

One Energy Place
Pensacola, Florida 32520

Tel 850.444.6111



August 17, 2004

Florida Department of Environmental Protection
Industrial Wastewater Section
Mail Station 3545
Twin Towers Office Building
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

**RE: Proof of Publication for Draft NPDES Permit No. FL0002283
Gulf Power Company- Scholz Electric Generating Plant**

To Whom It May Concern:

Enclosed please find two copies of the proof of publication for the Notice of Intent to Issue Permit for the Gulf Power Scholz Electric Generating Plant (Permit No. FL0002283). Publication of the Notice of Intent to Issue Permit is required under Section 403.815, Florida Statutes, and Rule 62-110.106, F.A.C. The Notice of Intent to Issue Permit was published in the Jackson County Floridan on August 4, 2004.

Please feel free to contact me at (850) 444-6144 if you have any questions or need any additional information.

Sincerely,



Michael L. Kyhos
Environmental Affairs

cc: Gulf Power Company
Jim Vick
Joe Neese
Mike Markey

FDEP Pensacola
Bill Armstrong

RECEIVED

AUG 19 2004

Industrial Wastewater
Section

Jackson County Floridan

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

Legal Invoice

No 11867

Gulf Power Company
1 Energy Place
Pensacola FL 32520

Before the undersigned authority personally appeared
Valeria Roberts, who on oath says
that (s)he is Regional Sales Director 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

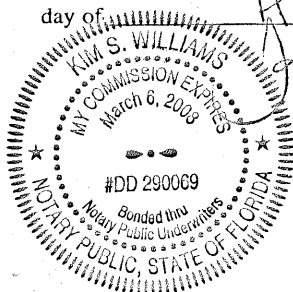
5th

day of

August

A.D. 20

04



Notary Public, State of Florida at Large

My Commission Expires

Inches _____ Rate _____ Amount \$ 119.79

Prepaid

Description:

Notice of Intent to
Issue Permit

Published:

11: 8/4/04

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 permit to Gulf Power Company, One Energy Place, Pensacola, FL 32520 for renewal of permit FL002283 to operate wastewater treatment and effluent disposal facilities at the Scholz power plant, in Sneads, Jackson County. The facility discharges chlorinated non-contact once through condenser cooling water (OCTW) to the on-site discharge canal, and thence to the Apalachicola River, a Class III fresh water. All other industrial and domestic wastewater streams discharge into the on-site ash pond. Discharges to the on-site ash pond consist of low volume wastes (LVW) (i.e. ash sluice water, water softener regeneration wastewater, boiler blowdown, and air-preheater wash), auxiliary equipment cooling water, coal pile runoff, yard slump runoff, and treatment domestic wastewater. Domestic wastewater receives secondary treatment in a package treatment plant prior to discharging to the ash pond. Overflow from the ash pond discharges to the on-site discharge canal, and thence to the Apalachicola River.

The intent to issue and application file 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 Northwest District Office, 2345 Main Street, Pensacola, FL 32503-3767.

The Department will issue the permit with the attached conditions unless a timely petition for an administrative hearing is filed under sections 120.569 and 120.57, Florida Statutes, within fourteen days of receipt of notice. The procedures for petitioning for a hearing are set forth below.

A person whose substantial interests are affected by the Department's proposed permitting for an administrative (hearing) under Sections 120.569 and 120.57, Florida Statutes. The petition must contain the information set forth below and must be filed (received by the clerk) in the Office of General Council of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000.

Under Rule 62-110.106(4), Florida Administrative Code, a person may request enlargement of the time for filing a petition for an administrative hearing. The request must be filed (received by the clerk) in the Office of the General Counsel before the end of the time period for filing a petition for an administrative hearing.

Petitions filed by any persons other than those entitled to written notice under Sections 120.60(3), Florida Statutes, must file within fourteen days of publication of the notice or within fourteen days of receipt of the written notice, whichever occurs first. Under Section 120.60(3), Florida Statutes, however, any person who asked the Department for notice of agency action may file a petition within fourteen days of receipt of such notice, regardless of the date of publication.

The 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 fourteen days of receipt of notice shall constitute a waiver of that person's right to request an administrative determination (hearing) under Sections 120.569 and 120.57, Florida Statutes. Any subsequent intervention (in a proceeding initiated by another party) will be only at the discretion of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205, Florida Administrative Code.

A petition that disputes the material facts on which the Department's action is based must contain the following information:

(a) The name, address, and telephone number of each petitioner; the name, address, and telephone number of the petitioner's representative, if any; the Department permit identification number and the county in which the subject matter 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 all disputed issues of material fact. If there are none, the petition must so indicate;

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

(f) A concise statement of the ultimate facts alleged, as well as the rules and statutes which entitle the petitioner to relief; 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, filing of a petition means that the Department's final action may be different from the position taken by it in this notice. Persons whose substantial interests will be affected by any such final decision of the Department have the right to petition to become a party to the proceeding, in accordance with the requirements set forth above.

Mediation under Section 120.578, Florida Statutes, is not available for this proceeding.