

Florida Department of
Environmental Protection

Memorandum

TO: Michael G. Cooke

THRU: Trina Vielhauer *TV*
J. F. Koerner *JFK*

FROM: Michael P. Halpin *MH*

DATE: October 13, 2005

SUBJECT: JEA - Brandy Branch Generating Station
PSD Permit Modification – Low Load Operation Units 2 and 3
DEP File No. 0310485-015-AC, PA 00-43, PSD-FL-310 **E**

Attached is the final permit modification relative to JEA's Brandy Branch PSD permit.

The permit modification allows for Units 2 and 3 to operate on natural gas down to loads of 65 gross megawatts (approximately 35% output). This is an existing facility and neither a PSD Review nor a new determination of Best Available Control Technology (BACT) was required as a result of this request.

In support of the request, JEA has provided test results for its simple cycle Unit 1 (an identical, co-located combustion turbine), under tests which were authorized by the Department during October of 2004; which indicate that CO levels can be consistently maintained under 11 ppmvd @ 15% O₂ while operating at 65 megawatts. Currently, the permit limits CO emissions to 15 ppmvd @ 15% O₂ while firing natural gas and minimizes operation below 50% output (approximately 90 megawatts) as a result of expected increases in CO while operating at loads below 50%.

A review supports the applicant's contention that the existing permit condition limiting the low load to 50% may be relaxed while ensuring that all other permit conditions (emission limits) will be met.

Notice was published in the Florida Times-Union on September 25, 2005. No comments were received.

I recommend your approval.

Attachments

/mph



Department of Environmental Protection

Jeb Bush
Governor

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

Colleen M. Castille
Secretary

October 13, 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. 0310485-015-AC; Modification of Permit No. PSD-FL-310 (PA 00-43)
Brandy Branch Generating Station / Duval County

The applicant, JEA, applied on August 29, 2005, to the Department for a modification to PSD permit number PSD-FL-310 at its Brandy Branch Generating Station located in Duval County. The modification is to allow for Units 2 and 3 to operate on natural gas down to loads of at least 65 gross megawatts. In support of the request, JEA has provided test results for its simple cycle Unit 1 (an identical, co-located combustion turbine), under tests which were authorized by the Department during October of 2004, which indicate that CO levels can be consistently maintained under 11 ppmvd @ 15% O₂ while operating at 65 gross megawatts. Currently, the permit limits CO emissions to 15 ppmvd @ 15% O₂ while firing natural gas and minimizes operation below 50% output as a result of expected increases in CO while operating at lower loads.

The Department has reviewed the modification request. The referenced permit is hereby modified as follows:

III. Emissions Unit(s) Specific Conditions

- 14 A. Allowable fuels: The facility is authorized to burn any combination of natural gas (2.0 grains sulfur / 100 scf), low sulfur fuel oil (0.05% sulfur) and lower sulfur fuel oil (0.0065% sulfur). The combinations of these fuels are subject to the hour limitations and record-keeping requirements set forth in 14.B. and 14.C. below. Unless otherwise authorized by this permit, CT operation below ~~50% output~~ 65 gross MW shall be limited to 2 hours during each calendar day.
25. Excess emissions resulting from startup, shutdown, or malfunction shall be permitted provided that best operational practices are adhered to and the duration of excess emissions shall be minimized. Excess emissions occurrences shall in no case exceed two hours in any 24-hour period except during "warm" or "cold" start-up to combined cycle plant operation. During cold start-up to combined cycle operation, up to four hours of excess emissions are allowed in any 24-hour period. During warm startup from combined cycle operation, up to three hours of excess emissions are allowed in any 24-hour period. Cold start-up is defined as a startup to combined cycle operation following a shutdown lasting at least 72 hours. Warm startup is defined as a startup to combined cycle operation following a shutdown lasting at least 24 hours. A startup of any type is defined as being complete upon the first 3-hour block NO_x average of 3.5 ppmvd or less (15 ppmvd or less for oil firing). Operation below ~~50% output~~ 65 gross MW per turbine shall otherwise be limited to 2 hours in any 24-hour period. [Rule 62-210.700, F.A.C.].

