



Jeb Bush
Governor

M. Rony François, M.D., M.S.P.H., Ph.D.
Secretary

CERTIFIED MAIL
OCTOBER 31, 2006

NOTICE OF AIR POLLUTION OPERATION PERMIT

PERMITTEE:

Sugar Supply, Inc..
1281 South Main Street
Belle Glade, FL 33430

ARMS No.:	099-0166
Permit No.:	099-0166-004-AO
Issued:	October 24, 2006
Expires:	October 23, 2011

Authorized Representative:

Carlos M. Arruza, Vice President

Dear Mr. Arruza:

Enclosed is Air Permit No. 099-0166-004-AO for the operation of a source of air pollution located in Palm Beach County. This permit is issued pursuant to Chapter 403.087 of the Florida Statutes (F.S.) and Chapters 62-4, 62-210, 62-212, 62-296, and 62-297 of the Florida Administrative Code. Any party to this Order (Permit) has the right to seek judicial review pursuant to Section 120.68, F.S., by the filing of a Notice of Appeal pursuant to Rule 9.110, Florida Rules of Appellate Procedure with the Health Department at the address listed below 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 30 days from the date this Order (Permit) is filed with the Clerk of the Health Department.

Executed in West Palm Beach, Florida

PALM BEACH COUNTY HEALTH DEPARTMENT

James E. Stormer, Q.E.P., Environmental Administrator
Air Pollution Control Section
Division of Environmental Health and Engineering

For any questions, contact:

Laxmana Tallam, P.E., Air Permit Supervisor
Air Pollution Control Section
Palm Beach County Health Department
P.O. Box 29 (901 Evernia Street)
West Palm Beach, Florida, 33402-0029



Post Office Box 29 / 901 Evernia Street, West Palm Beach, FL. 33402
Jean M. Malecki, M.D., MPH, FACPM, Director
www.pbchd.com

CERTIFICATE OF SERVICE

The undersigned duly designated agency clerk hereby certifies that the Notice of Permit and the Final Permit were sent by certified mail before the close of business on 10/31/00 to the permittee.

In addition, the undersigned duly designated deputy agency clerk hereby certifies that *copies* of these documents were sent by U.S. mail on the same date to the following persons:

Darrel Graziani, P.E. Air Program Administrator
Southeast District Office - DEP
400 North Congress Ave, Suite 200
West Palm Beach, FL 33401

Dennis Bacon, Env. Consultant
Bacon Environmental Services
P.O. Box: 3236
Tequesta, FL 33469

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



(Clerk)

10/31/00
(Date)



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AIR POLLUTION OPERATION PERMIT

ISSUED TO:

Permittee:

Sugar Supply, Inc.
1281 South Main Street
Belle Glade, FL 33430

ARMS No.:	099-0166
Permit No.:	099-0166-004-AO
Issued:	October 31, 2006
Expires:	October 30, 2011

Authorized Representative:
Carlos M. Arruza, Vice President

*Note: A renewal application must
be submitted by August 30, 2011.*

LOCATED AT:

Sugar Supply, Inc.
1281 South Main Street, Belle Glade, Florida 33430

UTM: Zone 17 ; 532.6 km E ; 2949.7 km N [**Latitude and Longitude:** 26°40'3.4"N; 80°40'21.4" W]

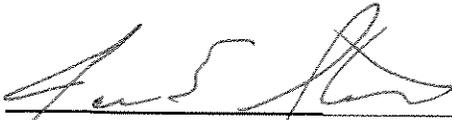
Description: Bulk Gasoline Plant
SIC No.: 5171

STATEMENT OF BASIS:

The Palm Beach County Health Department (Health Department) issues this permit under the provisions of Chapter 403 of the Florida Statutes (F.S.) and Chapters 62-4 through 62-297 the Florida Administrative Code (F.A.C.). The Florida Department of Environmental Protection (FDEP) has permitting jurisdiction under Chapter 403.087, F.S. However, in accordance with Section 403.182, F.S., the FDEP recognizes the Health Department as the approved local air pollution control program in Palm Beach County. As such, the FDEP and the Health Department have entered into a Specific Operating Agreement that authorizes the Health Department to issue or deny permits for this type of air pollution source located in Palm Beach County. The above named permittee is authorized to operate the facility in accordance with the conditions of this permit and as described in the application, approved drawings, plans, and other documents on file with the Health Department.

