in the area affected. For the purpose of these rules, "publication in a newspaper of general circulation in the area affected" means publication in a newspaper meeting the requirements of Sections 50.011 and 50.031, F.S., in the county where the activity is to take place. Where there is more than one newspaper of general circulation in the county, the newspaper used must be one with significant circulation in the area that may be affected by the permit. If you are uncertain that a newspaper meets these requirements, please contact the permitting authority at the address or telephone number listed below. The applicant shall provide proof of publication to the Department's Bureau of Air Regulation, 2600 Blair Stone Road, Mail Station #5505, Tallahassee, Florida 32399-2400 (Telephone: 850/488-1344; Fax: 850/922-6979), within 7 (seven) days of publication pursuant to Rule 62-110.106(5), F.A.C. Failure to publish the notice and provide proof of publication within the allotted time may result in the denial of the permit pursuant to Rule 62-110.106(11), F.A.C.

The permitting authority will issue the Final Air Construction Permit in accordance with the conditions of the enclosed 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 permit issuance action for a period of 14 (fourteen) days from the date of publication of "PUBLIC NOTICE OF INTENT TO ISSUE AN AIR CONSTRUCTION PERMIT." Written comments should be provided to the permitting authority office. 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.

The permitting authority will issue the permit with the attached conditions unless a timely petition for an administrative hearing is filed pursuant to Sections 120.569 and 120.57, F.S. Mediation under Section 120.573, F.S., will not be available for this proposed action.

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 (received) in the Office of General Counsel of the Department of Environmental Protection, 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000 (Telephone: 850/488-9730; Fax: 850/487-4938). Petitions filed by the permit applicant or any of the parties listed below must be filed within 14 (fourteen) days of receipt of this notice of intent. Petitions filed by any other person must be filed within 14 (fourteen) days of publication of the public notice or within 14 (fourteen) days of receipt of this notice of intent, whichever occurs first. A petitioner must 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 will be only at the approval of the presiding officer upon the filing of a motion in compliance with Rule 28-5.207, F.A.C.

A petition must contain the following information:

- (a) The name, address, and telephone number of each petitioner, the applicant's name and address, the Permit File Number, and the county in which the project is proposed;
- (b) A statement of how and when each petitioner received notice of the permitting authority's action or proposed action;
- (c) A statement of how each petitioner's substantial interests are affected by the permitting authority's action or proposed action;
- (d) A statement of the material facts disputed by the petitioner, if any;
- (e) A statement of the facts that the petitioner contends warrant reversal or modification of the permitting authority's action or proposed action;
- (f) A statement identifying the rules or statutes that the petitioner contends require reversal or modification of the permitting authority's action or proposed action; and,
- (g) A statement of the relief sought by the petitioner, stating precisely the action that the petitioner wants the permitting authority to take with respect to the action or proposed action addressed in this notice of intent.

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 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.

In addition to the above, a person subject to regulation has a right to apply to the Department of Environmental Protection for a variance from or waiver of the requirements of particular rules, on certain conditions, under Section 120.542, F.S. The relief provided by this state statute applies only to state rules, not statutes, and not to any federal regulatory requirements. Applying for a variance or waiver does not substitute or extend the time for filing a petition for an administrative hearing or exercising any other right that a person may have in relation to the action proposed in this notice of intent.

The application for a variance or waiver is made by filing a petition with the Office of General Counsel of the Department of Environmental Protection, 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000. The petition must specify the following information:

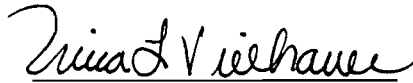
- (a) The name, address, and telephone number of the petitioner;
- (b) The name, address, and telephone number of the attorney or qualified representative of the petitioner, if any;
- (c) Each rule or portion of a rule from which a variance or waiver is requested;
- (d) The citation to the statute underlying (implemented by) the rule identified in (c) above;
- (e) The type of action requested;
- (f) The specific facts that would justify a variance or waiver for the petitioner;
- (g) The reason why the variance or waiver would serve the purposes of the underlying statute (implemented by the rule); and,
- (h) A statement whether the variance or waiver is permanent or temporary and, if temporary, a statement of the dates showing the duration of the variance or waiver requested.

