



Department of Environmental Protection

Lawton Chiles
Governor

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

Virginia B. Wetherell
Secretary

June 1, 1995

**CERTIFIED MAIL
RETURN RECEIPT REQUESTED**

Mr. M. L. Gilchrist
Manager of Fuels and Environmental Affairs
Gulf Power Company
500 Bay Front Parkway
Post Office Box 1151
Pensacola, Fl 32520-0328

Re: Gulf Power Company
Scholz Electric Generating Plant
State I.D. 1032P37371, NPDES No. FL0002283

Dear Mr. Gilchrist:

On May 1, 1995, the Florida Department of Environmental Protection (Department) was granted authority by the U.S. Environmental Protection Agency (EPA) to administer the National Pollutant Discharge Elimination System (NPDES) permitting program. Effective that date, the Department assumed permitting and enforcement authority for the NPDES permit(s) issued by EPA for point source discharges from your wastewater facility(ies) to waters of the United States. Also on May 1, the new wastewater permitting rule, Chapter 62-620, Florida Administrative Code, became effective. The rule applies to all state wastewater permitting and supersedes previous rule provisions.

Pursuant to Rule 62-620.105(10), Florida Administrative Code (F.A.C.), the EPA-issued NPDES permit and State-issued wastewater permit for each facility are being combined into one document (Order). Enclosed is an Order identifying the Department as the permitting agency, providing the address to which your monitoring reports should be sent, and assigning a new permit number to this combined document. The permittee should affix the referenced individual permits to the enclosed Order(s) as Section I (Federal NPDES permit) and Section II (State issued permit). If you recently received an NPDES permit from EPA with an effective date later than May 1, 1995, you should also attach the newly issued permit. Duplicate permit conditions will be addressed upon renewal of this Order or, in the interim, upon a request by the permittee for a substantial revision under Rule 62-620.325, F.A.C.

Pursuant to Chapter 403.087, Florida Statutes, and Rule 62-4.052, F.A.C., an initial pro-rated regulatory program and surveillance

fee is due July 30, 1995, for the facilities referenced above. Each year thereafter, the annual regulatory program and surveillance fee will be due January 15. Enclosed is a work sheet identifying the annual fee(s) applicable to your facility(ies) according to information on file at our office. If you have questions about these fees, please contact this office by June 20, 1995. Invoices for the initial annual fees will be mailed after that date.

Please note that the Department did not request authorization for the federal sewage sludge management program. The EPA will issue sludge only permits for facilities with NPDES permits containing sludge management related permit conditions.

If there are any questions about your monitoring requirements or the annual fees, please contact Craig Diltz of my staff at telephone number (904) 488-4522.

Sincerely,

A handwritten signature in black ink, appearing to read "RM Harvey", written in a cursive style.

Richard M. Harvey
Director
Division of Water Facilities

RMH/cd/mh
Enclosures

cc: Daryll Joyner, DEP Tallahassee
Jerry Owen, DEP Jacksonville

Is your RETURN ADDRESS completed on the reverse side?

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, and 4a & b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

- ☐ Addressee's Address
- ☐ Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:
MR ML GILCHRIST
MANAGER OF FUELS & ENVIRONMENTAL
AFFAIRS
GULF POWER COMPANY
500 BAY FRONT PARKWAY
POST OFFICE BOX 1151
PENSACOLA FLORIDA 32520-0328

4a. Article Number
Z 390 938 920

4b. Service Type
☐ Registered ☐ Insured
☒ Certified ☐ COD
☐ Express Mail ☐ Return Receipt for Merchandise

7. Date of Delivery

5. Signature (Addressee)

Rollanda Cathran

6. Signature (Agent)

8. Addressee's Address (Only if requested and fee is paid)

PS Form 3811, December 1991

☆U.S. GPO: 1993-352-714

DOMESTIC RETURN RECEIPT

Thank you for using Return Receipt Service.

Z 390 938 920



**Receipt for
Certified Mail**

No Insurance Coverage Provided
Do not use for International Mail
(See Reverse)

PS Form 3800, March 1993

Sender	<i>ML Gilchrist</i>
Street and No.	<i>Mngr of Fuels + Environ Affairs</i>
P.O., State and ZIP Code	<i>Gulf Power Company</i>
Postage	<i>500 Bayfront Pkwy</i>
Certified Fee	<i>P.O. Box 1151</i>
Special Delivery Fee	<i>Pensacola, FL 32520-0328</i>
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, and Addressee's Address	
TOTAL Postage & Fees	\$
Postmark or Date	

UNITED STATES POSTAL SERVICE

Official Business

RECEIVED

JUN 12 1995

PENALTY FOR PRIVATE
USE TO AVOID PAYMENT
OF POSTAGE, \$300



Industrial Waste Section

Print your name, address and ZIP Code here

• ATTN: PHIL CORAM

MS 3545 •

DEPT ENVIRONMENTAL PROTECTION
DIVISION OF WATER FACILITIES
TWIN TOWERS OFFICE BUILDING
2600 BLAIR STONE ROAD
TALLAHASSEE FL 32399-2400

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
NOTICE OF AGENCY ACTION

In the Matter of an Order for:

WASTEWATER PERMIT
NO. FL0002283

Gulf Power Company
500 Bay Front Parkway
Post Office Box 1151
Pensacola, Fl 32520-0328
Gadsen County

Pursuant to Rule 62-620.105(10)(a), Florida Administrative Code (F.A.C.), this order constitutes issuance of Wastewater Permit No. FL0002283 to Gulf Power Company - Scholz Electric Generating Plant which combines NPDES permit FL0002283 (Section I) and State permit IO32-189371 (Section II). The NPDES permit in Section I is adopted under Section 403.0885, Florida Statutes (F.S.). The State permit in Section II remains in effect under Sections 403.087 and 403.088, F.S. This agency action combining these permits is limited to identifying the Department as the permitting agency, providing addresses to send monitoring reports, providing an expiration date, and assigning a new permit number.

