



**UNITED STATES
SUGAR
CORPORATION**

111 Ponce de Leon Ave.
Clewiston, Florida 33440
Telephone 863/902-8121
Fax 863/902-2729

SUGAR PROCESSING DEPARTMENT

RECEIVED

MAR 09 2006

March 2, 2006

BUREAU OF AIR REGULATION

Ron Blackburn, P.E.
Florida Dept. of Environmental Protection
P. O. Box 2549
Ft. Myers, Fl. 33902-2549

RE: Air Construction Permit No. PSD-FL-333B / Project No. 0510003-030-AC
Clewiston Sugar Mill and Refinery
Boiler No. 8 – NESHAP Provisions and Miscellaneous Revisions

Dear Mr. Blackburn:

We are enclosing Affidavit of Publication certifying that the "Public Notice of Intent to Issue Air Permit" was duly published in the legal section of the February 16, 2006 issue of "The Clewiston News" newspaper in Hendry County.

If you have any questions or need further information, please let me know.

Sincerely,

UNITED STATES SUGAR CORPORATION

Donald Griffin
Specialty Sugar Manager

DG:tkw
Enclosure

cc: William A. Raiola
Peter Briggs

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D.E.P. - SOUTH DISTRICT

AFFIDAVIT OF PUBLICATION

State of Florida
County of Hendry

Before the undersigned authority, personally appeared Mark Young, who on oath says he is the publisher of the Clewiston News, a weekly newspaper published at Clewiston in Hendry County, Florida.

attached copy of advertisement being a notice

in the matter U.S. Sugar Corporation public notice
issue air permit Act# US207

in the _____ court, was published in said newspaper in
of February 16, 2006

Affiant further says that the said Clewiston News is a newspaper published at Clewiston, in Hendry County, continuously published in said Hendry County, Florida, each week, and has been in circulation for a period of _____ years. The affiant says that he has neither paid nor promised any person any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Sworn to and subscribed before me this 27 day of Feb 2006
Ideyhis Gonzalez
Notary Public



Ideyhis Gonzalez
Commission #DD341238
Expires: Jul 26, 2008
Bonded Thru
Atlantic Bonding Co., Inc.

Florida Department of Environmental Protection
Draft Air Permit No. PD-FL-3338
Project No. US10003-030-AG
U.S. Sugar Corporation - Clewiston Sugar Mill and Refinery
Hendry County, Florida

Applicant: The applicant for this project is the U.S. Sugar Corporation. The applicant's authorized representative and mailing address is: Mr. William A. Raic, Vice President of Sugar Processing Operations; U.S. Sugar Corporation - Clewiston Sugar Mill and Refinery; 111 Ponce DeLeon Avenue; Clewiston, Florida 33440.

Facility Location: U.S. Sugar Corporation operates an existing sugar mill and refinery, which is located in Hendry County at 111 Ponce DeLeon Avenue in Clewiston, Florida.

Project: The applicant proposed the following revisions to Permit No. PSD-FL-33 for newly constructed Boiler No. 8: add the primary requirements of NESHAP Subpart ODDDD; include the "alternate pH monitoring procedure" (i.e., no pH monitoring) as authorized by EPA Region 4 in a letter dated September 4, 2003; revise the original particulate matter BACT standard from 0.026 lb/MMBtu to 0.025 lb/MMBtu (final NESHAP standard) as requested by the applicant; replace the "non-BACT" CO limit (0.39 lb/MMBtu based on a 12-month rolling average) with the final NESHAP CO standard (400 ppmvd based on a 30-day rolling average); allow the firing of wood chips as a supplemental and alternate fuel, and allow the firing of bagasse and wood chips used to remediate spills or leaks of or specification used oils in any of the boilers. Details of the project are provided in the application and the Department's "Technical Evaluation and Preliminary Determination".

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 an 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 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 legal 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.

Notice of Intent to Issue Air Permit: The Permitting Authority gives notice of its intent to issue an 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 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 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.
115207 CGS 2/16/06