



# Florida Department of Environmental Protection

Bob Martinez Center  
2600 Blair Stone Road  
Tallahassee, Florida 32399-2400

Charlie Crist  
Governor

Jeff Kottkamp  
Lt. Governor

Michael W. Sole  
Secretary

October 26, 2007

*(Sent by Electronic Mail - Received Receipt Requested)*

Mr. Neil Smith, V.P. of Sugar Processing Operations  
U.S. Sugar Corporation  
111 Ponce DeLeon Avenue  
Clewiston, Florida 33440

Re: Clewiston Sugar Mill and Refinery  
Project No. 0510003-032-AV, Renewal of Title V Air Operation Permit  
Project No. 0510003-031-AC, Concurrent Air Construction Permit Revision  
Project No. 0510003-040-AV, Separate Title V Revision for Health-Based Compliance Alternatives

Dear Mr. Smith:

The Department is currently processing your applications for: renewal of the Title V air operation permit for the Clewiston and Bryant sugar mill facilities; a concurrent air construction permit with the Title V renewal permit to revise several conditions from previous air construction permits; and a separate Title V revision for health-based compliance alternatives. On August 14, 2007, the Department received your letter providing a partial response to our request for additional information. On September 28, 2007, the Department received your letter stating that the Bryant Sugar Mill (Facility ID No. 0990061) was now permanently shutdown and could be removed from the combined Title V renewal application. On October 17, 2007, the Department issued a notice expiring the Title V air operation permit for the Bryant Sugar Mill on September 28, 2007. The applications to renew/revise the Clewiston Sugar Mill remain incomplete. In order to continue processing your applications, the Department will need the additional information requested below. Should your response to any of the items below require new calculations, please submit the new calculations, assumptions, reference material and appropriate revised pages of the application form.

Project Nos. 0510003-032-AV (Title V Renewal) and 0510003-031-AC (Air Construction Permit Revision)

1. In your letter received August 6th, you indicated that the Department should only reference the NESHAP Subpart DDDDD regulations for industrial boilers in the Title V renewal and later revise these requirements in Project No. 0510003-040-AV as necessary. However, this has been complicated by the following circumstances: the provisions of NESHAP Subpart DDDDD have been officially vacated; Florida's state regulations adopt vacated federal regulations that are no longer applicable; the compliance deadline for NESHAP Subpart DDDDD was October 13, 2007 and has passed; and EPA is considering the issue of requiring case-by-case MACT determinations pursuant to 42 USC 7412 Section 112 (j) and (g). Therefore, the Department will not include the NESHAP Subpart DDDDD provisions for Boilers 1, 2, 4, 7 and 8 in the renewal permit. Please comment.
2. On September 13, 2007, the Department issued a draft permit package (Project No. 0510003-044-AC/PSD-FL-389) authorizing limited amounts of wood chip firing in Boiler 7 at the Clewiston mill. The public notice was published on October 11, 2007. Pending approval of the alternate sampling procedure for opacity by EPA Region 4, this final permit could be issued in November. Please advise whether the

requirements of this new permit should be incorporated into the Title V permit renewal. If the permit is to be incorporated, please submit the revised pages of the application and a compliance plan if necessary.

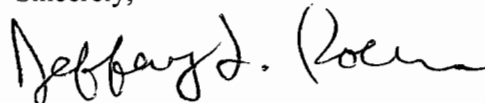
Project No. 0510003-040-AV (Title V Revision for HBCA)

3. This project is a Title V revision that considers the "health-based compliance alternatives" (HBCA) provided in NESHAP Subpart DDDDD. Again, the provisions of this NESHAP have been officially vacated and Florida's state regulations that adopt the vacated federal regulations and are no longer applicable. Therefore, the Department requests withdrawal of this application. Otherwise, the Department will deny the application for a revised permit because the underlying regulations are no longer in effect.

