

Golder Associates Inc.

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November 1, 2007

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Florida Department of Environmental Protection
Bob Martinez Center
2600 Blair Stone Road
Tallahassee, FL 32399-2400

BUREAU OF AIR REGULATION

Attention: Mr. Jeffery F. Koerner, Air Permitting North

**RE: UNITED STATES SUGAR CORPORATION – CLEWISTON MILL
PROJECT NOS. 0510003-032-AV, 0510003-031-AC, 0510003-040-AV
REQUEST FOR ADDITIONAL INFORMATION**

Dear Mr. Koerner:

United States Sugar Corporation (U.S. Sugar) has received the Florida Department of Environmental Protection's (FDEP) request for additional information (RAI) dated October 26, 2007, regarding the following applications: renewal of the Title V air operation permit (Project No. 0510003-032-AV); a concurrent air construction permit with the Title V renewal permit to revise several conditions from previous air construction permits (Project No. 0510003-031-AC); and a separate Title V revision for health-based compliance alternatives (Project No. 0510003-040-AV). Each of FDEP's comments is answered below, in the same order as they appear in the RAI letter.

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

Comment 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Subpart DDDDD have been officially vacated; Florida's state regulations adopt vacated federal regulations that are no longer applicable; the compliance deadline for NESHAP Subpart DDDDD was October 13, 2007 and has passed; and EPA is considering the issue of requiring case-by-case MACT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.

Response: U.S. Sugar is aware of the recent ruling vacating NESHAP Subpart DDDDD and agrees that the Subpart DDDDD provisions should not be included in the Title V renewal. Therefore, the boilers at Clewiston do not have any NESHAP requirements at this time. Separate applications will be submitted pending the determination that a case-by-case MACT or other NESHAP requirement is applicable.

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 procedures 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.

Response: U.S. Sugar received a letter dated October 26, 2007, from EPA Region IV to Mr. Joseph Kahn regarding the request to use an alternative opacity monitoring procedure for Boiler No. 7 at the Clewiston Mill. The request to use parametric monitoring for the ESP in lieu of the continuous opacity monitoring system (COMS) was denied on the basis that NSPS Subpart Db allows the use of a PM continuous emission monitoring system (CEMS) as an alternative to the COMS, and prior allowances to use parametric monitoring were approved only because no other proven direct PM monitoring option was available. Since then, the EPA has developed performance specifications for PM CEMS making it an available option. Therefore, the provision to allow parametric monitoring for the ESP in Subpart DDDDD does not apply as an alternative monitoring option for NSPS Subpart Db. Included in this letter was a similar determination by EPA Region III.

Due to this new information, U.S. Sugar will need to evaluate the use of a PM CEMS as an alternative to a COMS on Boiler No. 7. As a result, please proceed with the Title V permit renewal without the Boiler 7 wood chip firing requirements. A separate Title V revision application will be submitted pending a final decision on the alternative monitoring provision and the Boiler No. 7 construction permit.

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

Comment 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 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.

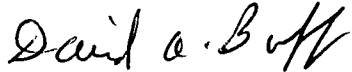
Response: U.S. Sugar agrees to withdraw the HBCA application since the NESHAP Subpart DDDDD federal regulations have been vacated. Please consider this correspondence the official withdrawal request for the HBCA application, and the HBCA provisions should not be incorporated into the Title V revision.

Signed responsible official (R.O.) and professional engineer (P.E.) certification statements are included with this response.

Thank you for consideration of this information. If you have any questions, please do not hesitate to call me at (352) 336-5600.

Sincerely,

GOLDER ASSOCIATES INC.



David A. Buff, P.E., Q.E.P.
Principal



E. Claire Booth, E.I.
Staff Engineer

CB/DB/tz

Enclosures

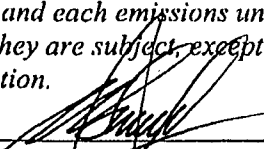
cc: Keith Tingberg, USSC

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APPLICATION INFORMATION

Application Responsible Official Certification

Complete if applying for an initial/revised/renewal Title V permit or concurrent processing of an air construction permit and a revised/renewal Title V permit. If there are multiple responsible officials, the "application responsible official" need not be the "primary responsible official."