The Department will grant a variance or waiver when the petition demonstrates both that the application of the rule would create a substantial hardship or violate principles of fairness, as each of those terms is defined in Section 120.542(2), F.S., and that the purpose of the underlying statute will be or has been achieved by other means by the petitioner.

Persons subject to regulation pursuant to any federally delegated or approved air program should be aware that Florida is specifically not authorized to issue variances or waivers from any requirements of any such federally delegated or approved program. The requirements of the program remain fully enforceable by the Administrator of the United States Environmental Protection Agency and by any person under the Clean Air Act unless and until the Administrator separately approves any variance or waiver in accordance with the procedures of the federal program.

Executed in Tallahassee, Florida.

**STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION**



Trina L. Vielhauer
Chief
Bureau of Air Regulation

CERTIFICATE OF SERVICE

The undersigned duly designated deputy agency clerk hereby certifies that this INTENT TO ISSUE AN AIR CONSTRUCTION PERMIT (including the PUBLIC NOTICE and the Draft Permit) and all copies were sent by certified mail before the close of business on 5/7/03 to the person(s) listed:

Mr. Gene L. Ussery, Jr., Responsible Official and V.P. of Power Generation, GPC

In addition, the undersigned duly designated deputy agency clerk hereby certifies that copies of this INTENT TO ISSUE AN AIR CONSTRUCTION PERMIT (including the PUBLIC NOTICE and the Draft Permit) were sent by U.S. mail on the same date to the person(s) listed:

Mr. G. Dwain Waters, Q.E.P., Air Quality Programs Supervisor, GPC
Mr. Richard "Mike" Markey, P.G., Q.E.P., Environmental Affairs, GPC
Mr. Gregory N. Terry, P.E., GPC
Ms. Sandra Veazey, DEP - NWD
Mr. Kevin White, DEP - NWD
Mr. Gerry Neubauer, DEP - NWDB
Mr. Joe Kahn, DEP - BAMMS

Clerk Stamp

FILING AND ACKNOWLEDGMENT FILED, on this date, pursuant to Section 120.52(7), Florida Statutes, with the designated agency Clerk, receipt of which is hereby acknowledged.

Barbara J. Friday 5/7/03
(Clerk) (Date)

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 to Gulf Power Company for its Scholz Electric Generating Plant located in Sneads, Jackson County. The applicant's name and address are: Gene 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's 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's 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 [CEM (continuous emission monitor)], nitrogen oxides (CEM), particulate matter, carbon dioxide (CEM), ash content of the fuel, ultimate 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 be evaluated also. The development testing is scheduled to run from September 1 through December 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, 2600 Blair Stone Road, Mail Station #5505, 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 Office of General Counsel of the Department of Environmental Protection, 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000 (Telephone: 850/488-9730; Fax: 850/487-4938). 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 28-106.205, 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(s) or identification number(s), 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 petition 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 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 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: 850/595-8364
 Fax: 850/595-8096

Affected District Branch Office Authority:

Department of Environmental Protection
 Northwest District Branch Office
 2815 Remington Green Circle, Suite A
 Tallahassee, Florida 32308
 Telephone: 850/488-3704
 Fax: 850/922-3620

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. Sheplak, P.E., at the above address, or call 850/921-9532 for additional information.



Jeb Bush
Governor

Department of Environmental Protection

Twin Towers Office Building
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

David B. Struhs
Secretary

Month Day, 2002

CERTIFIED MAIL – Return Receipt Requested

Mr. Gene L. Ussery, Jr.
V.P. of Power Generation
Gulf Power Company
One Energy Place
Pensacola, Florida 32520

Dear Mr. Ussery:

RE: **Draft** Authorization to Conduct Additional Pollutant Testing and Parameter Measurements for the Development of a Compliance Assurance Monitoring (CAM) Protocol for the Gulf Power Company's Scholz Electric Generating Plant's Units Nos. 1 & 2's Electrostatic Precipitator (ESP)
0630014-003-AC

