

Florida Department of
Environmental Protection

Memorandum

TO: Trina Vielhauer

THRU: J. F. Koerner *JK*

FROM: M. P. Halpin *MPH*

DATE: September 22, 2005

SUBJECT: JEA
PSD Permit Modifications – Monitoring Requirements
DEP File No. 0310485-012-AC, 0310485-013-AV, PSD-FL-267, PSD-FL-310 and
PA00-43

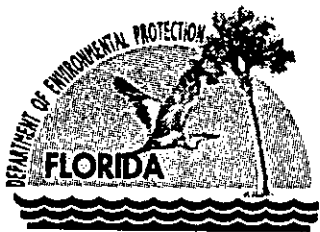
Attached is the public notice package for JEA's Brandy Branch facility. This is an existing facility which is incorporating the recently converted combined cycle units into its Title V permit. As part of JEA's application, they seek several minor changes related to the monitoring requirements defined within the applicable PSD permits.

I have reviewed these changes with JEA and we have agreed upon the language revisions as outlined herein. We have also agreed to amend the PSD permits prior to the Title V permit; once the PSD changes are final, a draft Title V permit revision, incorporating the combined cycle units will be issued.

I recommend your approval.

/mph

Attachments



Jeb Bush
Governor

Department of Environmental Protection

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

Colleen M. Castille
Secretary

September 26, 2005

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Mr. James M. Chansler, P.E., D.P.A.
Vice President, Operations and Maintenance
JEA
21 West Church Street
Jacksonville, Florida 32202

Re: DEP File No. 0310485-012-AC, 0310485-013-AV, PSD-FL-267, PSD-FL-310 and PA00-43
Brandy Branch Generating Station / Duval County

Dear Mr. Chansler:

Enclosed is one copy of the Draft PSD Permit revisions relative to JEA's request for a modification to PSD permit numbers PSD-FL-267, PSD-FL-310 as well as corresponding changes to the Title V Operating Permit for its Brandy Branch Generating Station located in Duval County. The modification requests are related to monitoring requirements related to ammonia slip, nitrogen content in oil, oil storage tanks and NO_x CEMS.

The Public Notice of Intent to Issue PSD Permit Modification must be published one time only, as soon as possible, in the legal advertisement section of a newspaper of general circulation in the area affected, pursuant to the requirements Chapter 50, Florida Statutes. Proof of publication, i.e., newspaper affidavit, must be provided to the Department's Bureau of Air Regulation office within seven days of publication. Failure to publish the notice and provide proof of publication may result in the denial of the permit.

Please submit any written comments you wish to have considered concerning the Department's proposed action to J. F. Koerner, P.E., Administrator, North Permitting Section at the above letterhead address. If you have any other questions, please contact Michael P. Halpin, P.E. at 850/921-9519.

Sincerely,

Trina Vielhauer, Chief,
Bureau of Air Regulation

TV/mph

Enclosures

"More Protection, Less Process"

Printed on recycled paper.

In the Matter of an
Application for Permit by:

James M Chandler, Vice President Operations & Maintenance
JEA
21 West Church Street
Jacksonville, Florida 32202-3139

DEP File No. PSD-FL-267/310 (PA 00-43)

INTENT TO ISSUE PSD PERMIT MODIFICATION

The Department of Environmental Protection (Department) gives notice of its intent to issue a PSD Permit Modification (copy of Draft permit attached) for the proposed project, detailed in the application specified above and for the reasons stated below.

The applicant, James M. Chansler, Vice President Operations & Maintenance, JEA, applied on May 23, 2005 to the Department for a modification to PSD permit numbers PSD-FL-267, PSD-FL-310 as well as corresponding changes to the Title V Operating Permit for its Brandy Branch Generating Station located in Duval County. The modification requests are related to monitoring requirements related to ammonia slip, nitrogen content in oil, oil storage tanks and NO_x CEMS.