All permit conditions of both sections remain in effect and are unchanged. All of the conditions in Sections I and II are enforceable under Chapter 403, F.S. In addition, the conditions in Section I are enforceable under the Federal Clean Water Act by the Environmental Protection Agency.

The permittee shall continue all monitoring required by both sections of this Order. Monitoring required under Section I shall continue to be reported on EPA form 3320-1. EPA form 3320-1 for the months of April, May, and June shall be sent to the EPA. Effective with the report for the month of July 1995, the permittee shall submit EPA form 3320-1 to the Department of Environmental Protection, Mail Station 3551, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400. All monitoring required under Section II shall continue to be reported on the forms required in Section II, but shall be sent to the Department at this Tallahassee address rather than to the District Office. Other than the monitoring reports for April - June, all correspondence and requests regarding Section I of this wastewater permit should be directed to this office beginning immediately.

In accordance with Rule 62-620.105, F.A.C., this Order expires on September 30, 1997 unless revised under Rule 62-620.325, F.A.C.,

or renewed under Rule 62-620.335, F.A.C.

A person whose substantial interests are affected by this agency action may petition for an administrative proceeding (hearing) in accordance with Section 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 at 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, within 14 days of receipt of this permit. Petitioner shall mail a copy of the petition to the permittee at the address indicated above at the time of filing. Failure to file a petition within this time period shall constitute a waiver of any right such person may have to request an administrative determination (hearing) under Section 120.57, F.S. The Petition shall contain the following information:

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

If a petition is filed, the administrative hearing process is designed to formulate agency action. Accordingly, the Department's final action may be different from the position taken by it in this agency action. Persons whose substantial interests will be affected by any decision of the Department with regard to the agency action have the right to petition to become a party to the proceeding. The petition must conform to the requirements specified above and be filed (received) within 14 days of receipt of this notice in the Office of General Counsel at the above address of the Department. Failure to petition within the allowed time frame constitutes a waiver of any right such person has to request a hearing under Section 120.57, F.S., and to participate as a party to this proceeding. Any subsequent intervention will only be at the approval of the presiding officer upon motion filed pursuant to Rule 28-5.207, F.A.C.

This Order is final and effective on the date filed with the Clerk of the Department unless a petition is filed in accordance with the above paragraphs or unless a request for extension of time in which to file a petition is filed within the time specified for

filing a petition and conforms to Rule 62-103.070, F.A.C. Upon timely filing of a petition or a request for an extension of time this agency action combining the existing permits will not be effective until further Order of the Department.

When the agency action is final, any party to the Order has the right to seek judicial review of the Order 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 Office of General Counsel, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400; 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 days from the date of the Final Order is filed with the Clerk of the Department.

Executed in Tallahassee, Florida.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION



Richard M. Harvey
Director
Division of Water Facilities

CERTIFICATE OF SERVICE

The undersigned duly designated deputy agency clerk hereby certifies that this NOTICE OF AGENCY ACTION and all copies were mailed by certified mail before the close of business on June 2, to the listed persons.

(Clerk Stamp)

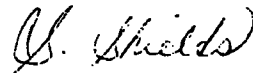
FILING AND ACKNOWLEDGMENT

FILED, on this date, pursuant to s. 120.52(11), Florida Statutes, with the designated Department Clerk, receipt of which is hereby acknowledged.

(Clerk)

(Date)

Copies furnished to:



6-2-95

ANNUAL FEE WORKSHEET
Industrial WastewaterFacility Name: G. H. Power Company - Solary SteamI.D.#: 61-0002253 DEP District: Newark, NJ - 10-06Is this facility classified as Major? Yes

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PART I. Regular Surface Water Discharge

A. Process wastewater discharge specified in Groups 1 through 5 of Rule 62-4.050(4)(c), F.A.C.

1. Note the Group and Subgroup (e.g. 5a) 12. Annual fee based on this group. \$ 11,500

B. Once-through Non-contact Cooling Water Discharge

1. Note the Group and Subgroup (e.g. 6a) N/A2. Annual fee based on this group. \$ N/A

C. Process water not specified in groups 1 through 5 or non-process wastewater.

1. Note the Group and Subgroup (e.g. 7a) N/A2. Annual Fee based on this group. \$ N/AApplicable Fee for PART I. (highest of above) \$ 11,500

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PART II. Special Discharge Types

A. UIC disposal with surface discharge authorized during Mechanical Integrity Tests only, enter \$200. \$ 200

B. Percolation Pond disposal with discharge after specified storm events or during control structure testing:

No effluent limits on internal waste streams, enter \$200, or with effluent limits on internal waste streams, enter \$2,400.

\$ 200C. Surface discharge authorized only during specified emergencies, enter \$200. \$ 200

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PART III. Stormwater Outfalls

A. Enter the number of stormwater-only outfalls regulated in the NPDES permit. 15B. Enter the amount equal to the number of stormwater-only outfalls times \$200. \$ 3,000

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Part IV. Total Calculated Annual Fee

TOTAL ANNUAL FEE (Sum of either the applicable fee
of PART I or the fee from Part II, plus the
stormwater outfall fee.

\$ 11,500

Note: The annual fee will be the lesser of the amount in Part
IV or the Statutory Cap of \$11,500.