The Department has reviewed the request that you provided on April 28, 2003. We have considered the Department's legal authority to allow Gulf Power Company to conduct the requested testing and measurements on its Scholz Electric Generating Plant's Units Nos. 1 & 2's ESP (electrostatic precipitator) located in Sneads, Jackson County. The purpose is to help the company address Compliance Assurance Monitoring (CAM), which will have to be addressed regarding the ESP upon renewal of their Title V Operation Permit. Paragraph 403.061(16), Florida Statutes (F.S.), authorizes the Department to encourage voluntary cooperation by persons in order to achieve the purposes of the state environmental control act. Paragraph 403.061(18), F.S., authorizes the Department to encourage and conduct studies, investigations, and research relating to the causes and control of pollution. Rule 62-210.700(5), Florida Administrative Code (F.A.C.), authorizes the Department to consider variation in industrial equipment and make allowances for excess emissions that provide reasonable and practical regulatory controls consistent with public interest.

In accordance with the provisions of Paragraphs 403.061(16) and (18), F.S., and Rule 62-210.700(5), F.A.C., you are hereby authorized to conduct additional pollutant testing and parameter measurements for the development of a CAM protocol for the Gulf Power Company's Scholz Electric Generating Plant's Units Nos. 1 & 2's ESP. 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 and opacity standards. The data gathered will allow an EPRI (Electrical Power Research Institute) computer model to evaluate the performance of the Scholz Units Nos. 1 & 2's ESP to be further calibrated. The pollutants and or parameters to be measured or monitored will include sulfur dioxide [CEM (continuous emission monitor)], nitrogen oxides (CEM), particulate matter, carbon dioxide (CEM), ash content of the fuel, ultimate 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 be evaluated also.

"More Protection, Less Process"

Printed on recycled paper.

The performance tests and parameter measurements or monitoring shall be subject to the following conditions:

1. Unless waived, the permittee shall notify the Department's Northwest District Office, Northwest District Branch Office - Tallahassee, and Bureau of Air Regulation Office at least 15 days prior to commencement of the performance tests and parameter measurements or monitoring. A written report shall be submitted to these offices within 45 days upon completion of the last test run and parameter measurements and monitoring.
2. The authorized testing and measurement and monitoring schedule is from September 1 through December 31, 2003. If additional time is needed, the permittee shall provide the Department with documentation of the progress accomplished to date and shall identify what is left to be done to complete the testing and measurements or monitoring.
3. The parameters to be measured or monitored are sulfur dioxide [CEM (continuous emission monitor)], nitrogen oxides (CEM), particulate matter, carbon dioxide (CEM), ash content of the fuel, ultimate 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 be evaluated also.
4. Emissions testing shall be conducted concurrently for the following pollutants and using the following test methods:
 - a. Particulate matter EPA Test Method 17 (including EPA Test Methods 1 thru 4)
 - b. Visible emissions EPA Test Method 9
5. The performance test plans are as follows:
 1. Conduct a performance test (three 1-hour runs) using EPA Method 17 at "normal" operations;
 2. Conduct a performance test (three 1-hour runs) using EPA Method 17 at a reduction in the ESP efficiency; and,
 - 3.a. If the test results show that the PM allowable limit was exceeded; then the ESP's efficiency will be increased and a third performance test using EPA Method 17 will be conducted (supposedly between "normal" and "at the reduced efficiency"); or,
 - b. If the test results show that the PM allowable limit was not exceeded; then the ESP's efficiency will be further decreased and a third performance test using EPA Method 17 will be conducted in an attempt to define the outer range of the ESP's efficiency at which the PM allowable limit will be exceeded; and,
 - c. If the outer range is not established by the 2nd and 3rd performance tests, then the performance testing is ended for that emissions unit; and, Gulf Power Company will use the data to help define their CAM Plan for that emissions unit tested.
6. The release of objectionable odors pursuant to Rule 62-296.320(2), F.A.C., is not authorized for this activity.
7. Performance testing shall immediately cease upon the occurrence of a valid environmental complaint by a citizen or other party, or a nuisance or danger to the public health or welfare. Performance testing shall not resume until appropriate measures to correct the problem have been implemented.