The Department has permitting jurisdiction under the provisions of Chapter 403, Florida Statutes (F.S.), and Florida Administrative Code (F.A.C.) Chapters 62-4, 62-210, 62-212 and 40 CFR 52.21. The above actions are not exempt from permitting procedures. The Department has determined that PSD Permit Modifications are required to revise the permit with respect to the above changes.

The Department intends to issue this PSD Permit Modification based on the belief that reasonable assurances have been provided to indicate that operation of these emission units will not adversely impact air quality, and the emission units will comply with all appropriate provisions of Chapters 62-4, 62-204, 62-210, 62-212, 62-296, and 62-297, F.A.C. and 40 CFR 52.21.

Pursuant to Section 403.815, F.S., and Rule 62-110.106(7)(a)1., F.A.C., you (the applicant) are required to publish at your own expense the enclosed Public Notice of Intent to Issue PSD Permit Modification. The notice shall be published one time only in the legal advertisement section of a newspaper of general circulation in the area affected. Rule 62-110.106(7)(b), F.A.C., requires that the applicant cause the notice to be published as soon as possible after notification by the Department of its intended action. 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. If you are uncertain that a newspaper meets these requirements, please contact the Department at the address or telephone number listed below. The applicant shall provide proof of publication to the Department's Bureau of Air Regulation, at 2600 Blair Stone Road, Mail Station #5505, Tallahassee, Florida 32399-2400 (Telephone: 850/488-0114; Fax 850/ 922-6979). You must provide proof of publication within seven days of publication, pursuant to Rule 62-110.106(5), F.A.C. No permitting action for which published notice is required shall be granted until proof of publication of notice is made by furnishing a uniform affidavit in substantially the form prescribed in section 50.051, F.S. to the office of the Department issuing the permit. Failure to publish the notice and provide proof of publication may result in the denial of the permit pursuant to Rules 62-110.106(9) & (11), F.A.C.

The Department will issue the final permit with the attached conditions unless a response received in accordance with the following procedures results in a different decision or significant change of terms or conditions.

The Department 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 PSD Permit Modification. Written comments should be provided to the Department's Bureau of Air Regulation at 2600 Blair Stone Road, Mail Station #5505, Tallahassee, FL 32399-2400. Any written comments filed shall be made available for public inspection. If written comments received result in a significant change in the proposed agency action, the Department shall revise the proposed permit and require, if applicable, another Public Notice.

The Department 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., before the deadline for filing a petition. The procedures for petitioning for a hearing are set forth below.

A person whose substantial interests are affected by the proposed permitting decision may petition for an administrative proceeding (hearing) under 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 Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida, 32399-3000. Petitions filed by the permit applicant or any of the parties listed below must be filed within fourteen days of receipt of this notice of intent. Petitions filed by any persons other than those entitled to written notice under section 120.60(3) of the Florida Statutes must be filed within fourteen days of publication of the public notice or within fourteen days of receipt of this notice of intent, whichever occurs first. Under section 120.60(3), however, any person who asked the Department 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 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 28-106.205 of the 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 and address of each agency affected and each agency's file or identification number, if known; (b) The name, address, and telephone number of the petitioner, the 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 the petitioner's substantial interests will be affected by the agency determination; (c) A statement of how and when 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 indicate; (e) A concise statement of the ultimate facts alleged, including the specific facts the petitioner contends warrant reversal or modification of the agency's proposed action; (f) A statement of the specific rules or statutes the petitioner contends require reversal or modification of the agency's proposed action; and (g) A statement of the relief sought by the petitioner, stating precisely the action petitioner wishes the agency to take with respect to the agency's proposed action.

A petition that does not dispute the material facts upon which the Department'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.

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 this notice. Persons whose substantial interests will be affected by any such final decision of the Department 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 in this proceeding.

In addition to the above, a person subject to regulation has a right to apply 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.

