Florida Department of Environmental Protection
South District Office
Post Office Box 2549
Fort Myers, Florida 33902-2549

Rick Scott
Governor

Jennifer Carroll
Lt. Governor

Herschel T. Vinyard Jr.
Secretary

NOTICE OF ADMINISTRATIVELY CORRECTED PERMIT

October 10, 2012

Electronic Mail – Return Receipt Requested

In the Matter of a Request for Administrative Correction:

Jose Gonzalez
Vice President
Okeelanta Corporation
21250 U.S. Highway 27
South Bay, Florida 33493

Project No. 0990005-033-AV
Administrative Correction to Permit No. 0990005-032-AV
Okeelanta Sugar Refinery
Palm Beach County

Enclosed are Administratively Corrected Conditions (revisions) to the Title V Air Operation Permit No. 0990005-032-AV, for the operation of the Okeelanta Corporation (ARMS Facility ID No. 0990005) and New Hope Power Company (ARMS Facility ID No. 0990332), located in Palm Beach county at 21250 U.S. Highway 27,South Bay, Florida. This correction is issued pursuant to Rule 62-210.360, Florida Administrative Code (F.A.C.) and Chapter 403, Florida Statutes (F.S.). This change is made at the applicant's request dated October 2, 2012 to correct page number 29 of 37 to show control efficiencies for EU 054 and EU 055 to be 99.9 percent for PM and 99.0 percent for PM10. This change also adds the requirement for the boilers to be subject to 40 CFR 63 Subpart DDDDD (Boiler MACT) - National Emission Standards for Hazardous Air Pollutants for Industrial, Commercial, and Institutional Boilers and Process Heaters. This corrective action does not alter the effective dates of the existing permit.

The Department of Environmental Protection (Department) will consider the above-noted action final unless a timely petition for an administrative hearing is filed pursuant to Sections 120.569 and 120.57, F.S. Mediation under Section 120.573, F.S., will not be available for this proposed action.

A person whose substantial interests are affected by the proposed permitting decision may petition for an administrative hearing in accordance with Sections 120.569 and 120.57, F.S. The petition must contain the information set forth below and must be filed (received) by the Agency Clerk in the Department's Office of General Counsel, 3900 Commonwealth Boulevard, MS #35, Tallahassee, Florida 32399-3000. Petitions filed by the permit applicant or any of the parties listed below must be filed within 14 days of receipt of this notice. Petitions filed by any other person must be filed within 14 days of receipt of this proposed action. A petitioner must 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 (in a proceeding initiated by another party)

will be only at the approval of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205, F.A.C.

A petition that disputes the material facts on which the Permitting Authority'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 when and how each petitioner received notice of the agency action or proposed decision; (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 including an explanation of how the alleged facts relate to the specific rules or statutes; and, (g) A statement of the relief sought by the petitioner, stating precisely the action the 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 Permitting Authority'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, F.A.C.

Because the administrative hearing process is designed to formulate final agency action, the filing of a petition means that the permitting authority'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 permitting authority on the application have the right to petition to become a party to the proceeding, in accordance with the requirements set forth above.

Any party to this order (permit) 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 in the Office of General Counsel, 3900 Commonwealth Boulevard, Mail Station #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 notice is filed with the Clerk of the permitting authority.

Executed in Fort Myers, Florida.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION

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Jon M. Iglehart
Director of
District Management

JMI/CBE/mf

CERTIFICATE OF SERVICE

The undersigned duly designated deputy agency clerk hereby certifies that this Notice of Administratively Corrected Permit (including the corrected pages or a link to these documents available electronically on a publicly accessible server, was sent by electronic mail with received receipt requested to the persons listed below:

Mr. Jose Gonzalez Jose_Gonzalez@floridacrystals.com
Mr. David A. Buff, P.E. dbuff@golder.com
Mr. Matthew Capone, Florida Crystals matthew_capone@floridacrystals.com
Mr. James Stormer, Palm Beach County Health Department james_stormer@doh.state.fl.us
Ms. Katy Forney, U.S. EPA Region 4 forney.kathleen@epamail.epa.gov
Ms. Ana Oquendo, EPA Region 4 oquendo.ana@epamail.epa.gov
Ms. Barbara Friday, DEP BAR barbara.friday@dep.state.fl.us (for posting with U.S. EPA, Region 4)

Clerk Stamp

FILING AND ACKNOWLEDGMENT FILED, on this date, pursuant to Section 120.52(7), Florida Statutes, with the designated agency clerk, receipt of which is hereby acknowledged.

October 11, 2012

(Clerk) (Date

Pursuant to the applicant's request, conditions /requirements contained in permit No. 0990005-032-AV have been corrected as indicated below:

Page 2 of 37- Added reference to Subpart DDDDD (Boiler MACT) as being applicable

Page 11 of 37- Added Subpart DDDDD (Boiler MACT) as being applicable

Page 29 of 37- Corrected the PM control efficiency for EU 054 in the table to 99.9 percent for PM, and 99.0 percent for PM10. Also, the PM control efficiency for EU 055 in the table changed to 99.9 percent for PM, and 99.0 percent for PM10.

Statement of Basis - page 1 of 16 - The Statement of Basis changed to include Subpart DA and Subpart DDDDD.

(Note: The NSPS 40 CFR 60, Subpart DDDDD requirement was included in the Draft/Proposed and Public Notice).