



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

June 29, 2007

(SENT VIA ELECTRONIC MAIL – RECEIVED RECEIPT REQUESTED)

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

Re: Clewiston Sugar Mill and Refinery
Project Nos. 0510003-031-AC and 0510003-032-AV

Dear Mr. Smith:

The Department is currently processing your application for a permit to renew the Title V air operation permit for the Clewiston sugar mill and refinery along with a concurrent air construction permit to revise several conditions from previous permits. The application is incomplete. In order to continue processing your application, 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.

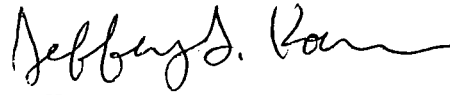
1. Attached is the latest Compliance Report and Plan, which was submitted by Golder Associates on your behalf in September of 2006. Please review and update this plan accordingly. (The date on this PDF file is incorrectly identified as today's date, which is actually the date the file was converted to a PDF file.)
2. On June 15th, we received a request to operate a small package boiler to support the refinery operation this summer. On June 18th, we issued an exemption for this one-time temporary operation. However, the request also indicated that the ability to operate the small boiler during the off-crop season was desirable as a permanent option. Subsequent conversations with Dave Buff, Golder Associates, indicate that U.S. Sugar wants this flexibility in the renewed Title V permit. Please submit the corresponding application pages, a summary of potential emissions, a list of operational restrictions (if any), and a summary of the operation requested.
3. Previously, there had been discussion of adding Application No. 0510040-040-AV (project related to the health-based compliance alternatives for NESHAP Subpart DDDDD) to this application for a renewed Title V permit. Please be aware that, on June 8, 2007, the United States Court of Appeals for the District of Columbia vacated the provisions of 40 CFR 63 Subpart DDDDD. However, the provisions of 40 CFR 63, Subpart DDDDD have not been removed from the Code of Federal Regulation and EPA is currently evaluating its options in response to this court decision. The facility is subject to DDDDD until such time as EPA publishes a change in the federal register. At this time we are uncertain of EPA's intended actions. However, also note that the Title V renewal application also covers the NEHSAP Subpart DDDDD provisions. Please contact the Department to discuss you alternatives related to this issue.

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 June 29, 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)
- Mr. Peter Briggs, U.S. Sugar Corporation (PBRIGGS@USSUGAR.COM)
- Mr. David Buff, Golder Associates Inc. (DBUFF@GOLDER.COM)
- Mr. Ajaya Satyal, South District Office (AJAYA.SATYAL@DEP.STATE.FL.US)
- Mr. James Stormer, PBCHD (JAMES_STORMER@DOH.STATE.FL.US)
- Ms. Kathleen Forney, EPA Region 4 (FORNEY.KATHLEEN@EPA.GOV)