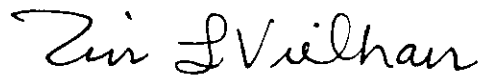
The application for a variance or waiver is made by filing a petition with the Office of General Counsel of the Department, 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000. The petition must specify the following information: (a) The name, address, and telephone number 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 EPA 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.



Trina Vielhauer, Chief
Bureau of Air Regulation

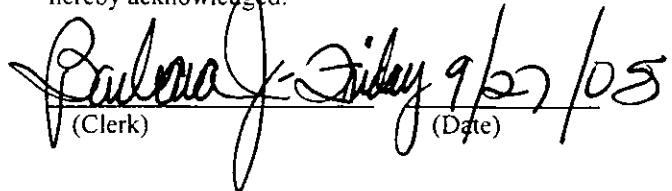
CERTIFICATE OF SERVICE

The undersigned duly designated deputy agency clerk hereby certifies that this Intent to Issue PSD Permit Modification (including the Public Notice of Intent to Issue PSD Permit Modification and the Draft PSD Permit) was sent by certified mail (*) and copies were mailed by U.S. Mail before the close of business on 9/27/05 to the person(s) listed:

James M. Chansler, JEA *
N. Bert Gianazza, P.E., JEA
Gregg Worley, EPA
John Bunyak, NPS
Chris Kirts, NED
Richard Robinson, P.E. EQD
Hamilton S. Oven, DEP-Siting

Clerk Stamp

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


(Clerk) 9/27/05 (Date)

PUBLIC NOTICE OF INTENT TO ISSUE PSD PERMIT MODIFICATION

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION

DEP File No. PSD-FL-267/310 (PA 00-43)

JEA
Brandy Branch Generating Station
Duval County

The Department of Environmental Protection (Department) gives notice of its intent to issue a PSD Permit Modification to Brandy Branch Generating Station, located near Baldwin City, Duval County. The permit modifications concern monitoring requirements related to ammonia slip, nitrogen content in oil, oil storage tanks and NO_x CEMS. This is an existing facility, which currently combusts natural gas, 0.05% and .0065% sulfur distillate fuel oil. A new determination of Best Available Control Technology (BACT) was not required. The applicant's mailing address is: 21 West Church Street, Jacksonville FL 32202-3139.

An air quality impact analysis was not required. The Department will issue the Final Permit with the attached conditions unless a response received in accordance with the following procedures results in a different decision or significant change of terms or conditions.

The Department will accept written comments concerning the proposed permit issuance action for a period of 14 (fourteen) days from the date of publication of this Public Notice of Intent to Issue PSD Permit Modification. Written comments should be provided to the Department's Bureau of Air Regulation at 2600 Blair Stone Road, Mail Station #5505, Tallahassee, FL 32399-2400. Any written comments filed shall be made available for public inspection. If written comments received result in a significant change in the proposed agency action, the Department shall revise the proposed permit and require, if applicable, another Public Notice.

The Department 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., before the deadline for filing a petition. The procedures for petitioning for a hearing are set forth below. Mediation is not available in this proceeding.

A person whose substantial interests are affected by the proposed permitting decision may petition for an administrative proceeding (hearing) under 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 Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida, 32399-3000. Petitions filed by the permit applicant or any of the parties listed below must be filed within fourteen days of receipt of this notice of intent. Petitions filed by any persons other than those entitled to written notice under section 120.60(3) of the Florida Statutes must be filed within fourteen days of publication of the public notice or within fourteen days of receipt of this notice of intent, whichever occurs first. Under section 120.60(3), however, any person who asked the Department 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 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 28-106.205 of the 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 and address of each agency affected and each agency's file or identification number, if known; (b) The name, address, and telephone number of the petitioner, the 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 the petitioner's substantial interests will be affected by the agency determination; (c) A statement of how and when 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 indicate; (e) A concise statement of the ultimate facts alleged, including the specific facts the petitioner contends warrant reversal or

NOTICE TO BE PUBLISHED IN THE NEWSPAPER

modification of the agency's proposed action; (f) A statement of the specific rules or statutes the petitioner contends require reversal or modification of the agency's proposed action; and (g) A statement of the relief sought by the petitioner, stating precisely the action petitioner wishes the agency to take with respect to the agency's proposed action.

