

# UNITED STATES SUGAR CORPORATION

Post Office Box 1207 • Clewiston, Florida 33440-1207  
Telephone 941/983-8121

May 13, 2003

RECEIVED

MAY 15 2003

BUREAU OF AIR REGULATION

Florida Department of Environmental Protection  
Bureau of Air Regulation  
(111 S. Magnolia Drive, Suite 4)  
2600 Blair Stone Road, MS #5505  
Tallahassee, Florida 32301

RE: United States Sugar Corporation, Clewiston Sugar Mill and Refinery, Hendry County  
Draft Air Permit No. 0510003-018-AC  
Clewiston Boilers 4 and 7 – Modified Oil Firing Systems

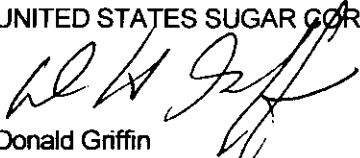
Attention: Trina L. Vielhauer  
Chief, Bureau of Air Regulation

Gentlemen:

We are enclosing the Affidavit of Publication certifying that the "Public Notice of Intent to Issue Air Construction Permit" was duly published in the legal section of the May 8, 2003 issue of *THE CLEWISTON NEWS*.

Sincerely,

UNITED STATES SUGAR CORPORATION

  
Donald Griffin  
Project Manager, Specialty Sugar

DG: kcb  
Enclosure  
cc:

Phil Barbaccia – SD-DEP  
David Buff, Golder Associates  
William A. Raiola, USSC  
Michael Low, USSC  
Arthur Jacquelin, USSC  
Peter Briggs, USSC

THE CLEWISTON NEWS

Published Weekly

Clewiston, Florida

AFFIDAVIT OF PUBLICATION

State of Florida  
County of Hendry

Before the undersigned authority, personally appeared Debra Miller, who on oath says she is the Editor of the Clewiston News, a weekly newspaper published at Clewiston in Hendry County, Florida, that the attached

copy of advertisement being a Public Notice of Intent to Issue Air Construction Permit  
in the matter State of Florida Department of Environmental Protection

in the \_\_\_\_\_ court, was published in said newspaper in the issue(s)  
of May 8<sup>th</sup>, 2003

Affiant further says that the said Clewiston News is a newspaper published at Clewiston, in said Hendry County, continuously published in said Hendry County, Florida, each week, and has been entered as periodicals matter at the post office in Clewiston, in said Hendry County, Florida, for a period of one year next preceding the first publication says that she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Debra Miller

Sworn to and subscribed before me this 8<sup>th</sup> day of May, 2003

Tracy L. Rounds  
Notary Public



Tracy L. Rounds  
Commission #DD161434  
Expires: Oct 28, 2006  
Bonded Thru  
Atlantic Bonding Co., Inc.

RECEIVED

MAY 15 2003

BUREAU OF AIR REGULATION

**PUBLIC NOTICE OF INTENT TO ISSUE AIR CONSTRUCTION PERMIT**

STATE OF FLORIDA  
DEPARTMENT OF ENVIRONMENTAL PROTECTION

Draft Air Permit No. G510003-018-AC

United States Sugar Corporation  
Clewiston Sugar Mill and Refinery  
Clewiston Boilers 4 and 7 - Modified Oil Firing Systems

The Department of Environmental Protection (Department) gives notice of its intent to issue an air construction permit to the United States Sugar Corporation that authorizes modification of the oil firing systems for Boilers 4 and 7 at the existing Clewiston Sugar Mill and Refinery located at the intersection of W.C. Owens Avenue and State Road 832 in Hendry County, Florida. The applicant's authorized representative is Mr. William A. Raioia, V.P. of Sugar Processing Operations. The applicant's mailing address is: Clewiston Sugar Mill and Refinery, United States Sugar Corporation, 111 Ponce DeLeon Avenue, Clewiston, FL 33440