The Department will resume processing your application after receipt of the requested information. Rule 62-4.050(3), F.A.C. requires that all applications for a Department permit must be certified by a professional engineer registered in the State of Florida. This requirement also applies to responses to Department requests for additional information of an engineering nature. For any material changes to the application, please include a new certification statement by the authorized representative or responsible official. You are reminded that Rule 62-4.055(1), F.A.C. requires applicants to respond to requests for information within 90 days or provide a written request for an additional period of time to submit the information.

If you have any questions regarding this matter, please call me at 850/921-9536.

Sincerely,



Jeffery F. Koerner, P.E.  
Air Permitting North  
Bureau of Air Regulation

On October 26, 2007, this letter was sent to the following people by electronic mail with received receipt requested:

Mr. Neil Smith, U.S. Sugar Corporation ([nsmith@ussugar.com](mailto:nsmith@ussugar.com))  
Mr. Peter Briggs, U.S. Sugar Corporation ([pbriggs@ussugar.com](mailto:pbriggs@ussugar.com))  
Mr. David Buff, Golder Associates Inc. ([dbuff@golder.com](mailto:dbuff@golder.com))  
Mr. Ajaya Satyal, South District Office ([ajaya.satyal@dep.state.fl.us](mailto:ajaya.satyal@dep.state.fl.us))  
Ms. Kathleen Forney, EPA Region 4 ([forney.kathleen@epa.gov](mailto:forney.kathleen@epa.gov))

**Harvey, Mary**

**From:** Harvey, Mary  
**Sent:** Friday, October 26, 2007 2:39 PM  
**To:** 'Mr. Neil Smith, U.S. Sugar'; 'Mr. Peter Briggs, U.S. Sugar'; 'Mr. David Buff, Golder Associates'; Satyal, Ajaya; 'Ms. Kathleen Forney, EPA Region 4'  
**Subject:** Letter - Mr. Neil Smith - U.S. Sugar Corporation  
**Attachments:** LETTER-NEIL SMITH - U.S. SUGAR CORPORATION.pdf

Tracking:	Recipient	Delivery	Read
	'Mr. Neil Smith, U.S. Sugar'		
	'Mr. Peter Briggs, U.S. Sugar'		
	'Mr. David Buff, Golder Associates'		
	Satyal, Ajaya	Delivered: 10/26/2007 2:39 PM	Read: 10/26/2007 3:01 PM
	'Ms. Kathleen Forney, EPA Region 4'		

Dear Sir/Madam:

Please send a "reply" message verifying receipt of the attached document(s); this may be done by selecting "Reply" on the menu bar of your e-mail software and then selecting "Send". We must receive verification of receipt and your reply will preclude subsequent e-mail transmissions to verify receipt of the document(s).

The document(s) may require immediate action within a specified time frame. Please open and review the document(s) as soon as possible.

The document is in Adobe Portable Document Format (pdf). Adobe Acrobat Reader can be downloaded for free at the following internet site:  
<http://www.adobe.com/products/acrobat/readstep.html>.

The Bureau of Air Regulation is issuing electronic documents for permits, notices and other correspondence in lieu of hard copies through the United States Postal System, to provide greater service to the applicant and the engineering community. Please advise this office of any changes to your e-mail address or that of the Engineer-of-Record.

Thank you,

DEP, Bureau of Air Regulation

10/26/2007

**Harvey, Mary**

**From:** Harvey, Mary  
**Sent:** Friday, October 26, 2007 2:44 PM  
**To:** Koerner, Jeff; Adams, Patty; Gibson, Victoria  
**Subject:** FW: Letter - Mr. Neil Smith - U.S. Sugar Corporation  
**Attachments:** LETTER-NEIL SMITH - U.S. SUGAR CORPORATION.pdf

Tracking:	Recipient	Delivery	Read
	Koerner, Jeff	Delivered: 10/26/2007 2:44 PM	
	Adams, Patty	Delivered: 10/26/2007 2:44 PM	Read: 10/26/2007 2:47 PM
	Gibson, Victoria	Delivered: 10/26/2007 2:44 PM	Read: 10/26/2007 2:55 PM