A petition that does not dispute the material facts upon which the Department'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

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 this notice. Persons whose substantial interests will be affected by any such final decision of the Department on the application have the right to petition to become a party to the proceeding, in accordance with the requirements set forth above.

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:

Florida Department of
Environmental Protection
Bureau of Air Regulation
111 S. Magnolia Drive, Suite 4
Tallahassee, Florida, 32301
Telephone: (850) 488-1344
Fax: (850) 922-6979

Florida Department of
Environmental Protection
Northeast District
Suite 200B, 7825 Baymeadows Way
Jacksonville, Florida 32256
Telephone: (904) 448-4300

The complete project file includes the application, Draft permit, and the information submitted by the Responsible Official, exclusive of confidential records under Section 403.111, F.S. Interested persons may review specific details of this project by contacting the Administrator, North Permitting Section, at 111 South Magnolia Drive, Suite 4, Tallahassee, Florida 32301, or call 850/488-0114, for additional information.

NOTICE TO BE PUBLISHED IN THE NEWSPAPER

DRAFT

September 26, 2005

Mr. James M. Chansler, P.E., D.P.A.
Vice President, Operations and Maintenance
JEA

21 West Church Street
Jacksonville, Florida 32202

Re: DEP File No. 0310485-012-AC, 0310485-013-AV, PSD-FL-267, PSD-FL-310 and PA00-43
Brandy Branch Facility

The applicant, JEA, applied on May 23, 2005 to the Department for a modification to PSD permit numbers PSD-FL-267, PSD-FL-310 as well as corresponding changes to the Title V Operating Permit for its Brandy Branch Generating Station located in Duval County. The modification requests concern monitoring requirements related to ammonia slip, nitrogen content in oil, oil storage tanks and NO_x CEMS. The Department has reviewed the modification request. The referenced PSD permits are hereby modified as follows:

PSD-FL-267

III. Emissions Unit(s) Specific Conditions

Applicable Standards And Regulations:

5. ARMS Emission Units 004-006, Fuel Storage, consisting of three 1 million gallon distillate fuel oil storage tanks ~~shall comply with~~ are not subject to the applicable provisions of 40CFR60, Subpart Kb, Standards of Performance for Volatile Organic Liquid Storage Vessels, adopted by reference in Rule 62-204.800, F.A.C. [Rule 62-204.800(7)(b), F.A.C.]
44. Fuel Oil Monitoring Schedule: The following monitoring schedule for No. 2 or superior grade fuel oil shall be followed: For all bulk shipments of No. 2 or superior grade fuel oil received at the Brandy Branch Power Plant, an analysis which reports the sulfur content ~~and nitrogen content~~ of the fuel shall be provided by the fuel vendor. The analysis shall also specify the methods by which the analyses were conducted and shall comply with the requirements of 40 CFR 60.335(d).

PSD-FL-310

III. Emissions Unit(s) Specific Conditions

Applicable Standards And Regulations:

