

Jeb Bush
Governor

Department of Environmental Protection

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

David B. Struhs
Secretary

DEP 04-1957

October 29, 2004

- CERTIFIED MAIL - RETURN RECEIPT REQUESTED -

Ms. Susan N. Hughes, P.E.
Vice President, Environmental Services
JEA
21 West Church Street
Jacksonville, Florida 32202-3139

05-1741

RE: Brandy Branch Generating Station, PA 00-43B, OGC No. ~~04-XXXX~~

ORDER MODIFYING CONDITIONS OF CERTIFICATION

Dear Ms. Hughes:

On March 25, 2002, the Siting Board certified the JEA Brandy Branch Generating Station. On March 17, 2003, the Department issued an Order for Modification A of the conditions of Certification. On May 13, 2004, the Department received a petition requesting modification of the conditions to allow construction during nighttime hours and to allow the monitoring of a beneficial reuse demonstration project. On May 17, 2004, the Department issued a modification to PSD Permit No. PSD-FL-310 to clarify the allowable fuels and hours of operation. On June 21, 2004, the Department filed a Notice of Intent to Modify conditions for the Brandy Branch facility. On June 24, 2004, JEA requested correction of two conditions concerning ground water monitoring. On July 6, 2004, the City of Jacksonville entered an objection to the proposed modifications. On July 27, 2004, JEA provided additional information on the modification. On July 28, 2004, the St. Johns River Water Management District filed an objection to the Notice of Intent to Modify and suggested corrections. On September 3, 2004, the City of Jacksonville withdrew its objections to the proposed modification.

On or before September 13, 2004, all parties to the certification proceeding were provided with notice by certified mail of the Department's intent to modify the Conditions of Certification for this facility, along with a copy of the proposed Order Modifying Conditions of Certification. Additionally, on September 17, 2004, notice of the Department's intent to modify the Conditions of Certification for this facility was published on the Department's website. Those notices specified that pursuant to Section 403.516, F.S., and Rule 62-17.211, F.A.C., all parties to the certification proceeding have 45 days from the issuance of the notice by mail to such party's last address of record in which file a written objection to the modification; that failure of any of the parties to file a response will constitute a waiver of

objection to the modification; and that any person who is not already a party to the certification proceeding and whose substantial interests will be affected by the requested modification has 30 days from the date of publication of the public notice in the Florida Administrative Weekly to object in writing.

No objections to the modification have been received by the Department. The Conditions of Certification for the Brandy Branch Generating Station are hereby modified as follows:

III.O. "EQD" "RESID" shall mean the Jacksonville Regulatory Environmental Services Department Quality Department.

VI. D. Emissions Limitations - Units 2 and 3 (Based on PSD-FL-310)

7. Specific Conditions

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 shall be limited to 2 hours during each calendar day.

b. Hours of operation: All units (combined and simple cycle) are authorized to operate 8760 hours per year while firing natural gas (2.0 grains sulfur / 100scf). The combined cycle units are authorized to operate up to a combined maximum of 576 actual plus "equivalent hours" per consecutive 12-month period while firing 0.05% sulfur oil OR a combined maximum of 1478 actual plus "equivalent hours" while firing 0.0065%, sulfur oil per consecutive 12-month period, whichever occurs first. The simple cycle unit is authorized to operate up to a maximum of 750 actual plus "equivalent hours" per consecutive 12-month period, while firing either 0.05% or .0065% sulfur oil, whichever occurs first. Tracking of "equivalent hours" shall conform with and be recorded as defined in paragraph 7.c. Additionally, the following requirements shall apply:

i. In the event that any of the 3 emission units (simple or combined cycle) fires No. 2 distillate fuel oil (0.05% sulfur) during a calendar day, that unit shall be limited to 16 hours of daily operation on any fuel. Additionally, the other 2 units shall not be fired on any of the allowable fuels for that calendar day.

ii. In the event that the simple cycle unit fires lower sulfur oil (0.0065% sulfur) during any calendar day, but for 8 hours or less, the combined cycle units may fire any combination of lower sulfur oil (0.0065% sulfur) or natural gas (2 grains / 100 scf) during that calendar day.

iii. In the event that the simple cycle unit fires lower sulfur fuel oil (0.0065% sulfur) for more than 8 hours during a calendar day, it shall be allowed 24 hours of daily operation while the combined cycle units shall not be fired on any fuel for the calendar day.

c. Record keeping requirements and fuel switching:

Upon prior written notification, JEA may switch between firing 0.05% or 0.0065% sulfur oil on a calendar day basis (i.e. switching is not authorized within any calendar day). A record shall be made every day for each emission unit documenting: the fuel type actually used, the number of actual hours of firing each fuel type, and (for the hours when any oil is fired) the "equivalent hours" for the fuel oil which was not fired. The following shall be used to determine the "equivalent hours": each actual hour of combustion of 0.05% sulfur distillate oil shall equate to 2.6 "equivalent hours" of lower sulfur oil (0.0065% sulfur) combustion and each actual hour of firing lower sulfur oil (0.0065% sulfur) shall equate to 0.39 "equivalent hours" of 0.05% sulfur oil combustion.