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**From:** Harvey, Mary  
**Sent:** Friday, October 26, 2007 2:39 PM  
**To:** 'Mr. Neil Smith, U.S. Sugar'; 'Mr. Peter Briggs, U.S. Sugar'; 'Mr. David Buff, Golder Associates'; Satyal, Ajaya; 'Ms. Kathleen Forney, EPA Region 4'  
**Subject:** Letter - Mr. Neil Smith - U.S. Sugar Corporation

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Thank you,

DEP, Bureau of Air Regulation

**Harvey, Mary**

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**From:** Koerner, Jeff  
**Sent:** Friday, October 26, 2007 2:45 PM  
**To:** Harvey, Mary  
**Subject:** RE: Letter - Mr. Neil Smith - U.S. Sugar Corporation

Thanks!

Jeff

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**From:** Harvey, Mary  
**Sent:** Friday, October 26, 2007 2:44 PM  
**To:** Koerner, Jeff; Adams, Patty; Gibson, Victoria  
**Subject:** FW: Letter - Mr. Neil Smith - U.S. Sugar Corporation

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**From:** Harvey, Mary  
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**To:** 'Mr. Neil Smith, U.S. Sugar'; 'Mr. Peter Briggs, U.S. Sugar'; 'Mr. David Buff, Golder Associates'; Satyal, Ajaya; 'Ms. Kathleen Forney, EPA Region 4'  
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Thank you,

DEP, Bureau of Air Regulation

10/26/2007

## Harvey, Mary

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**From:** Gibson, Victoria  
**To:** Harvey, Mary  
**Sent:** Friday, October 26, 2007 2:55 PM  
**Subject:** Read: FW: Letter - Mr. Neil Smith - U.S. Sugar Corporation

Your message

**To:** Koerner, Jeff; Adams, Patty; Gibson, Victoria  
**Subject:** FW: Letter - Mr. Neil Smith - U.S. Sugar Corporation  
**Sent:** 10/26/2007 2:44 PM

was read on 10/26/2007 2:55 PM.

## Harvey, Mary

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**From:** Adams, Patty  
**To:** Harvey, Mary  
**Sent:** Friday, October 26, 2007 2:47 PM  
**Subject:** Read: FW: Letter - Mr. Neil Smith - U.S. Sugar Corporation

Your message

**To:** Koerner, Jeff; Adams, Patty; Gibson, Victoria  
**Subject:** FW: Letter - Mr. Neil Smith - U.S. Sugar Corporation  
**Sent:** 10/26/2007 2:44 PM

was read on 10/26/2007 2:47 PM.

## Harvey, Mary

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**From:** Lisa Pickron [lpickron@ussugar.com]  
**To:** Harvey, Mary  
**Sent:** Friday, October 26, 2007 2:40 PM  
**Subject:** Read: Letter - Mr. Neil Smith - U.S. Sugar Corporation

Your message

To: lpickron@ussugar.com  
Subject:

was read on 10/26/2007 2:40 PM.



## Harvey, Mary

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**From:** Neil Smith [nsmith@ussugar.com]  
**Sent:** Friday, October 26, 2007 2:43 PM  
**To:** Harvey, Mary  
**Subject:** RE: Letter - Mr. Neil Smith - U.S. Sugar Corporation

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**From:** Harvey, Mary [mailto:Mary.Harvey@dep.state.fl.us]  
**Sent:** Friday, October 26, 2007 2:39 PM  
**To:** Neil Smith; Peter Briggs; Mr. David Buff, Golder Associates; Satyal, Ajaya; Ms. Kathleen Forney, EPA Region 4  
**Subject:** Letter - Mr. Neil Smith - U.S. Sugar Corporation

Dear Sir/Madam:

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DEP, Bureau of Air Regulation

*The Department of Environmental Protection values your feedback as a customer. DEP Secretary Michael W. Sole is committed to continuously assessing and improving the level and quality of services provided to you. Please take a few minutes to comment on the quality of service you received. Simply click on [this link to the DEP Customer Survey](#). Thank you in advance for completing the survey.*

**Harvey, Mary**

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**From:** Satyal, Ajaya  
**Sent:** Friday, October 26, 2007 3:02 PM  
**To:** Harvey, Mary  
**Subject:** RE: Letter - Mr. Neil Smith - U.S. Sugar Corporation

Received. Thanks.