41. {in part} The NO_x monitor shall be a dual range monitor. The span for the lower range ~~shall not be greater than 10 ppm,~~ and the span for the upper range shall be determined based upon the requirements of Appendix A, 40 CFR Part 75 ~~not be greater than 30 ppm, as corrected to 15% O₂,....~~ {continued}
45. Selective Catalytic Reduction System (SCR) Compliance Procedures:
 - An annual stack emission test for nitrogen oxides and ammonia from the CT/HRSG pair shall be simultaneously conducted while firing natural gas and operating with the duct burner on as defined in Specific Condition 20. The ammonia injection rate necessary to comply with the NO_x standard shall be established and reported during each annual performance test.
 - The SCR shall operate at all times that the turbine is operating, except during turbine start-up and shutdown periods, as dictated by manufacturer's guidelines and in accordance with this permit.
 - The permittee shall install and operate an ammonia flow meter to continuously measure and record the ammonia injection rate to the SCR system of the CT/HRSG set. It shall be maintained and calibrated according to the manufacturer's specifications.
 - During the stack test, the permittee (at each tested load condition) shall determine and report the ammonia flow rate required to meet the emissions limitations. During NO_x CEM downtimes or malfunctions, the permittee shall operate at the ammonia flow rate, which was established during the last stack test.

DRAFT

- Ammonia emissions shall be calculated continuously using inlet and outlet NO_x concentrations from the SCR system and ammonia flow supplied to the SCR system. The calculated ammonia slip shall be used as an indicator of ammonia slip, and to assist in determining appropriate injection rates, but not as the method of determining compliance. A calculated ammonia slip above the permitted value shall result in JEA taking appropriate and timely action, and documenting each event from its occurrence to its resolution. The calculation procedure shall be provided with the CEM monitoring plan required by 40CFR Part 75. The following calculation represents one means by which the permittee may demonstrate compliance with this condition:

Ammonia slip @ 15%O₂ = (A-(BxC/1,000,000)) x (1,000,000/B) x D, where:

A= ammonia injection rate (lb/hr)/ 17 (lb/lb.mol)

B = dry gas exhaust flow rate (lb/hr) / 29 (lb/lb.mol)

C = change in measured NO_x (ppmv@15%O₂) across catalyst

D = correction factor, derived annually during compliance testing by comparing actual to tested ammonia slip

The calculation along with each newly determined correction factor shall be submitted with each annual compliance test. Calibration data ("as found" and "as left") shall be provided for each measurement device utilized to make the ammonia emission measurement and submitted with each annual compliance test.

- Upon specific request by RESO the local compliance authority or the Department, a special re-test shall occur as described in the previous conditions concerning annual test requirements, in order to demonstrate that all NO_x and ammonia slip related permit limits can be complied with.

A copy of this letter shall be filed with the referenced permits and shall become part of each permit. This permit modification is issued pursuant to Chapter 403, Florida Statutes.

Any party to this order (permit modification) has the right to seek judicial review of it under Section 120.68, F.S., by filing a notice of appeal under Rule 9.110 of the Florida Rules of Appellate Procedure with the clerk of the Department of Environmental Protection in the Office of General Counsel, Mail Station #35, 3900 Commonwealth Boulevard, Tallahassee, Florida, 32399-3000, 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 must be filed within thirty days after this order is filed with the clerk of the Department.

Executed in Tallahassee, Florida.

Michael G. Cooke, Director
Division of Air Resources
Management

CERTIFICATE OF SERVICE

The undersigned duly designated deputy agency clerk hereby certifies that this permit modification was sent by certified mail (*) and copies were mailed by U.S. Mail before the close of business on _____ to the person(s) listed:

- James M. Chansler, JEA *
- N. Bert Gianazza, P.E., JEA
- Gregg Worley, EPA
- John Bunyak, NPS
- Chris Kirts, NED
- Richard Robinson, P.E. EQD
- Hamilton S. Oven, DEP-Siting

Clerk Stamp

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

(Clerk)

(Date)

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 type="checkbox"/> Agent <input type="checkbox"/> Addressee <i>Margaret Bushing</i></p> <p>B. Received by (Printed Name) <input type="checkbox"/> Agent <input type="checkbox"/> Addressee <i>Margaret Bushing</i></p> <p>C. Date of Delivery <i>10-4-05</i></p>
<p>1. Article Addressed to: Mr. James M. Chansler, P.E., D.P.A. Vice President, Operations and Maintenance JEA 21 West Church Street Jacksonville, Florida 32202</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 style="text-align: center; font-size: 2em; font-weight: bold;">OCT 05</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>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>
<p>2. Article Number (Transfer from service label)</p>	<p>7005 1160 0004 3034 3052</p>
<p>PS Form 3811, February 2004</p>	<p>Domestic Return Receipt 102595-02-M-1540</p>

U.S. Postal Service™

CERTIFIED MAIL™ RECEIPT

(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

OFFICIAL USE

Mr. James M. Chansler, P.E., D.P.A.

