



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 4  
ATLANTA FEDERAL CENTER  
61 FORSYTH STREET  
ATLANTA, GEORGIA 30303-8960

RECEIVED

OCT 08 2001

OCT 04 2001

BUREAU OF AIR REGULATION

4APT-ATMB

Howard L. Rhodes, Director  
Division of Air Resource Management  
FL Department of Environmental Protection  
Mail Station 5500  
2600 Blair Stone Road  
Tallahassee, Florida 32399-2400

Dear Mr. Rhodes:

The purpose of this letter is to provide you with written comments regarding an initial performance testing deadline extension requested in the enclosed July 17, 2001, letter from the Jacksonville Electric Authority (JEA). This extension request is for Brandy Branch Unit 1, a combustion turbine (CT) that is subject to 40 CFR Part 60, Subpart GG (Standards of Performance for Stationary Gas Turbines). Unit 1 can be fired with either natural gas or No. 2 fuel oil, and JEA's July 17, 2001, letter indicates that the maximum firing rate for oil in this unit was initially achieved on May 20, 2001. Based upon the date that the maximum firing rate for oil was first achieved and the provisions in 40 C.F.R. §60.8(a), the deadline for completing an initial performance test on oil would have been July 19, 2001. JEA's letter indicates that Unit 1 is experiencing problems during fuel oil firing, and according to information provided to the U.S. Environmental Protection Agency (EPA) Region 4 during a telephone call, the unit is currently unable to fire oil on a sustained basis. Due to the inability to fire fuel oil in Unit 1, JEA requested an extension of the initial performance testing deadline.

Since the New Source Performance Standards in 40 C.F.R. Part 60 do not contain provisions for extending the testing deadlines in 40 C.F.R. §60.8(a), JEA is technically in violation of the requirement to conduct an initial performance test within 60 days of reaching the maximum firing rate for Brandy Branch Unit 1. Because the turbine manufacturer (General Electric) has been unable to identify and correct the problems that cause unit shutdowns when oil is fired, however, the CT operating problems are largely out of JEA's control. Therefore, we recommend deferring a decision regarding whether to take enforcement for missing the testing deadline until after JEA has actually completed an initial performance test. If the testing is completed expeditiously once the operating problems are resolved, taking no action for missing the testing deadline would be an acceptable option consistent with the enforcement discretion available to your agency. If initial testing is not completed in a timely manner, deferring a decision regarding whether to take enforcement would not preclude you from issuing a notice of violation citing JEA for being out of compliance for the period between the original July 19, 2001, testing deadline and the date on which the testing is completed.

In previous Region 4 determinations, we have provided guidance regarding the additional amount of time that would be reasonable for completing an initial performance test when an affected facility is incapable of operating on an applicable deadline for testing. The additional amount of time cited as reasonable for completing testing in these determinations has typically been either 30 calendar days or 720 operating hours following the restart of an affected facility. An extension based upon calendar days is more practical when the problem that has prevented operation of the affected facility has been identified and there is a reasonable expectation that the facility will be capable of sustained operation once it restarts. An extension based upon operating hours is more practical when the problems preventing the facility from running have not been clearly identified and it is expected that the unit may operate only intermittently while these problems are being identified and corrected. Although decisions regarding whether to take enforcement for missing an initial testing deadline should be made on a case-by-case basis taking source-specific information into account, our previous determinations can be used as a guide regarding the amount of time that would be reasonable for completing testing on units that were incapable of operating on the deadline for testing.

If you have any questions about the issues addressed in this letter, please contact Mr. David McNeal of the EPA Region 4 staff at (404) 562-9102.

Sincerely,



*for* R. Douglas Neeley  
Chief  
Air Toxics and Monitoring Branch  
Air, Pesticides and Toxics  
Management Division

Enclosure

- (1) July 17, 2001, JEA letter requesting an extension of the initial performance testing deadline for Brandy Branch Unit 1

cc: A.A. Linero, FL DEP  
Syed Arif, FL DEP  
N. Bert Gianazza, P.E. (JEA)

*C. Risto, NED*  
*J. Manning, Duval Co.*