

One Energy Place
Pensacola, Florida 32520

850.444.6111



January 25, 1999

Mr. Michael Hatcher, P.E.
Department of Environmental Protection
2600 Blair Stone Road
Mail Station 3545
Tallahassee, Florida 32399-2400

Re: Notice of Intent to Issue -Permit FL0002283
Scholz Electric Generating Plant

Dear Mr. Hatcher:

Attached is a copy of the legal ad for the Plant Scholz NPDES Permit "Intent to Issue" which was published in the Jackson County Floridan newspaper on January 10, 1999. We received our copy of the legal ad on January 21, 1999. We look forward to issuance of the final permit after the comment period is complete.

If you have any questions, please contact me at (850) 444-6127.

Sincerely,

Rachel Terry
Environmental Affairs Specialist

Attachment

RECEIVED
JAN 28 1999

Industrial Wastewater Section

Jackson County Floridan

4403 Constitution Lane
P.O. Box 520
Marianna, Fla. 32447

Legal Invoice

January 10, 1999

No 9353

Gulf Power
Attn: Rachel Terry
One Energy Place
Pensacola, FL 32520-0398

M877

Before the undersigned authority personally appeared

Valeria Roberts, who on oath says
that (s)he is Advertising Manager of the
Jackson County Floridan, a daily newspaper published at Marianna, in
Jackson County, Florida: that the attached copy of advertisement, in the
matter mentioned, was published in said newspaper in the issues
shown.

Affiant further states that the said Jackson County Floridan is
a newspaper published at Marianna, in said Jackson County, Florida,
and that the said newspaper has heretofore been continuously pub-
lished in said Jackson County, Florida, each day (Monday and Saturday
excepted) and has been entered as second class mail matter at the post
office in Marianna, in said Jackson County, Florida, for a period of one
year next preceding the first publication of the attached copy of adver-
tisement; and affiant further says that (s)he has neither paid nor
promised any person, firm or corporation any discount, rebate, com-
mission or refund for the purpose of securing this advertisement for
publication in the said newspaper.

Sworn to and subscribed before me this 18th
day of January, A.D. 1999.

Notary Public, State of Florida at Large

My Commission Expires Lori A. Spradlin

MY COMMISSION # CC503011 EXPIRES
October 24, 1999
BONDED THRU TRÖY FAIN INSURANCE, INC.

Inches _____ Rate _____ Amount \$ 227.54
Paid

Description: PUBLIC NOTICE OF INTENT TO ISSUE
PERMIT

Published: 1t: January 10, 1999

PUBLIC NOTICE OF INTENT TO ISSUE PERMIT

STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION NOTICE OF INTENT TO ISSUE PERMIT

The Department of Environmental Protection gives notice of its intent to issue a renewal permit to Gulf Power Company, One Energy Place, Pensacola, FL 32520 to operate Units 1 and 2 of the Scholz Electric Generation Plant located on 1460 Gulf Power Road, Sneads, Florida 32460. All treated and untreated wastewater (except once-through cooling water) from the operation of Units 1 and 2 is discharged to the ash pond. Once-through condenser cooling water and ash pond overflow discharge through a 850-foot long discharge canal to the Apalachicola River, A Class III fresh Water.

A person who substantial interests are affected by the proposed permitting decision of the Department may petition for an administrative hearing in accordance with sections 120.569 and 120.57 of the Florida Statutes. The petition must contain the information set forth below and must be filed (received) in the Department of Environmental Protection, Office of the General Counsel, Mail Station 35, 3900 Commonwealth Boulevard, Tallahassee, Florida, 32399-3000. Petitions must be filed within fourteen days of publication of this public notice or within fourteen days of receipt of the 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 of the Florida Statutes; or to intervene in this proceeding and participate as a party to it. Any subsequent intervention will be only at the discretion of the presiding officer upon the filing of a motion in compliance with rule 28-5.207 of the Florida Administrative Code. A petition must contain the following information:

phone number of each petitioner; the Department permit identification number and the county in which the subject matter or activity is located;

(b) A statement of how and when each petitioner received notice of the Department action;

(c) A statement of how each petitioner's substantial interests are affected by the Department action;

(d) A statement of the material facts disputed by the petitioner, if any;

(e) A statement of facts that the petitioner contends warrant reversal or modification of the Department action;

(f) A statement of which rules of statutes the petitioner contends require reversal or modification of Department action; and

(g) A statement of the relief sought by the petitioner, stating precisely the action that the petitioner wants the Department to take.

Because the administrative hearing process is designed to formulate final agency action, the filing of a petition means that the Department's final action may be different from the position taken by it in its notice of intent. Persons with substantial interests will be affected by any such final decision of the Department on the application for the right to petition to become a party to the proceeding, in accordance with the requirements set forth above.

Mediation under section 120.01 of the Florida Statutes is not available for this proceeding.

The permit, fact sheet, and supporting data are available for public inspection during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at the Department of Environmental Protection, Industrial Wastewater Section, 2600 Blair Stone Road, Tallahassee, FL 32399-2400, telephone (904) 488-4522. Copies of the permit and fact sheet also are available for review at the Department's Northwest District Office located at 160 Government Center, Pensacola, Florida 32501-5794.

1T: January 10, 1999