All other terms and conditions of this permit remain unchanged. A copy of this letter shall be filed with the referenced permit and shall become part of the 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.

"More Protection, Less Process"

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Executed in Tallahassee, Florida.

Michael G. Cooke

Michael G. Cooke, Director
Division of Air Resource
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 10/14/05 to the person(s) listed:

James M. Chansler, JEA *
N. Bert Gianazza, P.E., JEA
Gregg Worley, EPA
John Bunyak, NPS
Chris Kirts, NED
Robert S. Pace, 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.

Mary J. Army

(Clerk)

10/14/05

(Date)

U.S. Postal Service
CERTIFIED MAIL RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

7001 0320 0001 3692 1902

OFFICIAL USE

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Certified Fee	
Return Receipt Fee (Endorsement Required)	
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Se	Mr. James M. Chansler	
St	V.P. Operations and Maintenance	
or	JEA	
Cit	St. Johns River Power Park	
	21 West Church Street	
	Jacksonville, Florida 32202	

Best Available Copy

THE FLORIDA TIMES-UNION
Jacksonville, Fl
Affidavit of Publication

Florida Times-Union

RECEIVED

OCT 14 2005

BUREAU OF AIR REGULATION

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

REFERENCE: 0334984
R080257 PUBLIC NOTICE OF INT

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: 09/25

FILED ON: 09/25/05

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

NOTARY: *Twill Shipp*



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

PUBLIC NOTICE OF INTENT TO ISSUE PSD PERMIT MODIFICATION

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
DEP File No. PSD-FL-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 modification allows for Units 2 and 3 to operate on natural gas down to loads of 65 gross megawatts. This is an existing facility and 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. In support of the request, JEA has provided test results for its simple cycle Unit 1 (an identical, co-located combustion turbine), under tests which were authorized by the Department October of 2004, which indicates that CO levels can be consistently maintained under 11 ppmvd @ 15% O₂ while operating at 65 megawatts. Currently, the permit limits CO emissions to 14 ppmvd @ 15% O₂ while firing natural gas and minimizes operation below 50% output (approximately 90 megawatts) as a result of expected increases in CO while operating at loads below 50%. 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 received 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, if known; (c) 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; (d) A statement of how and when petitioner received notice of the agency action or proposed action; (e) A statement of all disputed issues of material fact. If there are none, the petitioner must so indicate; (f) 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; (g) A statement of the specific rules or statutes the petitioner contends require reversal or modification of the agency's proposed action; and (h) 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.

SENDER: COMPLETE THIS SECTION

- 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.

1. Article Addressed to:

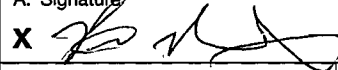
Mr. James M. Chansler
 V.P. Operations and Maintenance
 JEA
 St. Johns River Power Park
 21 West Church Street
 Jacksonville, Florida 32202

2. Article Number*(Transfer from service label)*

7001 0320 0001 3692 1902

COMPLETE THIS SECTION ON DELIVERY**A. Signature**

X

 Agent Addressee**B. Received by (Printed Name)**

Patrick Moody

C. Date of Delivery

10/19/02

D. Is delivery address different from item 1? Yes

If YES, enter delivery address below:

 No**3. Service Type** Certified Mail Express Mail Registered Return Receipt for Merchandise Insured Mail C.O.D.**4. Restricted Delivery? (Extra Fee)** Yes

Memorandum

Florida Department of Environmental Protection

TO: Trina Vielhauer

THRU: J. F. Koerner *JK*

FROM: M. P. Halpin, P.E. *M*

DATE: September 13, 2005

SUBJECT: JEA
PSD Permit Modification – low load operation on natural gas
DEP File No. PA 00-43 (PSD-FL-310)

Attached is the public notice package for JEA's Brandy Branch permit modifications. The permit modification allows for Units 2 and 3 to operate on natural gas down to loads of 65 gross megawatts (approximately 35% output). This is an existing facility and neither a PSD Review nor a new determination of Best Available Control Technology (BACT) was required as a result of this request.