Mr. Gene L. Ussery, Jr.
Gulf Power Company
Scholz Electric Generating Plant: Units Nos. 1 & 2
0630014-003-AC
Page Three

8. The performance tests and parameter measurements and monitoring shall be under the direct supervision and responsible charge of a professional engineer registered in Florida.
9. This Department action is just to authorize the performance testing and parameter measurements and monitoring for the Scholz Units Nos. 1 & 2's ESP for the purpose of developing a CAM protocol.
10. Complete documentation of the activity shall be kept on file for at least 5 (five) years.
11. The Department shall be notified in writing on the date of the last test run and parameter measurement and monitoring completion. If after work hours, notification shall occur on the next work day.
12. Attachment Section.
 - a. Mr. Richard "Mike" Markey's letter received April 28, 2003.
 - b. Final Determination.

The Department has relied on the information referenced in the Attachment Section and conversations with representatives of Gulf Power Company in authorizing this activity.

Sincerely,

Howard L. Rhodes, Director
Division of Air Resource Management

HLR/rbm

Enclosures

cc: Trina L. Vielhauer, DEP - BAR
Scott Sheplak, DEP - BAR
Sandra Veazey, DEP - NWD
Kevin White, DEP - NWD
Gerry Neubauer, DEP - NWDB
Joe Kahn, DEP - BAMMS
G. Dwain Waters, Q.E.P., GPC
Richard "Mike" Markey, P.G., Q.E.P., GPC
Gregory N. Terry, P.E., GPC

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul style="list-style-type: none"> Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 	A. Signature <i>x Richard Markay</i> <input type="checkbox"/> Agent <input type="checkbox"/> Addressee
1. Article Addressed to: Mr. Gene L. Ussery, Jr. V.P. of Power Generation Gulf Power Company One Energy Place Pensacola, Florida 32520	B. Received by (Printed Name) <i>Richard Markay</i>
2. Article Number (Transfer from service label) 7000 2870 0000 7028 0979	C. Date of Delivery <i>5-9-03</i>
	D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No
	3. Service Type <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.
	4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes

PS Form 3811, August 2001

Domestic Return Receipt

102595-02-M-1540

U.S. Postal Service CERTIFIED MAIL RECEIPT (Domestic Mail Only; No Insurance Coverage Provided)	
7000 2870 0000 7028 0979	Mr. Gene L. Ussery, Jr.
Postage \$ Certified Fee Return Receipt Fee (Endorsement Required) Restricted Delivery Fee (Endorsement Required) Total Postage & Fees \$	Postmark Here
Sent To Mr. Gene L. Ussery, Jr. Street, Apt. No.; or PO Box No. One Energy Place City, State, ZIP+4 Pensacola, Florida 32520	
PS Form 3800, May 2000 See Reverse for Instructions	



Jeb Bush
Governor

Department of Environmental Protection

Twin Towers Office Building
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

David B. Struhs
Secretary

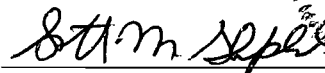
P.E. Certification Statement

Permittee:
Gulf Power Company
Scholz Plant

Draft Permit No.: 0630014-003-AC
Facility ID No.: 0630014

Project type: CAM Testing Authorization for Units 1 & 2

I HEREBY CERTIFY that the engineering features described in the above referenced application and subject to the proposed permit conditions provide reasonable assurance of compliance with applicable provisions of Chapter 403, Florida Statutes, and Florida Administrative Code Chapters 62-4 and 62-204 through 62-297. However, I have not evaluated and I do not certify aspects of the proposal outside of my area of expertise (including but not limited to the electrical, mechanical, structural, hydrological, and geological features).



Scott M. Sheplak, P.E.
Registration Number: 48866



Permitting Authority:
Department of Environmental Protection
Bureau of Air Regulation
111 South Magnolia Drive, Suite 4
Tallahassee, Florida 32301
Telephone: 850/921-9532
Fax: 850/922-6979

One Energy Place
Pensacola, Florida 32520

Tel 850.444.6111

RECEIVED

APR 28 2003

BUREAU OF AIR REGULATION



April 24, 2003

R. Bruce Mitchell
Title V Section – Bureau of Air Regulation
Florida Department of Environmental Protection
2600 Blair Stone Road
Mail Station #5510
Tallahassee, Florida 32399-2400

Dear Mr. Mitchell:

RE: SCHOLZ ELECTRIC GENERATING PLANT
AUTHORIZATION TO CONDUCT CAM PROTOCOL TESTING
PERMIT No: 0630014-001-AV

0630014-003-AR

Gulf Power hereby requests authorization to conduct additional Compliance Assurance Monitoring (CAM) testing at Plant Scholz for Units 1 & 2 during 2003. As you are aware, CAM is a requirement that must be addressed in the next round of Title V permit renewals for all facilities having pollution control equipment. In order to meet this goal, Gulf Power is planning an additional series of special particulate emission tests to further calibrate a EPRI (Electric Power Research Institute) computer model to evaluate the performance of the Scholz ESPs. Simply stated, this evaluation will require Gulf Power to vary the collection efficiency of the ESP to establish a performance curve between opacity, particulate emissions and ash resistivity, thus creating an operational condition near or in excess of the Florida particulate emissions standard.

Therefore, Gulf Power requests a permit amendment to allow CAM protocol developmental testing on Scholz Units 1 & 2 from September 1, 2003 through December 31, 2003 as needed to complete all tests and measurements. Authorization of these tests is consistent with the Department's power and duty under Section 403.061(18), Florida Statutes, to "[e]ncourage and conduct studies, investigations, and research relating to pollution and its causes, effects, prevention, abatement, and control."

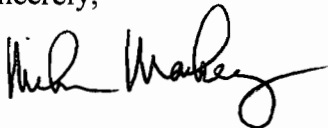
Mr. R. Bruce Mitchell
April 24, 2003
Page 2

The specific equipment to be tested is the Scholz Units 1 & 2 electrostatic precipitator. The pollutants and or parameters measured or monitored will include sulfur dioxide [CEM (continuous emission monitor)], nitrogen oxides (CEM), particulate matter, carbon dioxide (CEM), ash content of the fuel, ultimate fuel analyses, unit operational parameters including load, fuel flow, excess air, flue gas temperature and other unit specific parameters that are needed for the computer model. Test methods to be utilized include EPA Method 9, EPA Method 17, and CEM monitoring data (SO₂, NO_x, CO₂).

Attached is an authorization statement by Gene L. Ussery, Jr., the Responsible Official outlining his approval of this permit amendment request. Also attached is a statement by a professional engineer regarding the certification of the test protocol. Please note that we have spoken with the permitting staff at the Northwest Florida District office to outline this request, our test schedule and the basic CAM procedure. Ms. Sandra Veazey and her staff are being copied on this correspondence.

If you have any questions or need further information regarding the test procedures or CAM protocol development for Plant Scholz please call me at (850) 444.6573.

Sincerely,



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

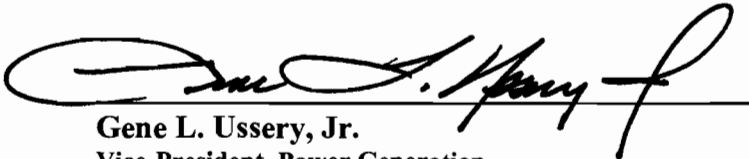
cc: w/att: Jim. Vick, Gulf Power Company
Mike Sarab, Gulf Power Company
Ken Peacock, Gulf Power Company
Kevin Beaty, Gulf Power Company
Greg Terry, Gulf Power Company
Danny Herrin, Southern Company Services
Milan McGill, Southern Company Services
Clark Mitchell, Southern Company Services
Trey Hall, Gulf Power Company
Dwain Waters, Gulf Power Company

Ms. Trina Vielhauer, FDEP Tallahassee, Florida
Mr. Scott Sheplak, FDEP Tallahassee, Florida
Ms. Sandra Veazey, FDEP Northwest District Office, Pensacola, Florida
Mr. Kevin White, FDEP Northwest District Office, Pensacola, Florida

**CERTIFICATION BY RESPONSIBLE OFFICIAL
SCHOLZ UNITS 1 & 2 COMPLIANCE ASSURANCE
MONITORING TEST PERMIT AMENDMENT REQUEST**

"I, the undersigned, am the responsible official, as defined in Chapter 62-210.200, F.A.C., for the Scholz Electric Generating Plant for which this permit amendment is being submitted. I hereby certify, based on information and belief formed after reasonable inquiry, that the statements made and data contained in this request are true, accurate and complete."