The United States Sugar Corporation operates the existing Clewiston Sugar Mill and Refinery in Hendry County, Florida. Boilers 4 and 7 fire bagasse as the primary fuel to produce steam for the plant's operations. Bagasse is the fibrous vegetative matter remaining from sugarcane after the milling process. Fuel oil is fired as a supplemental and alternate fuel. The applicant proposes to modify the existing oil firing systems of Boilers 4 and 7. Boiler 4 will begin firing distillate oil containing less than 0.4% sulfur by weight. Boiler 7 will continue to fire distillate oil containing less than 0.05% sulfur by weight. The project will increase the maximum heat input rates from 225 to 326 MMbtu per hour for Boiler 4 and from 250 to 326 MMbtu per hour for Boiler 7. Oil firing will be restricted to 500,000 gallons per year for Boiler 4 and 4,500,000 for Boiler 7. Boiler 7 is subject to Subpart D of 40 CFR 60, which is a federal New Source Performance Standard for boilers.

The applicant estimates that the project has the potential to result in the following increases in actual emissions: 16 tons of carbon monoxide per year; 39 tons of nitrogen oxides per year; 6.7 tons of particulate matter per year; 1.4 tons of sulfuric acid mist per year; 16.8 tons of sulfur dioxide per year; and 1 ton of volatile organic compounds per year. These levels are below the significant emission rates that would require a preconstruction review in accordance with the Prevention of Significant Deterioration of Air Quality (Rule 62-212.400, F.A.C.) Therefore, the resulting project requires a minor source air construction permit. The draft permit includes conditions limiting nitrogen oxide emissions, visible emissions from the stack, fuel oil sulfur content, and fuel oil usage. The draft permit will supplement all previously issued air construction and operation permits for these boilers.

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 fourteen (14) days from the date of publication of this Public Notice of Intent to Issue Air Construction Permit. 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, F.S. 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 (14) days of receipt of this notice of intent. Petitions filed by any person other than those entitled to written notice under Section 120.60(3), F.S. must be filed within fourteen (14) days of publication of the public notice or within fourteen (14) days of receipt of this notice of intent, whichever occurs first. Under Section 120.60(3), F.S., however, any person who asked the Department for notice of agency action may file a petition within fourteen (14) 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, F.A.C.

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, F.A.C.

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:

Department of Environmental Protection  
Bureau of Air Regulation  
(111 South Magnolia Drive, Suite 4)  
2600 Blair Stone Road, MS #5505  
Tallahassee, Florida 32399-2400  
Telephone: (850)488-0114

Department of Environmental Protection  
South District Office  
Air Resources Section  
2295 Victoria Avenue, Suite 364  
Fort Myers, Florida 33901-3381  
Telephone: (239)332-6875

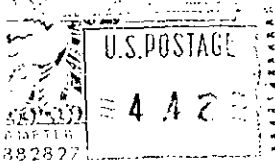
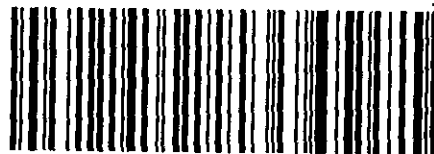
The complete project file includes the application, Technical Evaluation and Preliminary Determination, Draft Permit, and the information submitted by the responsible official, exclusive of confidential records under Section 403.111, F.S. Interested persons may contact the Department's reviewing engineer for this project for additional information at the address and phone numbers listed above.

376534-CN 5/8/03

**UNITED STATES SUGAR CORPORATION**

**POST OFFICE DRAWER 1207  
CLEWISTON, FLORIDA 33440**

**CERTIFIED MAIL**



7001 1940 0006 6170 9216

**RETURN RECEIPT  
REQUESTED**

Department of Environmental Protection  
Bureau of Air Regulation  
(111 South Magnolia Drive, Suite 4)  
2600 Blair Stone Road, MS #5505  
Tallahassee, Florida 32399-2400

32399+2400 01