In support of the request, JEA has provided test results for its simple cycle Unit 1 (an identical, co-located combustion turbine), under tests which were authorized by the Department during October of 2004, which indicate that CO levels can be consistently maintained under 11 ppmvd @ 15% O₂ while operating at 65 megawatts. Currently, the permit limits CO emissions to 15 ppmvd @ 15% O₂ while firing natural gas and minimizes operation below 50% output (approximately 90 megawatts) as a result of expected increases in CO while operating at loads below 50%.

A preliminary review supports the applicant's contention that the existing permit condition limiting the low load to 50% may be relaxed while ensuring that all other permit conditions (emission limits) will be met.

I recommend your approval.

JFK/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 13, 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. 0310485-015-AC; Modification of Permit No. PSD-FL-310 (PA 00-43)
Brandy Branch Generating Station / Duval County

Dear Mr. Chansler:

Enclosed is one copy of the Draft PSD Permit Modification relative to JEA's request to allow for Units 2 and 3 to operate on natural gas down to loads of at least 65 megawatts. The facility is located near Baldwin City in Duval County.

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,

A handwritten signature in black ink that reads "Trina Vielhauer".

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

DEP File No. PSD-FL-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 August 29, 2005, to the Department for a PSD Permit Modification for its Brandy Branch Station, located near Baldwin City, Duval County. The request is to allow for Units 2 and 3 to operate on natural gas down to loads of at least 65 megawatts.

In support of the request, JEA has provided test results for its simple cycle Unit 1 (an identical, co-located combustion turbine), under tests which were authorized by the Department during October of 2004, which indicate that CO levels can be consistently maintained under 11 ppmvd @ 15% O₂ while operating at 65 megawatts. Currently, the permit limits CO emissions to 15 ppmvd @ 15% O₂ while firing natural gas and minimizes operation below 50% output (approximately 90 megawatts) as a result of expected increases in CO while operating at loads below 50%.

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 a PSD Permit Modification is required to revise the permit with respect to changes in hours of use.

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

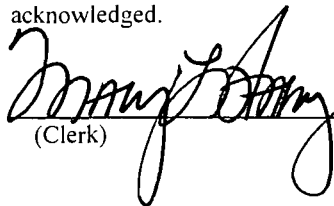
CERTIFICATE OF SERVICE

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 9/16/05 to the person(s) listed:

James M. Chansler, JEA *
N. Bert Gianazza, P.E., JEA
Gregg Worley, EPA
John Bunyak, NPS
Chris Kirts, NED
Robert S. Pace, 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) 9/16/05
(Date)

PUBLIC NOTICE OF INTENT TO ISSUE PSD PERMIT MODIFICATION

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION

DEP File No. PSD-FL-267 (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 modification allows for Units 2 and 3 to operate on natural gas down to loads of 65 gross megawatts. This is an existing facility and 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.

In support of the request, JEA has provided test results for its simple cycle Unit 1 (an identical, co-located combustion turbine), under tests which were authorized by the Department during October of 2004, which indicate that CO levels can be consistently maintained under 11 ppmvd @ 15% O₂ while operating at 65 megawatts. Currently, the permit limits CO emissions to 15 ppmvd @ 15% O₂ while firing natural gas and minimizes operation below 50% output (approximately 90 megawatts) as a result of expected increases in CO while operating at loads below 50%.

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

NOTICE TO BE PUBLISHED IN THE NEWSPAPER

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 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.

