

The Clewiston News

Published Weekly

Clewiston, Florida

AFFIDAVIT OF PUBLICATION

State of Florida
County of Hendry

Before the undersigned authority, personally appeared Jose Zaragoza, who on oath says he is Editor of the Clewiston News, a weekly newspaper published at Clewiston in Hendry County, Florida,

that the attached copy of advertisement being a Public Notice
in the matter Public Notice of Intent to Issue Air Permit

in the _____ court, was published in said newspaper in the issue(s)
of February 22, 2007

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 he 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.

J. Zaragoza
Jose Zaragoza
Sworn to and subscribed before me this 26 day of Feb., 07
Ideybis Gonzalez
Notary Public



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

RECEIVED - D.E.P.
MAR 08 2007
SOUTH DISTRICT

PUBLIC NOTICE OF INTENT TO ISSUE AIR PERMIT

Florida Department of Environmental Protection

Draft Air Permit No. PSD-FL-333C

Project No. 0510003-037-AC

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. Neil Smith, Vice President and General Manager 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 the intersection of W.C. Owens Avenue and State Road 832 in Hendry County, Florida.

Project: Boiler 8 was originally permitted as a major modification in accordance with Rule 62-212.400, F.A.C. for the Prevention of Significant Deterioration (PSD) of Air Quality. Subsequent projects must be reviewed for PSD applicability. The applicant proposes the following revisions to Permit No. PSD-FL-333 for newly constructed Boiler No. 8: clarification of boiler startup procedures; modification of the biomass in the heat input and steaming rates. As constructed, this newly designed boiler is actually capable of generating 15% more steam when firing approximately 15% more fuel. Although this will result in potential increases in hourly emission rates, annual potential emissions will not increase because there will be no change in the current limitation on the annual steam production. Initial startup of Boiler 8 was March of 2005. This unit has not established normal operations for a two-year period. Pursuant to Rule 62-210.200(11), F.A.C., there will be no increase in annual emissions and the project is not subject to PSD preconstruction review.

Because the project results in increased potential maximum short-term emissions, all air quality impact analysis was conducted for carbon monoxide (CO), nitrogen oxides (NOx), particulate matter less than 10 microns in diameter (PM₁₀), and sulfur dioxide (SO₂). For these pollutants, the initial air dispersion modeling analysis predicted ambient concentrations below the applicable PSD significant impact levels for the closest PSD Class I Area, which is the Everglades National Park. The initial air dispersion modeling analysis also predicted ambient concentrations below the applicable PSD significant impact levels for the PSD Class II Areas in the vicinity of the plant, except for the 24-hour average SO₂ value. Therefore, a refined analysis was conducted for SO₂ emissions. The subsequent modeling results showed all predicted SO₂ emissions impacts well below the applicable state and federal ambient air quality standards. The following table compares the total maximum impacts predicted in the area with the corresponding maximum allowable PSD Class II increments.

Pollutant	Averaging Time	Total Maximum Impacts (ug/m ³)	Allowable Increment (ug/m ³)	Percent Increment Consumed
SO ₂	Annual	0	20	0%
	24-hour	9	91	10%
	3-hour	39	512	8%

As shown by (the air quality analyses, emissions from the modified project will not significantly cause or contribute to a violation of any state or federal ambient air quality standards or PSD) increments.

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 all 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 62-2437, 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 Draft Permit for a period of thirty (30) days from the date of publication of the Public Notice. Written comments must be post-marked by the close of business (5:00 p.m.), on or before the end of this 30-day period by the Permitting Authority at the above address. As part of his or her comments, any person may also request that the Permitting Authority hold a public meeting on this permitting action. If the Permitting Authority determines there is sufficient interest for a public meeting, it will publish notice of the time, date, and location in the Florida Administrative Weekly and in a newspaper of general circulation in the area affected by the permitting action. For additional information, contact the Permitting Authority at the above address or phone number. If written comments or comments received at a public meeting result in a significant change to the Draft Permit, the Permitting Authority will issue a Revised Draft Permit and require, if applicable, another Public Notice. All comments filed will be made available for public inspection.

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. File 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 1135, Tallahassee, Florida 323993000. 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 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 will 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.

DEP ROUTING AND TRANSMITTAL SLIP

TO: (NAME, OFFICE, LOCATION)

- 1. JEFF KOERNER, P.E. - DARM
- 2. MAIL STATION 5500

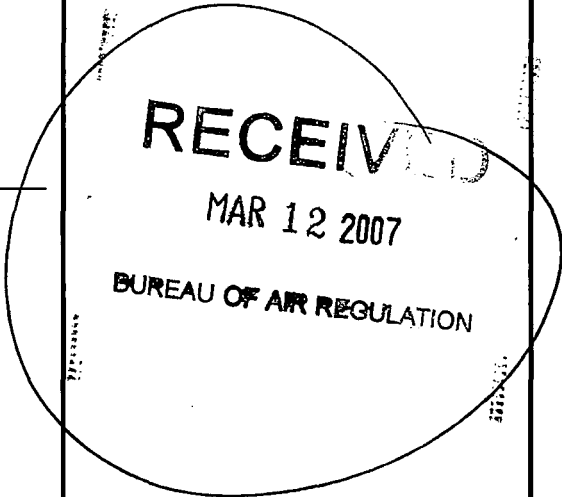
PLEASE PREPARE REPLY FOR:

- SECRETARY'S SIGNATURE
- DIV/DIST DIR SIGNATURE
- MY SIGNATURE
- YOUR SIGNATURE
- DUE DATE: _____

ACTION/DISPOSITION:

- DISCUSS WITH ME
- COMMENTS/ADVISE
- REVIEW AND RETURN
- SET UP MEETING
- FOR YOUR INFORMATION
- HANDLE APPROPRIATELY
- INITIAL AND FORWARD
- SHARE WITH STAFF
- FOR YOUR FILES

COMMENTS:



FROM: CarterEndsley / South District DATE: 03/08/07 PHONE: SC 748-6975