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

Sent To
 Mr. James M. Chansler, P.E., D.P.A.
 Street, Apt. No. or PO Box No. 21 West Church Street
 City, State, ZIP+4
 Jacksonville, Florida 32202

PS Form 3800, June 2002 See Reverse for Instructions

7005 1160 0004 3034 3052

RECEIVED

001 20 2005

THE FLORIDA TIMES-UNION
Jacksonville, FL
Affidavit of Publication

BUREAU OF AIR REGULATION

Florida Times-Union

J.E.A./ENVIRONMENTAL
ATTN: KASEY CLEGHORN
21 W CHURCH ST T-8
JACKSONVILLE FL 32202

REFERENCE: 0334984

R080321 PUBLIC NOTICE

State of Florida
County of Duval

Before the undersigned authority personally appeared Tiffany Powell who on oath says she is a Legal Advertising Representative of The Florida Times-Union, a daily newspaper published in Jacksonville in Duval County, Florida; that the attached copy of advertisement is a legal ad published in The Florida Times-Union. Affiant further says that The Florida Times-Union is a newspaper published in Jacksonville, in Duval County, Florida, and that the newspaper has heretofore been continuously published in Duval County, Florida each day, has been entered as second class mail matter at the post office in Jacksonville, in Duval County, Florida for a period of one year preceeding the first publication of the attached copy of advertisement; and affiant further says that he/she 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 said newspaper.

PUBLISHED ON: 10/07

FILED ON: 10/07/05

Name: Tiffany Powell Title: Legal Advertising Rep
In testimony whereof, I have hereunto set my hand and af seal, the day and year aforesaid.

NOTARY:



TWILLA SHIPP
Notary Public, State of Florida
My comm. expires May 13, 2006
Comm. No. DD 117248

PUBLIC NOTICE OF INTENT TO ISSUE PSD PERMIT MODIFICATION
STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
DEP File No. PSD-FL-267/310 (PA 00-43)

JEA
Brandy Branch Generating Station
Duval County

The Department of Environmental Protection (Department) gives notice of its intent to issue a PSD Permit Modification to Brandy Branch Generating Station, located near Baldwin City, Duval County. The permit modifications concern monitoring requirements related to ammonia slip, nitrogen content in oil, oil storage tanks and NOx CEMS. This is an existing facility, which currently combusts natural gas, 0.05% and .0065% sulfur distillate fuel oil. A new determination of Best Availability Control Technology (BACT) was not required. The applicant's mailing address is: 21 West Church Street, Jacksonville, FL 32202-3139.

An air quality impact analysis was not required. The Department will issue the Final Permit with the attached conditions unless a response received in accordance with the following procedures results in a different decision or significant change of terms or conditions.

The Department will accept written comments concerning the proposed permit issuance action for a period of 14 (fourteen) days from the date of publication of this Public Notice of Intent to Issue PSD Permit Modification. Written comments should be provided to the Department's Bureau of Air Regulation at 2600 Blair Stone Road, Mail Station #5505, Tallahassee, FL 32399-2400. Any written comments filed shall be made available for public inspection. If written comments received result in a significant change in the proposed agency action, the Department shall revise the proposed permit and require, if applicable, another Public Notice.

The Department 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., before the deadline for filing a petition. The procedures for petitioning for a hearing are set forth below. Mediation is not available in this proceeding.