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DRAFT

September 13, 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. 0310485-015-AC; Modification of Permit No. PSD-FL-310 (PA 00-43)
Brandy Branch Generating Station / Duval County

The applicant, JEA, applied on August 29, 2005, to the Department for a modification to PSD permit number PSD-FL-310 at its Brandy Branch Generating Station located in Duval County. The modification is to allow for Units 2 and 3 to operate on natural gas down to loads of at least 65 gross megawatts. In support of the request, JEA has provided test results for its simple cycle Unit 1 (an identical, co-located combustion turbine), under tests which were authorized by the Department during October of 2004, which indicate that CO levels can be consistently maintained under 11 ppmvd @ 15% O₂ while operating at 65 gross megawatts. Currently, the permit limits CO emissions to 15 ppmvd @ 15% O₂ while firing natural gas and minimizes operation below 50% output as a result of expected increases in CO while operating at lower loads.

The Department has reviewed the modification request. The referenced permit is hereby modified as follows:

III. Emissions Unit(s) Specific Conditions

- 14.A. Allowable fuels: The facility is authorized to burn any combination of natural gas (2.0 grains sulfur / 100 scf), low sulfur fuel oil (0.05% sulfur) and lower sulfur fuel oil (0.0065% sulfur). The combinations of these fuels are subject to the hour limitations and record-keeping requirements set forth in 14.B. and 14.C. below. Unless otherwise authorized by this permit, CT operation below ~~50% output~~ 65 gross MW shall be limited to 2 hours during each calendar day.
25. Excess emissions resulting from startup, shutdown, or malfunction shall be permitted provided that best operational practices are adhered to and the duration of excess emissions shall be minimized. Excess emissions occurrences shall in no case exceed two hours in any 24-hour period except during "warm" or "cold" start-up to combined cycle plant operation. During cold start-up to combined cycle operation, up to four hours of excess emissions are allowed in any 24-hour period. During warm startup from combined cycle operation, up to three hours of excess emissions are allowed in any 24-hour period. Cold start-up is defined as a startup to combined cycle operation following a shutdown lasting at least 72 hours. Warm startup is defined as a startup to combined cycle operation following a shutdown lasting at least 24 hours. A startup of any type is defined as being complete upon the first 3-hour block NO_x average of 3.5 ppmvd or less (15 ppmvd or less for oil firing). Operation below ~~50% output~~ 65 gross MW per turbine shall otherwise be limited to 2 hours in any 24-hour period. [Rule 62-210.700, F.A.C.].

All other terms and conditions of this permit remain unchanged. A copy of this letter shall be filed with the referenced permit and shall become part of the 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.

DRAFT

Executed in Tallahassee, Florida.

Michael G. Cooke, Director
Division of Air Resource
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
Robert S. Pace, 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)

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- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Mr. James M. Chansler
 V.P. Operations and Maintenance
 JEA
 St. Johns River Power Park
 21 West Church Street
 Jacksonville, Florida 32202

2. Article Number
 (Transfer from service label)

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A. Signature

X *B. Chansler*

- Agent
- Addressee

B. Received by (Printed Name)

SEP 22

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 JEA
 St. Johns River Power Park
 21 West Church Street
 Jacksonville, Florida 32202

21 West Church Street
Jacksonville, Florida 32202-3139

RECEIVED

AUG 29 2005

August 24, 2005

BUREAU OF AIR REGULATION



Mr. Jeffrey F. Koerner, P.E.
Program Administrator
Permitting North
Bureau of Air Regulation
Division of Air Resource Management
Florida Department of Environmental Protection
2600 Blair Stone Road
Tallahassee, FL 32399-2400

ELECTRIC RE: Brandy Branch Generating Station Units 2 and 3
PSD Permit PSD-310

WATER Dear Mr. Koerner:

SEWER Per my conversation with Mr. Mike Halpin, we request a permit revision to replace the current low load limit of 50% on the above referenced units with a new low load limit of 65 MW on Brandy Branch Units 2 and 3 while operating only on natural gas as was done recently on Unit 1. This new low load operating capability is due to a change in the tuning software provided by GE.