AJ

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**From:** Harvey, Mary  
**Sent:** Friday, October 26, 2007 2:39 PM  
**To:** 'Mr. Neil Smith, U.S. Sugar'; 'Mr. Peter Briggs, U.S. Sugar'; 'Mr. David Buff, Golder Associates'; Satyal, Ajaya; 'Ms. Kathleen Forney, EPA Region 4'  
**Subject:** Letter - Mr. Neil Smith - U.S. Sugar Corporation

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Thank you,

DEP, Bureau of Air Regulation

10/26/2007

## Harvey, Mary

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**From:** Satyal, Ajaya  
**To:** Harvey, Mary  
**Sent:** Friday, October 26, 2007 3:01 PM  
**Subject:** Read: Letter - Mr. Neil Smith - U.S. Sugar Corporation

### Your message

**To:** 'Mr. Neil Smith, U.S. Sugar'; 'Mr. Peter Briggs, U.S. Sugar'; 'Mr. David Buff, Golder Associates'; Satyal, Ajaya; 'Ms. Kathleen Forney, EPA Region 4'  
**Subject:** Letter - Mr. Neil Smith - U.S. Sugar Corporation  
**Sent:** 10/26/2007 2:39 PM

was read on 10/26/2007 3:01 PM.

## Harvey, Mary

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**From:** Buff, Dave [DBuff@GOLDER.com]  
**To:** undisclosed-recipients  
**Sent:** Friday, October 26, 2007 10:13 PM  
**Subject:** Read: Letter - Mr. Neil Smith - U.S. Sugar Corporation

Your message

To: DBuff@GOLDER.com  
Subject:

was read on 10/26/2007 10:13 PM.

## Harvey, Mary

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**From:** Keith Tingberg [ktingberg@ussugar.com]  
**Sent:** Monday, October 29, 2007 11:12 AM  
**To:** Harvey, Mary  
**Subject:** RE: Letter - Mr. Neil Smith - U.S. Sugar Corporation

Ms. Harvey:

We received this correspondence. Also, could you update your mail list and include my name/e-mail in lieu of Mr. Peter Briggs.

Thank you.

Keith Tingberg  
*Corp. Environmental Manager*  
**U.S. Sugar Corporation**  
(863) 902-3186: Desk  
(863) 233-1297: Cell

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**From:** Neil Smith  
**Sent:** Friday, October 26, 2007 2:43 PM  
**To:** Keith Tingberg  
**Subject:** FW: Letter - Mr. Neil Smith - U.S. Sugar Corporation

Keith.

Please revise and handle appropriately.

Neil

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**From:** Harvey, Mary [mailto:Mary.Harvey@dep.state.fl.us]  
**Sent:** Friday, October 26, 2007 2:39 PM  
**To:** Neil Smith; Peter Briggs; Mr. David Buff, Golder Associates; Satyal, Ajaya; Ms. Kathleen Forney, EPA Region 4  
**Subject:** Letter - Mr. Neil Smith - U.S. Sugar Corporation

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<http://www.adobe.com/products/acrobat/readstep.html>.

10/29/2007

## Harvey, Mary

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**From:** Peter Briggs [pbriggs@ussugar.com]  
**To:** Harvey, Mary  
**Sent:** Wednesday, October 31, 2007 4:51 PM  
**Subject:** Read: Letter - Mr. Neil Smith - U.S. Sugar Corporation

Your message

To: pbriggs@ussugar.com  
Subject:

was read on 10/31/2007 4:51 PM.