Responsible Official Signature:



Gene L. Ussery, Jr.
Vice-President, Power Generation

4-24-03
Date:

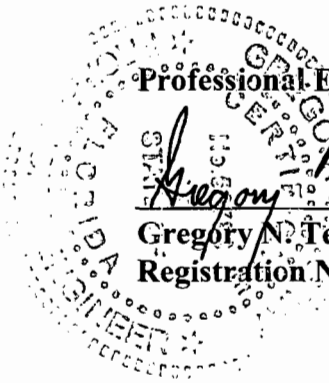
**SCHOLZ UNITS 1 & 2 COMPLIANCE ASSURANCE
MONITORING TEST PROTOCOL AND SCHEDULE
CERTIFICATION BY PROFESSIONAL ENGINEER**

"I, the undersigned, am a registered professional engineer in the state of Florida and hereby certify to the best of my knowledge that all information submitted for this permit amendment to conduct special emissions testing for compliance assurance monitoring at the Scholz Electric Generating Plant is true, accurate and complete."

Professional Engineer Signature:


Gregory N. Terry
Registration Number: 52786

4-18-03
Date:



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APR 28 2003

BUREAU OF AIR REGULATION

Tentative (Projected) RATA and Particulate Test Schedule for 2003

(Revision 9: 4-18-2003)

Crist 1-2-3 ⁴	Jan. 24
Crist 6 ³	Jan. 27-30
Chevron 5 ^{1,5}	Jan. 27-29
Chevron 6 ^{1,5}	Jan. 29-31
Crist 5 ^{1,2,3,5}	Feb. 3-7
Smith 4 ^{1,5}	Feb. 17-21
Smith 5 ^{1,5}	Feb. 24-26
Daniel 3 Annual Tests ¹	Mar. 10-14
Daniel 4 Annual Tests ¹	Mar. 17-21
Crist 6 CAM ⁷	Mar. 24-28
Crist 7 ^{1,2,3,5}	Apr. 14-18
Crist 4 ^{1,2,3,5}	Apr. 23-May 1
Stanton 25 Tuning/CEMS Checks	May 1-9
Stanton 26 Tuning/CEMS Checks	May 1-9
Smith 1 & 2 ^{2,3}	May 19-23
Smith 1 & 2 ^{1,2,5}	May 26-30
Smith 2 CAM ⁷	June 16-20
Smith 1 CAM ⁷	Jun. 23-27
Stanton 25 CEMS Certification and Emissions Tests	July 21-25
Stanton 26 CEMS Certification and Emissions Tests	July 28-Aug. 1
Smith 4 (Retest) ^{1,5}	Aug. 18-21
Smith 5 (Retest) ^{1,5}	Aug. 25-28
Scholz 1 ^{1,2,3,5}	Sep. 1-5
Scholz 2 ^{1,2,3,5}	Sep. 8-12
Daniel 1 ^{1,5}	Sep.15-17
Daniel 2 ^{1,5}	Sep.17-19
Daniel 2 CAM ⁷	Sep. 29-Oct. 3
Daniel 1 CAM ⁷	Oct. 6-Oct. 10
Watson 4 CAM	Oct. 20-24
Crist 6 ^{1,2,5}	Oct. 28-Nov. 1
Scholz CAM Testing	Nov. 3-7
Air Products (Pea Ridge) A, B, & C ⁵	Nov. 10-20
Crist FlyAsh Silo VEs	Dec. 2-4

¹ Includes gas RATA testing

² Includes flow testing

³ Includes particulate compliance testing

⁴ These dates are subject to change due to fuel price fluctuation

⁵ Annual emission compliance test

⁷ CAM Testing

U.S. Postal Service
CERTIFIED MAIL RECEIPT
 (Domestic Mail Only; No Insurance Coverage Provided)

7000 2870 0000 7028 0979

OFFICIAL USE

Mr. Gene L. Ussery, Jr.

Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$

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Sent To
 Mr. Gene L. Ussery, Jr.
 Street, Apt. No.; or PO Box No.
 One Energy Place
 City, State, ZIP+4
 Pensacola, Florida 32520

PS Form 3800, May 2000 See Reverse for Instructions

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- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
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- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:
 Mr. Gene L. Ussery, Jr.
 V.P. of Power Generation
 Gulf Power Company
 One Energy Place
 Pensacola, Florida 32520

COMPLETE THIS SECTION ON DELIVERY

A. Signature
x Richard Markay Agent
 Addressee

B. Received by (Printed Name)
Richard Markay

C. Date of Delivery
5-9-03

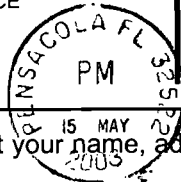
D. Is delivery address different from item 1? Yes
 If YES, enter delivery address below: No

3. Service Type
 Certified Mail Express Mail
 Registered Return Receipt for Merchandise
 Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee) Yes

2. Article Number
 (Transfer from service label) 7000 2870 0000 7028 0979

UNITED STATES POSTAL SERVICE



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USPS
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• Sender: Please print your name, address, and ZIP+4 in this box •

DEPARTMENT OF ENVIRONMENTAL PROTECTION
DIVISION OF AIR RESOURCES MANAGEMENT
BUREAU OF AIR REGULATION - TALLAHASSEE
2600 BLAIR STONE ROAD
TALLAHASSEE, FLORIDA 32399-2400

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MAY 19 2003

ms 5505

BUREAU OF AIR REGULATION

32399+2400

U.S. Postal Service
CERTIFIED MAIL RECEIPT
 (Domestic Mail Only; No Insurance Coverage Provided)

OFFICIAL USE

Mr. Gene L. Ussery, Jr.

7000 2870 0000 7028 0986

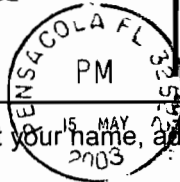
Postage	\$	Postmark Here
Certified Fee		
Return Receipt Fee (Endorsement Required)		
Restricted Delivery Fee (Endorsement Required)		
Total Postage & Fees	\$	

Sent To
 Mr. Gene L. Ussery, Jr.
 Street, Apt. No., or PO Box No.
 One Energy Place
 City, State, ZIP+4
 Pensacola, Florida 32520

PS Form 3800, May 2000 See Reverse for Instructions

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul style="list-style-type: none"> Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 	<p>A. Signature <input checked="" type="checkbox"/> <i>Richard Markey</i> <input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name) <i>Richard Markey</i></p> <p>C. Date of Delivery <i>5-12-03</i></p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p>
<p>1. Article Addressed to: Mr. Gene L. Ussery, Jr. V.P. of Power Generation Gulf Power Company One Energy Place Pensacola, Florida 32520</p>	<p>3. Service Type <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p>
<p>2. Article Number (Transfer from service label) 7000 2870 0000 7028 0986</p>	<p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>
<p>PS Form 3811, August 2001 Domestic Return Receipt 102595-02-M-1540</p>	

UNITED STATES POSTAL SERVICE



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Postage & Fees Paid
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DEPARTMENT OF ENVIRONMENTAL PROTECTION
DIVISION OF AIR RESOURCES MANAGEMENT
BUREAU OF AIR REGULATION - TITLE V
2600 BLAIR STONE ROAD
TALLAHASSEE, FLORIDA 32399-2400

RECEIVED

MAY 19 2003

M& 5505

BUREAU OF AIR REGULATION

32399+2400



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

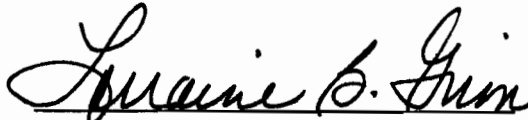
Affiant further says that the News Herald is a direct successor of the Panama City News and that this publication, together with its direct predecessor, has been continuously published in said Bay County, Florida, each day (except that the predecessor, Panama City News, was not published on Sundays), 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 na
as identification.