Compliance with the CO and NOx limits will be demonstrated using CEMs. It is noted that while the NOx limit is based on a 3-hour block average, the CO limit is based on a 24 hour midnight-to-midnight block average. To alleviate any concerns that the units could exceed the CO limit on a short term basis at this new low load limit, I am enclosing a copy of the stack test report for CO testing conducted on Unit 1 showing compliance with the CO limit at 65 MW.

If you have any questions, please call me at (904) 665-6247.

Sincerely,

A handwritten signature in black ink, appearing to read 'James M. Chansler', with a flourish at the end.

James M. Chansler, P.E., D.P.A.
Responsible Official
Vice President, Operations and Maintenance

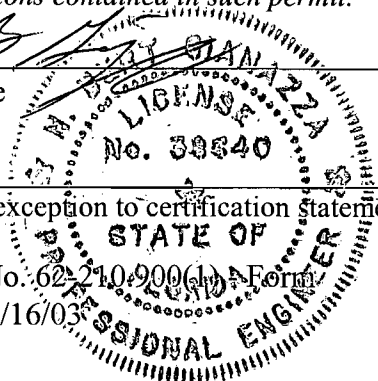
cc: Mike Halpin, P.E., FDEP
Steve Pace, P.E., RESD

APPLICATION INFORMATION

Professional Engineer Certification

1. Professional Engineer Name: N. Bert Gianazza Registration Number: 38640
2. Professional Engineer Mailing Address... Organization/Firm: JEA Street Address: 21 W. Church Street City: Jacksonville State: FL Zip Code: 32202
3. Professional Engineer Telephone Numbers... Telephone: (904) 665 - 6247 ext. Fax: (904) 665 - 7376
4. Professional Engineer Email Address: giannb@jea.com
5. Professional Engineer Statement: <i>I, the undersigned, hereby certify, except as particularly noted herein*, that:</i> <p>(1) To the best of my knowledge, there is reasonable assurance that the air pollutant emissions unit(s) and the air pollution control equipment described in this application for air permit, when properly operated and maintained, will comply with all applicable standards for control of air pollutant emissions found in the Florida Statutes and rules of the Department of Environmental Protection; and</p> <p>(2) To the best of my knowledge, any emission estimates reported or relied on in this application are true, accurate, and complete and are either based upon reasonable techniques available for calculating emissions or, for emission estimates of hazardous air pollutants not regulated for an emissions unit addressed in this application, based solely upon the materials, information and calculations submitted with this application.</p> <p>(3) If the purpose of this application is to obtain a Title V air operation permit (check here <input type="checkbox"/>, if so), I further certify that each emissions unit described in this application for air permit, when properly operated and maintained, will comply with the applicable requirements identified in this application to which the unit is subject, except those emissions units for which a compliance plan and schedule is submitted with this application.</p> <p>(4) If the purpose of this application is to obtain an air construction permit (check here <input type="checkbox"/>, if so) or concurrently process and obtain an air construction permit and a Title V air operation permit revision or renewal for one or more proposed new or modified emissions units (check here <input type="checkbox"/>, if so), I further certify that the engineering features of each such emissions unit described in this application have been designed or examined by me or individuals under my direct supervision and found to be in conformity with sound engineering principles applicable to the control of emissions of the air pollutants characterized in this application.</p> <p>(5) If the purpose of this application is to obtain an initial air operation permit or operation permit revision or renewal for one or more newly constructed or modified emissions units (check here <input type="checkbox"/>, if so), I further certify that, with the exception of any changes detailed as part of this application, each such emissions unit has been constructed or modified in substantial accordance with the information given in the corresponding application for air construction permit and with all provisions contained in such permit.</p>

Signature *N. Bert Gianazza* Date 8/24/05

(seal) 

* Attach any exception to certification statement.