ISSUED BY:

Executed in West Palm Beach, Florida.
PALM BEACH COUNTY HEALTH DEPARTMENT


James E. Stormer, Q.E.P., Environmental Administrator
Air Pollution Control Section
Division of Environmental Health and Engineering

Air Permit Engineer: Laxmana Tallam, P.E.



Post Office Box 29 / 901 Evernia Street, West Palm Beach, FL. 33402
Jean M. Malecki, M.D., MPH, FACPM, Director
www.pbchd.com

SECTION I. SUMMARY INFORMATION**PERMIT HISTORY**

- October 20, 2006: Health Department received application (Permit No. 0990166-004-AO)
- December 10, 2001: Health Department issued Permit No. 099-0166-003-AO
- February 4, 1997: Health Department issued Permit No. 099-0166-002-AO
- Apr. 5, 1996: Health Department revised Permit No. 099-0166-001-AO.
- Apr. 16, 1992: FDEP issued renewal Permit No. AO50-205232
- Dec. 31, 1986: FDEP issued Permit No. AO 50-125606.

PERMIT CONTENT

- Section I: Summary Information
- Section II: Facility-Wide Specific Conditions
- Section III: Emissions Unit Specific Conditions
- Section IV: Appendices
 - Appendix A:* General Permit Conditions
 - Appendix B:* Citation Format

REGULATORY CLASSIFICATIONS

PROGRAM	PROGRAM DESCRIPTION	CLASSIFICATION
PSD	Prevention of Significant Deterioration Rule 62-212.400, F.A.C	New Source Synthetic Minor (VOCs and HAPs)
NSR-NAA	New Source Review for Nonattainment Areas Rule 62-212.500, F.A.C.	Not Applicable
NESHAP	National Emission Standards for Hazardous Air Pollutants 40 CFR Parts 61 and 63	Not Applicable
Title V Operating Permit	Federally Enforceable State Operating Permit (FESOP) Program Rule 62-210.300(2)(b), F.A.C	Synthetic Minor (VOCs and HAPs)

EMISSIONS UNITS SUMMARY

This permit addresses the following emissions units:

EMISSIONS UNIT NO.	EMISSIONS UNIT DESCRIPTION
001	Bulk gasoline plant consisting of:
	One (1) 10,000 gallon underground tank (UST) storing Gasoline
	Three (3) 10,000 gallon USTs storing distillate oil
	Four (4) 4,000 gallon above ground tanks (ASTs), two (2) 6,000 gallons ASTs, and two (2) 8,000 gallon ASTs storing lubricating oils.