A person whose substantial interests are affected by the proposed permitting decision may petition for an administrative proceeding (hearing) under 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 Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida, 32399-3000. Petitions filed by the permit applicant or any of the parties listed below must be filed within fourteen days of receipt of this notice of intent. Petitions filed by any persons other than those entitled to written notice under section 120.60(3) of the Florida Statutes must be filed within fourteen days of publication of the public notice or within fourteen days of receipt of this notice of intent, whichever occurs first. Under section 120.60(3), however, any person who asked the Department 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 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 28-106.205 of the 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 and address of each agency affected and each agency's file or identification number, if known; (b) The name, address, and telephone number of the petitioner, the 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 the petitioner's substantial interests will be affected by the agency determination; (c) A statement of how and when 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 indicate; (e) A concise statement of the ultimate facts alleged, including the specific facts the petitioner contends warrant reversal or modification of the agency's proposed action; (f) A statement of the specific rules or statutes the petitioner contends require reversal or modification of the agency's proposed action; and (g) A statement of the relief sought by the petitioner, stating precisely the action petitioner wishes the agency to take with respect to the agency's proposed action.

A petition that does not dispute the material facts upon which the Department'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.

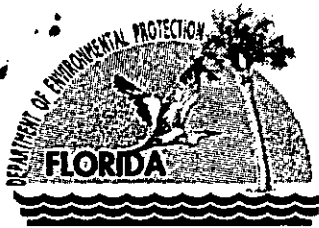
Because the administrative hearing process is designed to formulate final agency action, the filing of a petition means that the Department's final action may be different from the position taken by it in this notice. Persons whose substantial interests will be affected by any such final decision of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

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:

Florida Department of
Environmental Protection
Bureau of Air Regulation
111 S. Magnolia Drive, Suite 4
Tallahassee, Florida, 32301
Telephone: (850) 488-1344
Fax: (850) 922-6979

Florida Department of
Environmental Protection
Northeast District
Suite 200B, 7825 Baymeadows Wy
Jacksonville, Florida 32256
Telephone: (904) 448-4300

The complete project file includes the application, Draft permit, and the information submitted by the Responsible Official, exclusive of confidential records under Section 403.111, F.S. Interested persons may review specific details of this project by contacting the Administrator, North Permitting Section, at 111 South Magnolia Drive, Suite 4, Tallahassee, Florida 32301, or call 850/488-0114, for additional information.



Jeb Bush
Governor

Department of Environmental Protection

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

Colleen M. Castille
Secretary

May 31, 2005

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Mr. N. Bert Gianazza, P.E.
Jacksonville Electric Authority
21 West Church Street
Jacksonville, FL 32202-3139

Re: Request for Additional Information
DEP File No. 0310485-012-AC, 0310485-013-AV, PSD-FL-310 and PA00-43
Brandy Branch Facility

Dear Mr. Gianazza:

On May 23, the Department received your application for a Title V permit revision, as well as revisions to PSD-FL-267 and PSD-FL-310. The information required below deals with the requested changes to the PSD permits. However, since the Title V permit cannot be revised until the issues related to the requested PSD changes are resolved, both applications are considered as incomplete. In order to continue processing your applications, the Department will need the additional information below. Should your response to any of the below items require new calculations, please submit the new calculations, assumptions, reference material and appropriate revised pages of the application form.

1. Please provide support for JEA's contention that the maximum true vapor pressure of the fuel oil storage tanks is less than 3.5 kilopascals, rendering inapplicable 40 CFR 60 Subpart Kb. Also, it is noted that existing PSD permit revisions are not prompted as a result of changes within affected NSPS Standards, whether such standards becoming more (or less) stringent.
2. The application requests removal of Condition 31 of PSD-FL-310, which requires (in part) monitoring of the fuel sulfur content of natural gas. The rationale supplied for the elimination of the condition is related to JEA's interpretation of 40 CFR 60.334, whereby a tariff sheet may be used to demonstrate that the maximum total sulfur content of the fuel is 20.0 grains or less, qualifying as natural gas per 40 CFR 60.331. Further, JEA has provided a tariff sheet demonstrating that the natural gas delivered to Brandy Branch "shall contain not more than ten (10) grains of total sulphur per one hundred (100) cubic feet of gas". Accordingly, JEA requests removal of the PSD permit sulfur monitoring requirements.