Best Available Copy

EMISSIONS
TEST REPORT
FOR
JACKSONVILLE ELECTRIC AUTHORITY
BRANDY BRANCH GENERATING STATION
UNIT 1 - GAS
October 14, 18 & 20, 2004

Job # 04-203-NC

Test Report Date: 10-29-04

 **GRACE CONSULTING, INC.**
EMISSIONS TESTING SERVICES

INTRODUCTION

This report presents the results of the emissions tests performed for Jacksonville Electric Authority at the Brandy Branch Generating Station, on Unit 1.

The purpose of the tests was to determine the emissions of the unit while burning gas. The results can be found in the Summary of Test Results section of this report.

The testing was performed by Grace Consulting, Inc., located at 920 Tate Blvd., S.E., Suite 108 – Hickory, NC 28602. Present during the testing were Michael Whitt, Adam Flowers, David Robinson and Nathan Vineyard from Grace Consulting, Inc. Joseph Werner and Mark Yordy was present to observe the testing from Jacksonville Electric Authority.

The tests were performed on October 14, 18, & 20, 2004. The testing was completed in accordance with USEPA test methods as published in the July 1, 2003 Federal Register, - "Standards of Performance for New Stationary Sources" and subsequent revisions.

The sampling and analytical procedures can be found in the Sampling and Analytical Procedures section of this report. The raw field data and the equations used to determine the final results are presented in the Appendix section.

SUMMARY OF TEST RESULTS

The following presents the results of the emissions tests performed for Jacksonville Electric Authority at the Brandy Branch Generating Station, Unit 1.

**CO EMISSIONS
Gas**

Run #	MW	Test Date	CO PPM	O ₂ %	CO PPM ISO	CO PPM at 15% O ₂	CO lb/mmBtu	CO lb/hr	CO ISO lb/hr	% Opacity
1	65	10/14/04	9.61	14.25	9.47	8.53	.031	22.90	22.56	.021
2	65	10/14/04	8.99	14.23	9.03	7.95	.029	21.42	21.51	
3	65	10/14/04	9.20	14.22	9.09	8.12	.030	21.92	21.65	
Average			9.27	14.23	9.20	8.20	.030	22.08	21.91	

Run #	MW	Test Date	CO PPM	O ₂ %	CO PPM ISO	CO PPM at 15% O ₂	CO lb/mmBtu	CO lb/hr	CO ISO lb/hr	% Opacity
1	65	10/18/04	12.20	14.17	11.81	10.70	.039	28.15	27.25	.000
2	65	10/18/04	12.18	14.19	11.90	10.71	.039	28.10	27.45	
3	65	10/18/04	11.92	14.19	11.57	10.48	.039	27.50	26.70	
Average			12.10	14.18	11.76	10.63	.039	27.92	27.13	

Run #	MW	Test Date	CO PPM	O ₂ %	CO PPM ISO	CO PPM at 15% O ₂	CO lb/mmBtu	CO lb/hr	CO ISO lb/hr	% Opacity
1	65	10/20/04	12.34	14.22	12.54	10.89	.040	24.52	24.92	.000
2	65	10/20/04	11.89	14.21	12.63	10.48	.039	23.62	25.09	
3	65	10/20/04	12.08	14.20	12.81	10.63	.039	24.00	25.45	
Average			12.10	14.21	12.66	10.67	.039	24.05	25.15	

The complete results can be found on the computer printouts following.

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 <i>X B. Chansler</i> <input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name) <i>SEP 22</i> <input type="checkbox"/> Restricted Delivery</p>
<p>1. Article Addressed to:</p> <p>Mr. James M. Chansler V.P. Operations and Maintenance JEA St. Johns River Power Park 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>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) <i>7004 1350 0000 1910 4199</i></p>	
<p>PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540</p>	

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Mr. James M. Chansler V.P. Operations and Maintenance JEA St. Johns River Power Park 21 West Church Street Jacksonville, Florida 32202									
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