



Department of Environmental Protection

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MAY 01 1998

Lawton Chiles
Governor

Northwest District
160 Governmental Center
Pensacola, Florida 32501-5794

Industrial Wastewater Section

Virginia B. Wetherell
Secretary

April 29, 1998

CERTIFIED MAIL NO. Z 097 637 390
RETURN RECEIPT REQUESTED

James O. Vick
Manager of Environmental Affairs
Gulf Power Company
One Energy Place
Pensacola, Florida 32520-0328

SUBJECT: Warning Letter #32-1329
Wastewater Permit #FL0002283
Scholz Electric Generation Plant

Dear Mr. Vick:

The purpose of this letter is to advise you of possible violations of law for which you may be responsible, and to seek your cooperation in resolving the matter. A review of ground water monitoring well reports for Gulf Power Company's Plant Scholz in Jackson County indicates that a violation of Florida Statutes and Rules may exist at the above described facility.

As you are aware, compliance monitoring well MW-210MD at Plant Scholz has exceeded the primary drinking water standard for nickel in seven of the last ten quarterly analyses. A February 17, 1995, revision to the March 16, 1993 FDEP permit # IO32-189371 (joint State/NPDES permit #FL0002283) provided for a revised groundwater monitoring network at Plant Scholz that requires compliance with groundwater standards at the edge and beyond the designated zone of discharge. A permit renewal application is currently being processed for the facility.

Section 403.088, Florida Statutes, provides that a permit may only be renewed if the discharge complies with permit conditions and applicable statutes, unless accompanied by an order establishing a schedule for achieving compliance with all permit conditions.

Mr. James O. Vick

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It is my understanding that you have been conducting an investigation of the nickel presence at the site. However, in order to proceed with permit renewal processing, a formal corrective action procedure is required. We look forward to your cooperation in resolution of this matter. It is requested that you contact Barbara Ruth of this office at (850) 595-8300 within 14 days of receipt of this letter to arrange a meeting to discuss entering into a Consent Order that will include the necessary corrective actions to address the alleged ground water violation. The Department is interested in reviewing any facts you may have that will assist in determining whether any violations have occurred. You may bring anyone with you to the meeting that you feel could help resolve this matter.

Please be advised that this Warning Letter is part of an agency investigation, preliminary to agency action in accordance with Section 120.57(4), Florida Statutes. We look forward to your cooperation in completing the investigation and resolution of this matter.

Sincerely,



Bobby A. Cooley
Director of District Management

BAC:br

cc: Craig Diltz, FDEP, IW, Power Plant Permitting Supervisor, ✓
Tallahassee
Gary Shaffer, Panama City Branch Office