At the end of each calendar month, the total number of "equivalent hours" plus actual hours shall be determined. A running total shall be maintained in order to ensure compliance with Condition 7.b. above. [Applicant Request, Rule 62-210.200, F.A.C. (Definitions - Potential Emissions)]

E. General Operation Requirements

1. Fuels: Only pipeline natural gas, low sulfur oil, or lower sulfur fuel oil as provided in condition VI.D.7. above shall be fired in these units. [~~Applicant Request, Rule 62-210.200, F.A.C. (Definitions - Potential Emissions)]~~]

K. Monitoring Requirements

1. no change
2. (no change) Fuel Monitoring Schedule: An optional SO₂ Emissions Data Protocol (without additional EPA approvals) for Gas-Fired and Oil-Fired Units pursuant to 40 CFR 75 Appendix D for natural gas may be used in lieu of the daily sampling requirements of 40 CFR 60.334 (b)(2) provided the following requirements are met:
 - a. The permittee shall apply for an Acid Rain permit within the deadlines specified in 40 CFR 72.30.
 - b. The permittee shall submit a monitoring plan, certified by signature of the Designated Representative, that commits to the sole use of pipeline supplied natural gas (sulfur content less than 20 gr/100 scf pursuant to 40 CFR 75.11(d)(2)) for the CT's.
 - c. Each unit shall be monitored for SO₂ emissions using methods consistent with the requirements of 40 CFR 75 and certified by the USEPA.
 - d. 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 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).

5.e. Upon specific request by ~~EOD RESD~~ 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.

IV.S. Noise

Construction noise shall not exceed noise criteria or any applicable requirements of the City of Jacksonville as contained in Environmental Protection Board Rule No. 4. The permittee shall notify area residents in advance of the onset and anticipated duration of the steam blowout of the facility's heat recovery steam generator and steam lines. ~~Such steam blowout shall be conducted between 7:00 A.M. and sunset.~~

X.D. Water Monitoring Program

2. Groundwater Monitoring

a. The groundwater levels shall be monitored continuously at selected wells as approved by the Department and the St. Johns River Water Management District. Chemical analyses shall be made on samples from all monitored wells identified in Condition XI.C. below. The location, frequency, and selected chemical analyses shall be given in condition XI.C.

b. The groundwater monitoring program shall be implemented at least one year prior to operation of Brandy Branch Unit 2 in the combined cycle mode and shall be in conformance to DEP Rules 62-520 and 62-522, F.A.C. The chemical analyses shall be in accord with the latest edition of *Standards Methods for the Analysis of Water and Wastewater*. The data shall be submitted within 30 days of collection/ analysis to the St. Johns River Water Management District, and the DEP Northeast District Office.

c. Groundwater quality monitoring around the beneficial reuse demonstration project during the pilot project shall be in accordance with the program detailed in the November 2003 Beneficial Use Demonstration as modified in March 2004, and as specified in Table 18 as attached. The following parameters shall be monitored in accordance with attached Table 18: aluminum, chloride, iron, manganese, pH, Radium 226, Radium 228, sodium, hardness, and sulfate. The frequency of sampling and reporting for wells installed for monitoring the beneficial reuse demonstration project shall be in at the same frequency as the other groundwater wells as described in Condition XI. Reports shall be reported to the DEP Northeast District Office.

3. Surface Water Monitoring

a. The surface waters leaving the beneficial reuse demonstration project and surface waters leaving the Brandy Branch site shall be monitored monthly when flowing at on site locations as approved by the Department, the St. Johns River Water Management District and the Jacksonville Environmental Regulatory Services Department.

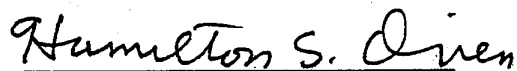
b. The surface water monitoring programs shall be implemented at least six months prior to operation of Unit 2 in the Combined Cycle mode. Monthly data shall be submitted within 30 days of collection/analysis to the Department, the St. Johns River Water Management District and the Jacksonville Environmental Regulatory Services Department. The chemical analyses shall be in accord with the latest edition of *Standards Methods for the Analysis of Water and Wastewater* and shall include at least the following chemical water quality parameters.

Conductance
pH
Sulfate
Nitrate
Chloride
Turbidity
Phosphorous
Iron

c. Stormwater runoff from the beneficial reuse demonstration project shall be in accordance shall be sampled and analyzed during the pilot project in accordance with the program detailed in the November 2003 Beneficial Use Demonstration as amended in March 2004, and as specified in Table 18 as attached. The following parameters shall be monitored: turbidity, arsenic, barium, lead, manganese, mercury, nickel, pH, sodium, thallium, vanadium, and hardness. The results shall be reported to the DEP Northeast District Office.

Any party to the this Order has a right to seek judicial review of it pursuant to Section 120.68, Florida Statutes by filing a Notice of Appeal, pursuant to Rule 9.110, Florida Rules of Appellate Procedure, with the Clerk of the Department of Environmental Protection in the Office of General Counsel, 3900 Commonwealth Boulevard, M.S. 35, 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 from the date this Order is filed with the Clerk of the Department of Environmental Protection.

Executed in Tallahassee, Florida.



Hamilton S. Oven, P.E.

Administrator

Siting Coordination Office

FILING AND ACKNOWLEDGMENT

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

Linda Kershow 10/29/04
Clerk Date

cc:

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