SECTION II. FACILITY-WIDE SPECIFIC CONDITIONS**1.0 ADMINISTRATIVE**

- 1.1 Regulating Agencies: All applications, reports, tests, and notifications shall be submitted to the Air Pollution Control Section of the Palm Beach County Health Department (Health Department) at P.O. Box 29 (901 Evernia Street), West Palm Beach, Florida, 33402-0029, and phone number (561) 355-3136. In addition, *copies* shall be submitted to the Air Program, Southeast District Office, Florida Department of Environmental Protection (FDEP), 400 North Congress Avenue, West Palm Beach, Florida, 33401. **[Specific Operating Agreement (SOA)]**
- 1.2 General Permit Conditions: The owner and operators shall be aware of, and operate under, the attached General Permit Conditions listed in *Appendix A* of this permit. General Permit Conditions are binding and enforceable pursuant to Chapter 403 of the Florida Statutes. **[Rule 62-4.160, F.A.C.]**
- 1.3 Citation Format: The format for citing applicable regulations is provided in *Appendix B* of this permit.
- 1.4 Application for Operation Permit: The permittee shall apply for a renewal permit at least 60 days prior to the expiration of this operation permit. The application shall include: the Application form [*FDEP Form No. 62-210.900(4)*]; the correct application processing fee; all required test reports; and a summary of any changes or substitutions to the original equipment, processes, fuels, controls, etc. When the renewal application is timely and sufficient, the existing permit shall remain in effect until final action is taken by the Health Department. **[Rules 62-4.090 and 62-210.900, F.A.C.]**
- 1.5 Applicable Regulations: This facility is subject to the following regulations: Chapters 62-4, 62-210, 62-212, 62-296, and 62-297, F.A.C. Specifically, the emission units are subject to: *F.A.C. Rule 62-296.509 - Reasonably Available Control Technology for Bulk Gasoline Plants*; and *F.A.C. 62-210.300(3)(c) - Conditional Exemptions from Title V Air Permitting for Bulk Gasoline Plants*. Issuance of this permit does not relieve the facility owner or operator from compliance with any applicable federal, state, or local permitting requirements or regulations. **[Rule 62-210.300(2), F.A.C. and the SOA]**

2.0 EMISSION LIMITING AND PERFORMANCE STANDARDS

- 2.1 General VOC Standards: The owner or operator shall not store, pump, handle, process, load, unload or use in any process or installation, volatile organic compounds (VOC) or organic solvents without applying known and existing vapor emission control devices or systems. This includes: **[Rule 62-296.320(1), F.A.C.]**
- Regular inspection and maintenance of piping, valves, flanges, tanks, and containers used for storage and transfer of organic liquids in order to minimize fugitive VOC emissions.
 - When not in use, direct the solvent-containing materials to containers in order to prevent evaporation.
- 2.2 Objectionable Odors: No person shall cause, suffer, allow or permit the discharge of air pollutants, which cause or contribute to an objectionable odor. **[Rule 62-296.320(2), F.A.C.]**
- Note: An objectionable odor is defined as any odor present in the outdoor atmosphere which by itself or in combination with other odors, is or may be harmful or injurious to human health or welfare, which unreasonably interferes with the comfortable use and enjoyment of life or property, or which creates a nuisance. [Rule 62-210.200(200), F.A.C.]*
- 2.3 General Visible Emissions Standard: Unless otherwise specified by permit, no person shall cause, let, permit, suffer or allow to be discharged into the atmosphere any air pollutants from new, or existing emissions units, the opacity of which is equal to or greater than 20 percent. **[Rule 62-296.320(4)(b), F.A.C.]**
- 2.4 Unconfined Emissions of Particulate Matter: No person shall cause, let, permit, suffer or allow the emissions of unconfined particulate matter from any activity, including vehicular movement; transportation of materials; construction, alteration, demolition or wrecking; or industrially related activities such as loading, unloading, storing or handling; without taking reasonable precautions to prevent such emissions. Reasonable precautions include the following: **[Rule 62-296.320(4)(c), F.A.C.]**
- Paving and maintenance of roads, parking areas and yards.
 - Application of water or chemicals to control emissions from such activities as demolition of buildings, grading roads, construction, and land clearing.
 - Application of asphalt, water, chemicals or other dust suppressants to unpaved roads, yards, open stock piles and similar activities.
 - Removal of particulate matter from roads and other paved areas under the control of the owner or operator of the facility to prevent reentrainment, and from buildings or work areas to prevent particulate from becoming airborne.
 - Landscaping or planting of vegetation.
 - Use of hoods, fans, filters, and similar equipment to contain, capture and/or vent particulate matter.

SECTION II. FACILITY-WIDE SPECIFIC CONDITIONS

- Confining abrasive blasting where possible.
- Enclosure or covering of conveyor systems.

Note: Facilities that cause frequent, valid complaints will be required by the Health Department to take these or other reasonable precautions. In determining what constitutes reasonable precautions for a particular facility, the Health Department shall consider the cost of the control technique or work practice, the environmental impacts of the technique or practice, and the degree of reduction of emissions expected from a particular technique or practice.

