



Jeb Bush  
Governor

# Department of Environmental Protection

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

David B. Struhs  
Secretary

April 14, 2003

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Mr. Walter P. Bussells  
Managing Director and CEO  
JEA  
21 West Church Street  
Jacksonville, Florida 32234

Re: DEP File No. PSD-FL-310 (PA 00-43)  
Brandy Branch Duct Burner Size Increase

Dear Mr. Bussells:

Enclosed is one copy of the Draft PSD Permit Modification relative to the increased duct burner sizes for Emissions Units 002 and 003. The JEA Brandy Branch Facility is located approximately 1 mile northeast of Baldwin City, 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 A. A. Linero, P.E., Administrator, New Source Review Section at the above letterhead address. If you have any other questions, please contact Michael P. Halpin 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:

Walter P. Bussells, Managing Director and CEO  
JEA  
21 West Church Street  
Jacksonville, Florida 32234

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, Walter P. Bussells, Managing Director and CEO, JEA, applied on March 12, 2003, to the Department for a PSD Permit Modification for its Brandy Branch Electric Generating Facility located approximately 1 mile northeast of Baldwin City, Duval County. The request is to revise the permit to incorporate the increased duct burner sizes on the Brandy Branch Combined Cycle Units.

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, and 62-212. 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 listed heat input values.

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.

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 30 (thirty) 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.

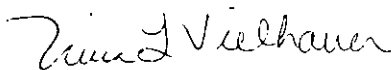
The application for a variance or waiver is made by filing a petition with the Office of General Counsel of the Department, 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000. The petition must specify the following information: (a) The name, address, and telephone number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

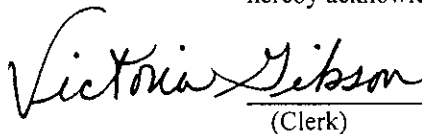
**CERTIFICATE OF SERVICE**

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 permit) was sent by certified mail (\*) and copies were mailed by U.S. Mail before the close of business on 4/14/03 to the person(s) listed:

Walter P. Bussells, JEA \*  
N. Bert Gianazza, P.E., JEA  
Gregg Worley, EPA  
John Bunyak, NPS  
Chris Kirts, NED  
James L. Manning, P.E. RESD  
Kyle Lucas, Black & Veatch  
Mr. Hamilton S. Oven, DEP-Siting

Clerk Stamp

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



(Clerk)

April 14, 2003  
(Date)

**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 Electric Generating Plant  
Duval County

The Department of Environmental Protection (Department) gives notice of its intent to issue a PSD Permit Modification to JEA, for the Brandy Branch Electric Generating Plant located approximately 1 mile northeast of Baldwin City, Duval County. The modification is to revise the permit to incorporate increased duct burner sizes on each of the two combined cycle units at the Brandy Branch Facility. These are new generating units, which are currently under construction. The applicant's mailing address is: JEA, 21 West Church Street, Jacksonville FL 32234.

This modification will revise each of the authorized duct burner sizes from 85 MMBtu/hr (HHV) to 170 MMBtu/hr (HHV); there is one duct burner for each combustion turbine and they fire natural gas only. There will be slight increases in the authorized emissions as a result of this modification, however such emission increases are less than the PSD Significant Emission Rates as defined within 62-212.400, F.A.C.

| Pollutant           | TPY Increase | PSD Significant Emission Rate | Significant? |
|---------------------|--------------|-------------------------------|--------------|
| NO <sub>x</sub>     | 4.86         | 40                            | NO           |
| CO                  | 37.31        | 100                           | NO           |
| VOC                 | 14.54        | 40                            | NO           |
| SO <sub>2</sub>     | 0.22         | 40                            | NO           |
| PM/PM <sub>10</sub> | 6.22         | 15                            | NO           |

An air quality impact analysis was performed. Emissions from the facility will not contribute to or cause a violation of any state or federal ambient air quality standards. No significant impacts were predicted in either the PSD Class II area in the vicinity of the facility or in the PSD Class I Okefenokee and Wolf Island National Wilderness Areas.

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 30 (thirty) 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

**NOTICE TO BE PUBLISHED IN THE NEWSPAPER**

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:

|  |   |   |
|--|---|---|
| Dept of Environmental Protection<br>Bureau of Air Regulation<br>111 S. Magnolia Drive, Suite 4<br>Tallahassee, Florida 32301<br>Telephone: 850/488-0114<br>Fax: 850/922-6979 | Dept. of Environmental Protection<br>Northeast District Office<br>7825 Baymeadows Way, Suite 200B<br>Jacksonville, Florida 32256-7590<br>Telephone: 904/448-4300<br>Fax: 904/448-4366 | Jacksonville Regulatory and<br>Environmental Services Department<br>Suite 225, 117 W. Duval Street<br>Jacksonville, Florida 32202<br>Telephone: 904/630-4900<br>Fax: 904-630-6338 |
|--|---|---|

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 contact the Administrator, New Source Review 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

April XX, 2003

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Mr. Walter P. Bussells, Managing Director and CEO  
JEA  
21 West Church Street  
Jacksonville, Florida 32234

Re: DEP File No. PSD-FL-310, PA 00-43  
Brandy Branch Facility Duct Burner Size Increase

Dear Mr. Bussells:

The Department reviewed your request dated March 12, 2003 to modify the PSD Permit relative to the revised duct burner sizes for Emission Units 002 and 003. The Department notes that the units are under construction, the subject duct burners may only fire natural gas, and no increase in the hours of operation has been sought. According to the supplied information, the Department has concluded this request is acceptable as indicated herein.