Lorraine B. Grimes
MY COMMISSION # CC931149 EXPIRES
August 25, 2004
BONDED THRU 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 to Gulf Power Company for its Scholz Electric Generating Plant located in Sneads, Jackson County. The applicant's name and address are: Gene L. Ussery, Jr., VP of Power Generation, Gulf Power Company, One Energy Place, Pensacola, Florida 32520.
This 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's 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's 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 (CEM (continuous emission monitor), nitrogen oxides (CEM), particulate matter, carbon dioxide (CEM), ash content of the fuel, ultimate 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 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, 2600 Blair Stone Road, Mall Station #5505, 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 (FS). 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, 3900 Commonwealth Boulevard, Mall Station #35, Tallahassee, Florida 32399-3000. (Telephone: 850/488-9700; Fax: 850/487-4938). Petitions filed by any persons other than those entitled to written notice under Section 120.60(3), FS, 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), FS, 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, FS, 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 28-106.205, 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(s) or identification number(s) 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 petition 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 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 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

for an administrative hearing in accordance with Sections 120.569 and 120.57 of the Florida Statutes (FS). 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, 3900 Commonwealth Boulevard, Mall Station #35, Tallahassee, Florida 32399-3000. (Telephone: 850/488-9700; Fax: 850/487-4938). Petitions filed by any persons other than those entitled to written notice under Section 120.60(3), FS, 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), FS, 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, FS, 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 28-106.205, Florida Administrative Code (F.A.C.).
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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: 850/595-8364
Fax: 850/595-8096
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 1403.111, FS. Interested persons may contact Scott M. Sheplak, PE, at the above address, or call 850/921-9532 for additional information.
May 16, 2003

U.S. Postal Service
CERTIFIED MAIL RECEIPT
 (Domestic Mail Only; No Insurance Coverage Provided)

7000 2870 0000 7028 1150

OFFICIAL USE

Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$

Postmark
Here

Sent To
 Mr. Gene L. Ussery, Jr.
 Street, Apt. No., or PO Box No.
 One Energy Place
 City, State, ZIP+4
 Pensacola, Florida 32520

PS Form 3800, May 2000

See Reverse for Instructions

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Mr. Gene L. Ussery, Jr.
 V.P. of Power Generation
 Gulf Power Company
 One Energy Place
 Pensacola, Florida 32520

2. Article Number

(Transfer from service label)

7000 2870 0000 7028 1150

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X *R. Beach*

Agent

Addressee

B. Received by (Printed Name)

R. Beach

C. Date of Delivery

6-14-03

D. Is delivery address different from item 1? Yes

If YES, enter delivery address below: No

3. Service Type

Certified Mail

Express Mail

Registered

Return Receipt for Merchandise

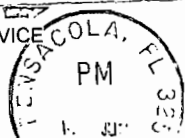
Insured Mail

C.O.D.

4. Restricted Delivery? (Extra Fee)

Yes

UNITED STATES POSTAL SERVICE



First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

• Sender: Please print your name, address, and ZIP+4 in this box •

DEPARTMENT OF ENVIRONMENTAL PROTECTION
DIVISION OF AIR RESOURCES MANAGEMENT
BUREAU OF AIR REGULATION - TITLE 8
2600 BLAIR STONE ROAD
TALLAHASSEE, FLORIDA 32399-2400

ms 5508

RECEIVED
JUN 16 2003
BUREAU OF AIR REGULATION



One Energy Place
Pensacola, Florida 32520

Tel 850.444.6111

RECEIVED

MAY 22 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". The signature is fluid and cursive.

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

RECEIVED

MAY 22 2003

State of Florida County of Bay

BUREAU OF AIR REGULATION

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 na

as identification.



Lorraine B. Grimes
MY COMMISSION # CC931149 EXPIRES
August 25, 2004
BONDED THRU 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 to Gulf Power Company for its Scholz Electric Generating Plant located in Sneads, Jackson County. The applicant's name and address are: Gene 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's 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's 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 (CEM (continuous emission monitor)), nitrogen oxides (CEM), particulate matter, carbon dioxide (CEM), ash content of the fuel, ultimate 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 be evaluated also. The development testing is scheduled to run from September 1 through December 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, 2600 Blair Stone Road, Mail Station #5505, 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 Office of General Counsel of the Department of Environmental Protection, 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000 (Telephone: 850/488-9730; Fax: 850/487-4938). 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 28-106.205, Florida Administrative Code (F.A.C.).
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(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 petition 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
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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: 850/595-8364
Fax: 850/595-8096
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. Sheplak, PE., at the above address, or call 850/921-9532 for additional information.
May 16, 2003