3.0 OPERATION AND MAINTENANCE REQUIREMENTS

- 3.1 Circumvention: The owner or operator shall not circumvent air pollution control equipment/methods or allow the emission of air pollutants without the equipment/methods operating properly. [Rule 62-210.650, F.A.C.]

4.0 COMPLIANCE MONITORING REQUIREMENTS

- 4.1 Duration: Unless otherwise specified, all records and reports required by this permit shall be kept for at least 5 years from the date the information was recorded. [Rule 62-4.160(14)(b), F.A.C.]

5.0 REPORTS REQUIRED

- 5.1 Annual Operations Report: Before March 1 of each year, the owner or operator shall submit an Annual Operations Report [DEP Form No. 62-210.900(5)] to the Health Department, which summarizes operations for the previous calendar year. [Rule 62-210.370(3), F.A.C.]

6.0 WASTE REQUIREMENTS

- 6.1 Waste Disposal: The owner or operator shall treat, store, and dispose of all liquid, solid, and hazardous wastes in accordance with all applicable Federal, State, and Local regulations. This air pollution permit does not preclude the permittee from securing any other types of required permits, licenses, or certifications.

SECTION III. B. EMISSIONS UNIT SPECIFIC CONDITIONS

GROUP A. This portion of the permit addresses the following group of emissions units:

EMISSION UNIT NO.	EMISSIONS UNIT DESCRIPTION
001	<p>Bulk gasoline plant consisting of:</p> <p>One (1) 10,000 gallon underground tank (UST) storing Gasoline Three (3) 10,000 gallon USTs storing distillate oil Four (4) 4,000 gallon above ground tanks (ASTs), two (2) 6,000 gallons ASTs, and two (2) 8,000 gallon ASTs storing lubricating oils.</p>

1.0 AIR POLLUTION CONTROL EQUIPMENT AND METHODS

- 1.1 Reasonably Available Control Technology Requirements (RACT): The following control technology requirements shall apply to the unloading, loading, and storage facilities of all bulk gasoline plants and all tank trucks, trailers delivering, or receiving gasoline at bulk gasoline plants. **[Rule 62-296.509, F.A.C.]**
- (a) No owner or operator of a bulk gasoline plant may permit stationary storage tanks to be filled with gasoline unless each tank is equipped for submerged filling and such equipment is used and properly maintained.
 - (b) No owner or operator of a bulk gasoline plant, tank, truck, or trailer shall permit the filling of tank trucks or trailers at a bulk gasoline plant unless each tank, truck or trailer is equipped for submerged filling and such equipment is used and properly maintained.

2.0 EMISSION LIMITING AND PERFORMANCE STANDARDS

- 2.1 Conditions of Exemption from Title V Permitting **[Rule 62-210.300(3)(c) 2., F.A.C.]**:
- (a) The facility shall receive and distribute *only* petroleum-based lubricants, gasoline, diesel fuel, mineral spirits, and kerosene.
 - (b) The total storage capacity for gasoline at the facility shall not exceed 150,000 gallons.
 - (c) The facility shall not exceed a throughput rate (receive *and* distribute) of 6.0 million gallons of gasoline in any consecutive (12) month period, rolling total.

{Permitting Note: Compliance with the above conditions exempts this facility from Title V Air permitting requirements.}

3.0 COMPLIANCE MONITORING REQUIREMENTS

- 3.1 Changes/Modifications: If any storage tanks are added or replaced, the permittee shall notify the Palm Beach County Health Department in writing of the change. If the modified storage capacity of gasoline storage would exceed the 150,000 gallons, the permit shall submit an application to modify this permit. **[Rules 62-210.300, F.A.C. and 62-4.070(3), F.A.C.]**
- 3.2 Gasoline Storage and Throughput Log: By the tenth day of each month, the owner or operator shall record and maintain in a written log the following information for the previous month of operation. **[Rule 62-4.070(3), F.A.C.]**
- Month of operation.
 - Types of materials stored in each tank.
 - Current gasoline storage capacity, in gallons.
 - Gasoline throughput for the month, in gallons.
 - Gasoline throughput for the previous consecutive (12) months, in gallons.