Permit PSD-FL-310 is hereby modified as follows:

Section III, Condition 4:

ARMS Emissions Units 002 and 003. Direct Power Generation, each consisting of a nominal 170-megawatt combustion turbine-electrical generator, shall comply with all applicable provisions of 40CFR60, Subpart GG, Standards of Performance for Stationary Gas Turbines, adopted by reference in Rule 62-204.800(7)(b), F.A.C. The Subpart GG requirement to correct test data to ISO conditions applies. However, such correction is not used for compliance determinations with the BACT standard(s). Additionally, each Emissions Unit consists of a supplementally-fired heat recovery steam generator equipped with a natural gas fired ~~85~~ 170 MMBTU/hr duct burner (HHV) and combined with one 200 MW steam electrical generator. ~~The duct burners shall comply with all applicable provisions of 40CFR60, Subpart Dc, Performance Standards for Small Industrial-Commercial-Institutional Steam Generating Units, adopted by reference in Rule 62-204.800(7), F.A.C. The duct burners shall comply with all applicable provisions of 40CFR60, Subpart Db, Standards of Performance for Electric Utility Steam Generating Units Which Construction is Commenced After September 18, 1978, adopted by reference in Rule 62-204.800(7), F.A.C.~~

Section III, Condition 9:

Heat Recovery Steam Generators equipped with Duct Burners: The maximum heat input rate of each natural gas fired duct burner shall not exceed ~~85~~ 170 MMBtu/hr (HHV). {Permitting note: The heat input limitations have been placed in the permit to identify the capacity of each emissions unit for purposes of confirming that emissions testing is conducted within 90-100 percent of the emission unit's rated capacity (or to limit future operation to 110 percent of the test load), to establish

DRAFT

appropriate limits and to aid in determining future rule applicability. Regular record keeping is not required for heat input. Instead, the owner or operator is expected to determine heat input whenever emission testing is required, to demonstrate at what percentage of the rated capacity that the unit was tested.) [Applicant Request, Rule 62-210.200, F.A.C. (Definitions - Potential Emissions)]

Section III, Condition 22:

22. Volatile Organic Compounds (VOC) Emissions: Emissions of VOC in the stack exhaust gas (baseload at ISO conditions) with the combustion turbine operating on gas shall not exceed ~~3.49~~ 6.81 lb/hour and with the combustion turbine operating on oil shall not exceed 7.68 lb/hr, to be demonstrated by initial stack test using EPA Method 18, 25 or 25A. Thereafter, continuous monitoring of CO shall represent a surrogate for VOC emissions and provide assurance that a BACT Determination is not required. [PSD Avoidance, Rule 62-212.400, F.A.C.]

Section III, Condition 24:

24. PM/PM<sub>10</sub> and Visible emissions (VE): VE emissions shall not exceed 10 percent opacity from the stack in use. PM/PM<sub>10</sub> emissions from each combustion turbine and HRSG train shall not exceed ~~20.6~~ 22.02 lb/hr at 100% output firing natural gas with the duct burner on and 62.1 lb/hr at 100% output firing fuel oil to be demonstrated by opacity. [BACT, Rules 62-4.070, 62-212.400, and 62-204.800(7), F.A.C.]

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 the filing of 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 of Appeal must be filed within (thirty) days after this Notice is filed with the Clerk of the Department.

Executed in Tallahassee, Florida.

Sincerely,

Howard L. Rhodes, Director  
Division of Air Resources  
Management

HLR/mph



# Memorandum

# Florida Department of Environmental Protection

TO: Trina Vielhauer

THRU: Al Linero *AL*

FROM: Michael P. Halpin *MH*

DATE: April 4, 2003

SUBJECT: JEA  
Brandy Branch Combined Cycle Conversion of 2 Simple Cycle CT's  
DEP File No. PSD-FL-310

Attached is the public notice package for a modification to Brandy Branch's PSD permit. Apparently, their environmental folks and construction engineers had crossed signals on the duct burner sizing. JEA permitted a total of 170 MMBtu/hr worth of duct burners (2 each 85 MMBtu/hr) whereas they intended to permit 170 MMBtu/hr duct burners on each unit. Now, the units are under construction, the (larger) duct burners have been purchased and they've realized the error.

Cleve and I met with JEA and Black & Veatch in February, to discuss this along with another change which they wished to make (hours of operation on oil). Since all parties understood that the latter change was likely to require additional modeling as well as to raise interest from the EPA and NPS, and that the former issue was one of urgency as the construction schedule will be affected, we agreed to process the duct burner change expeditiously and as a minor construction change; they agreed to submit a separate request for the increased oil operation.

Given that the increased emissions involved (see Public Notice) are less than the PSD significance levels, the BACT remains unaffected and the permit requires only minor changes. Accordingly, I recommend your approval of the attached Intent to Issue.

AAL/mph

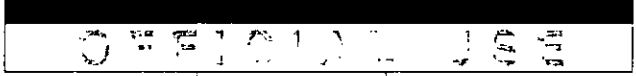
Attachments

*Trina - This is all benign. Clean facility, overwhelmingly so-far. Will make sure any subsequent changes are aggregated with this one too so if additional review is needed.*

*al*

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

7001 0320 0001 3692 6594



|   |           |
|---|-----------|
| Postage   | \$        |
| Certified Fee                                     |           |
| Return Receipt Fee<br>(Endorsement Required)      |           |
| Restricted Delivery Fee<br>(Endorsement Required) |           |
| <b>Total Postage &amp; Fees</b>                   | <b>\$</b> |

Postmark  
Here

Sent To  
 Walter P. Bussells  
 Street, Apt. No.:  
 210 W. Church St.  
 City, State, ZIP+4:  
 Jacksonville, FL 32202