1. Application Responsible Official Name: Neil Smith, Vice President and General Manager, Sugar Manufacturing
2. Application Responsible Official Qualification (Check one or more of the following options, as applicable): <input checked="" type="checkbox"/> For a corporation, the president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation, or a duly authorized representative of such person if the representative is responsible for the overall operation of one or more manufacturing, production, or operating facilities applying for or subject to a permit under Chapter 62-213, F.A.C. <input type="checkbox"/> For a partnership or sole proprietorship, a general partner or the proprietor, respectively. <input type="checkbox"/> For a municipality, county, state, federal, or other public agency, either a principal executive officer or ranking elected official. <input type="checkbox"/> The designated representative at an Acid Rain source.
3. Application Responsible Official Mailing Address... Organization/Firm: United States Sugar Corporation Street Address: 111 Ponce de Leon Ave. City: Clewiston State: FL Zip Code: 33440
4. Application Responsible Official Telephone Numbers... Telephone: (863) 902-2703 ext. Fax: (863) 902-2729
5. Application Responsible Official Email Address: nsmith@ussugar.com
6. Application Responsible Official Certification: <i>I, the undersigned, am a responsible official of the Title V source addressed in this air permit application. I hereby certify, based on information and belief formed after reasonable inquiry, that the statements made in this application are true, accurate and complete and that, to the best of my knowledge, any estimates of emissions reported in this application are based upon reasonable techniques for calculating emissions. The air pollutant emissions units and air pollution control equipment described in this application will be operated and maintained so as to comply with all applicable standards for control of air pollutant emissions found in the statutes of the State of Florida and rules of the Department of Environmental Protection and revisions thereof and all other applicable requirements identified in this application to which the Title V source is subject. I understand that a permit, if granted by the department, cannot be transferred without authorization from the department, and I will promptly notify the department upon sale or legal transfer of the facility or any permitted emissions unit. Finally, I certify that the facility and each emissions unit are in compliance with all applicable requirements to which they are subject, except as identified in compliance plan(s) submitted with this application.</i> Signature  Date <u>8/11/07</u>

Professional Engineer Certification

1. Professional Engineer Name: **David A. Buff**
Registration Number: **19011**

2. Professional Engineer Mailing Address...
Organization/Firm: **Golder Associates Inc.****
Street Address: **6241 NW 23rd Street, Suite 500**
City: **Gainesville** State: **FL** Zip Code: **32653**

3. Professional Engineer Telephone Numbers...
Telephone: **(352) 336-5600** ext. **545** Fax: **(352) 336-6603**

4. Professional Engineer Email Address: **dbuff@golder.com**

5. Professional Engineer Statement:

I, the undersigned, hereby certify, except as particularly noted herein, that:*

(1) To the best of my knowledge, there is reasonable assurance that the air pollutant emissions unit(s) and the air pollution control equipment described in this application for air permit, when properly operated and maintained, will comply with all applicable standards for control of air pollutant emissions found in the Florida Statutes and rules of the Department of Environmental Protection; and

(2) To the best of my knowledge, any emission estimates reported or relied on in this application are true, accurate, and complete and are either based upon reasonable techniques available for calculating emissions or, for emission estimates of hazardous air pollutants not regulated for an emissions unit addressed in this application, based solely upon the materials, information and calculations submitted with this application.

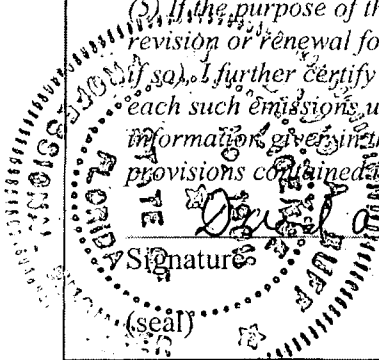
(3) If the purpose of this application is to obtain a Title V air operation permit (check here , if so), I further certify that each emissions unit described in this application for air permit, when properly operated and maintained, will comply with the applicable requirements identified in this application to which the unit is subject, except those emissions units for which a compliance plan and schedule is submitted with this application.

(4) If the purpose of this application is to obtain an air construction permit (check here , if so) or concurrently process and obtain an air construction permit and a Title V air operation permit revision or renewal for one or more proposed new or modified emissions units (check here , if so), I further certify that the engineering features of each such emissions unit described in this application have been designed or examined by me or individuals under my direct supervision and found to be in conformity with sound engineering principles applicable to the control of emissions of the air pollutants characterized in this application.

(5) If the purpose of this application is to obtain an initial air operation permit or operation permit revision or renewal for one or more newly constructed or modified emissions units (check here , if so), I further certify that, with the exception of any changes detailed as part of this application, each such emissions unit has been constructed or modified in substantial accordance with the information given in the corresponding application for air construction permit and with all provisions contained in such permit.

Signature David A. Buff

Date 11/7/07



* Attach any exception to certification statement.
** Board of Professional Engineers Certificate of Authorization #00001670