SECTION IV. APPENDICES

APPENDIX	DESCRIPTION
A	General Permit Conditions
B	Citation Format

SECTION IV. APPENDIX A
GENERAL CONDITIONS [RULE 62-4.160, F.A.C.]

- G.1 The terms, conditions, requirements, limitations, and restrictions set forth in this permit are "Permit Conditions" and are binding and enforceable pursuant to Sections 403.161, 403.727, or 403.859 through 403.861, Florida Statutes. The permittee is placed on notice that the Department will review this permit periodically and may initiate enforcement action for any violation of these conditions.
- G.2 This permit is valid only for the specific processes and operations applied for and indicated in the approved drawings or exhibits. Any unauthorized deviation from the approved drawings or exhibits, specifications, or conditions of this permit may constitute grounds for revocation and enforcement action by the Department.
- G.3 As provided in Subsections 403.087(6) and 403.722(5), Florida Statutes, the issuance of this permit does not convey and vested rights or any exclusive privileges. Neither does it authorize any injury to public or private property or any invasion of personal rights, nor any infringement of federal, state or local laws or regulations. This permit is not a waiver or approval of any other Department permit that may be required for other aspects of the total project which are not addressed in the permit.
- G.4 This permit conveys no title to land or water, does not constitute State recognition or acknowledgment of title, and does not constitute authority for the use of submerged lands unless herein provided and the necessary title or leasehold interests have been obtained from the State. Only the Trustees of the Internal Improvement Trust Fund may express State opinion as to title.
- G.5 This permit does not relieve the permittee from liability for harm or injury to human health or welfare, animal, or plant life, or property caused by the construction or operation of this permitted source, or from penalties therefore; nor does it allow the permittee to cause pollution in contravention of Florida Statutes and Department rules, unless specifically authorized by an order from the Department.
- G.6 The permittee shall properly operate and maintain the facility and systems of treatment and control (and related appurtenances) that are installed or used by the permittee to achieve compliance with the conditions of this permit, as required by Department rules. This provision includes the operation of backup or auxiliary facilities or similar systems when necessary to achieve compliance with the conditions of the permit and when required by Department rules.
- G.7 The permittee, by accepting this permit, specifically agrees to allow authorized Department personnel, upon presentation of credentials or other documents as may be required by law and at a reasonable time, access to the premises, where the permitted activity is located or conducted to:
- (a) Have access to and copy and records that must be kept under the conditions of the permit.
 - (b) Inspect the facility, equipment, practices, or operations regulated or required under this permit.
 - (c) Sample or monitor any substances or parameters at any location reasonably necessary to assure compliance with this permit or Department rules.

Reasonable time may depend on the nature of the concern being investigated.

- G.8 If, for any reason, the permittee does not comply with or will be unable to comply with any condition or limitation specified in this permit, the permittee shall immediately provide the Department with the following information:
- (a) A description of and cause of non-compliance.
 - (b) The period of noncompliance, including dates and times; or, if not corrected, the anticipated time the non-compliance is expected to continue, and steps being taken to reduce, eliminate, and prevent recurrence of the non-compliance.

The permittee shall be responsible for any and all damages which may result and may be subject to enforcement action by the Department for penalties or for revocation of this permit.

- G.9 In accepting this permit, the permittee understands and agrees that all records, notes, monitoring data and other information relating to the construction or operation of this permitted source which are submitted to the Department may be used by the Department as evidence in any enforcement case involving the permitted source arising under the Florida Statutes or Department rules, except where such use is prescribed by Sections 403.73 and 403.111, Florida Statutes. Such evidence shall only be used to the extent it is consistent with the Florida Rules of Civil Procedure and appropriate evidentiary rules.
- G.10 The permittee agrees to comply with changes in Department rules and Florida Statutes after a reasonable time for compliance, provided, however, the permittee does not waive any other rights granted by Florida Statutes or Department rules.

