



111 Ponce de Leon Ave.
Clewiston, Florida 33440-1207
Telephone 863/902-2711
Fax 863/902-2729

SUGAR PROCESSING DEPARTMENT

RECEIVED

MAR 25 2005

March 16, 2005

BUREAU OF AIR REGULATION

Florida Dept. of Environmental Protection
P. O. Box 2549
Fort Myers, Fl. 33902-2549


RE: United States Sugar Corporation, Clewiston Mill
Hendry County, Florida – Boilers 4 and 7
Boilers 4 and 7 – Modified Oil Firing Systems
Draft Air Permit No. 0510003-029-AC

Gentlemen:

We are enclosing Affidavit of Publication certifying that the "Public Notice of Intent to Issue Construction Permit" of reference was duly published in the legal section of the February 17, 2005 issue of the *CLEWISTON NEWS*.

Sincerely,

UNITED STATES SUGAR CORPORATION


Donald Griffin
Manager, Specialty Sugar

MTB:jt
Enclosure

cc: W. A. Raiola, USSC
Michael Low, USSC
Peter Briggs, USSC
David Buff, Golder Associates

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MAR 18 2005

D.E.P. - SOUTH DISTRICT

RECEIVED

MAR 25 2005

The Clewiston News

Published Weekly

Clewiston, Florida

BUREAU OF AIR REGULATION

AFFIDAVIT OF PUBLICATION

State of Florida

County of Hendry

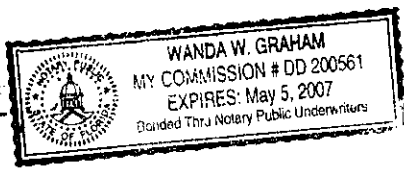
Before the undersigned authority, personally appeared Mark Young, who on oath says he is the News Editor of the Clewiston News, a weekly newspaper published at Clewiston in Hendry County, Florida, that the attached copy of advertisement being a notice in the matter of United States Sugar Corporation public notice of intent to issue air permit Ad# 554102 in the _____ court, was published in said newspaper in the issue(s) of February 17, 2005

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.

Mark Young
Mark Young

Sworn to and subscribed before me this 17th day of February 2005

Wanda W. Graham
Wanda W. Graham Notary Public



MAR 18 2005

D.E.R. - SOUTH DISTRICT

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

Applicant: The applicant for this project is the United States Sugar Corporation. The applicant's authorized representative and mailing address is: Mr. William A. Raiola, Vice President of Sugar Processing Operations, United States Sugar Corporation, 111 Ponce DeLeon Avenue, Clewiston, Florida 33440.

Facility Location: The existing Clewiston Sugar Mill and Refinery at the intersection of W.C. Owens Avenue and State Road 832 in Hendry County, Florida.

Project: On June 6, 2003, the Department issued Permit No. 0510003-018-AC to modify the existing oil firing systems for Boilers 4 and 7. The modifications for Boiler 7 are complete and the unit has demonstrated satisfactory compliance. Equipment problems have delayed completion of the modifications for Boiler 4 and Permit No. 0510003-018-AC expired on May 1, 2004. The applicant requests an extension to December 31, 2005 to complete modifications related to Boiler 4. Because the original permit expired, the extension will be granted as a minor modification with a new public notice.

Permitting Authority: Applications for air construction permits are subject to review in accordance with the provisions of Chapter 403, Florida Statutes (F.S.) and Chapters 62-4, 62-210, and 62-212 of the Florida Administrative Code (F.A.C.). The proposed project is not exempt from air permitting requirements and air permit is required to perform the proposed work. The Bureau of Air Regulation is the Permitting Authority responsible for making a permit determination for this project. The Permitting Authority's responsible for making a permit determination for this project. The Permitting Authority's physical address is: 111 South Magnolia Drive, Suite #4, Tallahassee, Florida. The Permitting Authority's mailing address is: 2600 Blair Stone Road, MS #5505, Tallahassee, Florida 32399-2400. The Permitting Authority's telephone number is 850/488-0114.

Project File: A complete project file is available for public inspection during the normal business hours of 8:00 a.m. to 5:00 p.m., Monday through Friday (except holidays); at address indicated above for the Permitting Authority. The complete project file includes the Draft Permit, the Technical Evaluation and Preliminary Determination, the application, and the information submitted by the applicant, exclusive of confidential records under Section 403.111, F.S. Interested persons may contact the Permitting Authority's project review engineer for additional information at the address or phone number listed above. A copy of the complete project file is also available at the Air Resources Section of the Department's South District Office at 2295 Victoria Avenue, Suite 364, Fort Myers, Florida 33901-3381. The South District Office's telephone number is 239/332-6975.

Notice of Intent to Issue Air Permit: The Permitting Authority gives notice of its intent to issue air permit to the applicant for the project described above. The applicant has provided reasonable assurance that operation of proposed equipment will not adversely impact air quality and that the project will comply with all appropriate provisions of Chapters 62-4, 62-204, 62-210, 62-212, 62-296, and 62-297, F.A.C. The Permitting Authority will issue a Final Permit in accordance with the conditions of the proposed Draft Permit unless a timely petition for an administrative hearing is filed under Sections 120.569 and 120.57, F.S. or unless public comment received in accordance with this notice results in a different decision or a significant change of terms or conditions.

Comments: The Permitting Authority will accept written comments concerning the proposed Draft Permit for a period of fourteen (14) days from the date of publication of this Public Notice. Written comments must be provided to the Permitting Authority at the above address. Any written comments filed will be made available for public inspection. If written comments received result in a significant change to the Draft Permit, the Permitting Authority shall revise the Draft Permit and require, if applicable, another Public Notice.

Petitions: 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 with (received by) the Department's Agency Clerk in the Office of General Counsel of the Department of Environmental Protection at 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000. Petitions filed by any persons other than those entitled to written notice under Section 120.60(3), F.S. must be filed within fourteen (14) days of publication of this Public Notice or receipt of a written notice, whichever occurs first. Under Section 120.60(3), F.S., however, any person who asked the Permitting Authority 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 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 rights will be affected by the agency determination; (c) A statement of how and when the 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 state; (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 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 Public Notice of Intent to Issue Air Permit. 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.

Mediation: Mediation is not available for this proceeding.
554102 CGS 2/17/05