The Department notes that the referenced condition was intended to ensure compliance with the federal requirements for natural gas sulfur content (20 grains per 100 cf) as well as to provide a means of demonstrating compliance with the established (more stringent) BACT standard of 2 grains per 100 cf. Removal of the condition appears to incidentally eliminate the latter requirement as well as the former. Given the history of issues related to potential SO₂ emissions from this facility, a means of compliance with the BACT standard continues to be necessary.

3. As currently structured, Condition 45 of PSD-FL-310 requires that BACT established "Ammonia emissions shall be calculated continuously using inlet and outlet NO_x concentrations from the SCR system and ammonia flow supplied to the SCR system" in addition to the continuous measurement of dry gas exhaust flow rate. The intent of the condition was to provide a method for real-time measurement of

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ammonia slip, via an alternative to an ammonia slip Continuous Emissions Monitor. The JEA proposal has the effect of changing the method of compliance to be one which has a different, single measurement (ammonia injection rate), proposed for comparison to a maximum ammonia injection rate, which is calculated from conditions determined during the most recent annual stack emission test. As proposed, the unit is assumed to be in compliance with the ammonia slip limit, unless the ammonia injection rate exceeds the calculated maximum injection rate over a 3-hour average; clearly, such a method is less rigorous than the current permit requirements.

The Department is willing to consider alternative equations, provided that the *ammonia slip* is calculated continuously; methods known to the Department for continuous ammonia slip indication use inlet and outlet NOx concentrations plus ammonia flow; alternatively, a continuous ammonia slip analyzer may be utilized. Notwithstanding the potential problems expressed by JEA, this same method of compliance with the BACT Standard of PSD-FL-310 has been required and is in use at other locations within Florida and California, as previously indicated by the Department.

4. Please provide further justification for the elimination of the lower range NOx span requirement of 10 ppm, which is currently required within PSD-FL-310 Condition 41. It is our understanding that Part 75 provides for a state, local or federal requirement for a lower span (than that required by Part 75), but not a higher span without EPA approval.
5. Regarding the requested changes to the maximum heat input rates specified within Condition A.5. of the Title V permit, the permit accurately reflects the language within permit PSD-FL-267. As worded, the request (and suggested use of the adjective "nominal") appears to water down the intention of providing for a heat input limitation within the permit. Should JEA desire an increase to the maximum heat input rates of any of the combustion turbines, appropriate PSD permit revisions along with corresponding justifications are required. The Department notes that none of the affected permits require JEA to provide "regular record keeping" of hourly heat input rates beyond those currently required by and routinely reported to EPA's Acid Rain Program.

We are awaiting comments from the EPA and the National Park Service on the requested PSD revisions. We will forward them to you when received and they will comprise part of this completeness review.

Rule 62-4.050(3), F.A.C. requires that all applications for a Department permit must be certified by a professional engineer registered in the State of Florida. This requirement also applies to responses to Department requests for additional information of an engineering nature. Please note that per Rule 62-4.055(1): *"The applicant shall have ninety days after the Department mails a timely request for additional information to submit that information to the Department..... Failure of an applicant to provide the timely requested information by the applicable date shall result in denial of the application."*

If you have any questions, please call Michael P. Halpin, P.E. at 850/921-9519.

Sincerely,



M. P. Halpin, P.E.
North Permitting Section

cc: Gregg Worley, EPA
John Bunyak, NPS
Buck Oven, PPSO
Richard Robinson, ERMD
Chris Kirts, DEP-NED
Bob Holmes, Black & Veatch