SECTION IV. APPENDIX A
GENERAL CONDITIONS [RULE 62-4.160, F.A.C.]

- G.11 This permit is transferable only upon Department approval in accordance with Florida Administrative Code Rules 62-4.120 and 62-730.300, F.A.C., as applicable. The permittee shall be liable for any non-compliance of the permitted activity until the transfer is approved by the Department.
- G.12 This permit or a copy thereof shall be kept at the work site of the permitted activity.
- G.13 This permit also constitutes:
- (a) Determination of Best Available Control Technology. (*Not applicable.*)
 - (b) Determination of Prevention of Significant Deterioration. (*Not applicable.*)
 - (c) Compliance with New Source Performance Standards. (*NSPS, Subpart I*)
- G.14 The permittee shall comply with the following:
- (a) Upon request, the permittee shall furnish all records and plans required under Department rules. During enforcement actions, the retention period for all records will be extended automatically unless otherwise stipulated by the Department.
 - (b) The permittee shall hold at the facility or other location designated by this permit records of all monitoring information (including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation) required by the permit, copies of all reports required by this permit, and records of all data used to complete the application or this permit. These materials shall be retained at least three years from the date of the sample, measurement, report, or application unless otherwise specified by Department rule.
 - (c) Records of monitoring information shall include:
 - 1. The date, exact place, and time of sampling or measurements.
 - 2. The person responsible for performing the sampling or measurements.
 - 3. The dates analyses were performed.
 - 4. The person responsible for performing the analyses.
 - 5. The analytical techniques or methods used.
 - 6. The results of such analyses.
- G.15 When requested by the Department, the permittee shall within a reasonable time furnish any information required by law which is needed to determine compliance with the permit. If the permittee becomes aware that relevant facts were not submitted or were incorrect in the permit application or in any report to the Department, such facts or information shall be corrected promptly.

SECTION IV. APPENDIX B
CITATION FORMAT

ABBREVIATIONS AND ACRONYMS

°F	- Degrees Fahrenheit
DEP	- State of Florida, Department of Environmental Protection
DARM	- Division of Air Resource Management
EPA	- United States Environmental Protection Agency
F.A.C.	- Florida Administrative Code
F.S.	- Florida Statute
SOA	- Specific Operating Agreement
UTM	- Universal Transverse Mercator

RULE CITATIONS

The following examples illustrate the methods used in this permit to abbreviate and cite the references of rules, regulations, permit numbers, and identification numbers.

Florida Administrative Code (F.A.C.) Rules:

<i>Example:</i>	[Rule 62-213.205, F.A.C.]
<i>Where:</i>	62 - refers to Title 62 of the Florida Administrative Code (F.A.C.)
	62-213 - refers to Chapter 62-213, F.A.C.
	62-213.205 - refers to Rule 62-213.205, F.A.C.

Facility Identification (ID) Number:

<i>Example:</i>	Facility ID No.: 099-0001
<i>Where:</i>	099 - 3 digit number indicates that the facility is located in Palm Beach County
	0221 - 4 digit number assigned by state database identifies specific facility

New Permit Numbers:

<i>Example:</i>	099-2222-001-AC or 099-2222-001-AV
<i>Where:</i>	AC - identifies permit as an Air Construction Permit
	AV - identifies permit as a Title V Major Source Air Operation Permit
	099 - 3 digit number indicates that the facility is located in Palm Beach County
	2222 - 4 digit number assigned by state database identifies specific facility
	001 - 3 digit sequential number assigned by the state database identifies specific permit project

Old Permit Numbers:

<i>Example:</i>	AC50-123456 or AO50-123456
<i>Where:</i>	AC - identifies permit as an Air Construction Permit
	AO - identifies permit as an Air Operation Permit
	123456 - 6 digit number assigned by state database identifies specific permit

