

US Sugar - Clewiston
 OGC # 08-0233

0510003-031-AC
 (Jeff)

2008								
11-Feb	Case opened in OGC							
25-Feb	OGC issued the order granting an extension of time							
1-May	one week notice to Jeff							
8-May	2nd request for time received by OGC							
	Jeff will grant through August 8							
	Expires on May 8th							
9-May	forwarded Jeff's e-mail request to grant over to Ronni and Katie							
15-May	OGC issued the order to grant the 2nd extension of time through 8/8							
1-Aug	one week notice to Jeff and Syed							
	Expires on August 8							
4-Aug	Received 3rd request; Jeff sent a note to Ronni to grant 60 additional days							
	Jeff says this will likely result in a revised draft permit							
14-Aug	OGC issued the order granting through October 7							
30-Sep	one week notice to Jeff and Syed							
	EXPIRES OCTOBER 7							
7-Oct	Received 4th request for additional time through and including January 8, 2009							
	Jeff instructed Ronni to grant their request							

Florida Department of Environmental Protection
Office of General Counsel

Memo

To: Jeff Koerner, Trina Vielhauer, and OGC File

From: Ronni Moore, Assistant General Counsel 

Date: January 9, 2009

Re: United States Sugar Corp. vs. DEP; DEP Permit No. 0510003-032-AV; OGC No. 08-0232
and DEP Permit No. 0510003-031-AC; OGC No. 08-0233

On February 7, 2008, the Department issued its notice of intent to issue renewal Title V air operating permit no. 0510003-032-AV and construction permit no. 0150003-031-AC to United States Sugar Corporation (US Sugar). US Sugar requested and was granted four extensions of time to file a petition for hearing on the intent. US Sugar's fourth extension of time was granted through January 8, 2009.

US Sugar neither requested a further extension of time nor filed a petition by close of business on January 8th. There being no further matters to consider, the Department's file in this matter is closed.

Gibson, Victoria

From: Vielhauer, Trina
Sent: Friday, January 09, 2009 2:43 PM
To: Gibson, Victoria
Subject: FW: USSC OGC # 08-0232 + 08-0233
Attachments: 080232+080233 1-9-09memo closing.pdf

From: Swango, Katie
Sent: Friday, January 09, 2009 2:29 PM
To: Koerner, Jeff; Vielhauer, Trina
Cc: Moore, Ronni
Subject: USSC OGC # 08-0232 + 08-0233

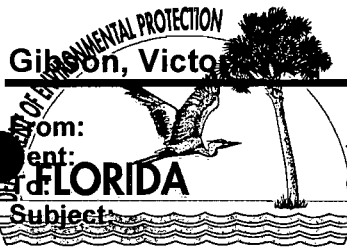
Please find attached the PDF version of the Memo closing file for the above mentioned Cases. Please let me know if you have a problem opening or viewing the above attachments and I will send you a hard copy or another version as soon as possible.

Thanks

Katie Marie Swango
Administrative Assistant for
Rebecca Robinette, Ronni Moore, & Pat Comer

FLORIDA DISCOUNT CARD: More than 3,000 retail pharmacies in Florida are now a part of the Florida Discount Drug Card program. See www.FloridaDiscountDrugCard.com for more info or call toll-free, 1-866-341-8894.

1/12/2009



Florida Department of Environmental Protection

Charlie Crist
Governor

Jeff Kottkamp
Lt. Governor

Michael W. Sole
Secretary

Koerner, Jeff
Tuesday, January 06, 2008 10:52 AM
Bob Martinez Center
Gibson, Victoria
2600 Blair Stone Road
US Sugar Clewiston
Tallahassee, Florida 32399-2400
RE: From Vickie -- Extensions of time

Yes.
Jeff

From: Gibson, Victoria
Sent: Wednesday, December 31, 2008 1:07 PM
To: Koerner, Jeff; Arif, Syed
Subject: From Vickie -- US Sugar Clewiston --- Extensions of time

Hi,
The following extensions of time will expire in one week on Jan 8:
0510003-032-AV and 031-AC

Do you think that they may file again?

Thanks.

Vickie

Victoria Gibson, Administrative Secretary for
Trina Vielhauer, Chief
Bureau of Air Regulation
Division of Air Resource Management
victoria.gibson@dep.state.fl.us
850-921-9504 fax 850-921-9533

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION

UNITED STATES SUGAR CORPORATION,

Petitioner,

vs.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION,

Respondent.

OGC No. 08-0232
DEP Permit No. 0510003-032-AV

OGC No. 08-0233
DEP Permit No. 0510003-031-AC

**ORDER GRANTING FOURTH REQUEST FOR
EXTENSION OF TIME TO FILE PETITION FOR HEARING**

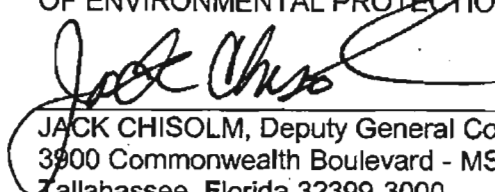
This cause has come before the State of Florida Department of Environmental Protection (Department) upon receipt of a request made by Petitioner, United States Sugar Corporation (Petitioner), to grant a fourth extension of time to file a petition for administrative hearing to allow time to discuss with the Department several specific permit conditions for its facility in Hendry County, Florida. Because the request shows good cause for the extension of time,

IT IS ORDERED:

The request for an extension of time to file a petition for administrative hearing is GRANTED. Petitioner shall have until **January 8, 2009**, to file a petition in this matter. Filing shall be complete upon receipt by the Office of General Counsel, Department of Environmental Protection, 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000.

DONE AND ORDERED on this 10th day of October, 2008, in Tallahassee, Florida.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION


JACK CHISOLM, Deputy General Counsel
3900 Commonwealth Boulevard - MS 35
Tallahassee, Florida 32399-3000

850/245-2242 facsimile 850/245-2302

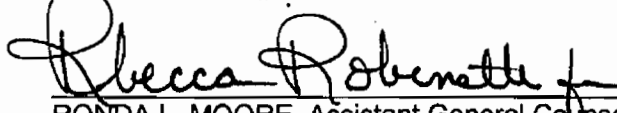
CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing, Order Granting Fourth Request for Extension of Time to File Petition for Hearing, was furnished via Facsimile only on this 10th day of October, 2008, to:

David A. Buff
Golder Associates, Inc.
6241 NW 23rd St. Suite 500
Gainesville, FL 32653

Facsimile 352/336-6603

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION



RONDA L. MOORE, Assistant General Counsel
3900 Commonwealth Boulevard - MS 35
Tallahassee, Florida 32399-3000
850/245-2193 facsimile 850/245-2302
Florida Bar No. 0676411

cc via electronic mail:

Trina Vielhauer - FDEP BAR Trina.Vielhauer@dep.state.fl.us
Jeff Koerner - FDEP BAR Jeff.Koerner@dep.state.fl.us

Gibson, Victoria

From: Moore, Ronni
Sent: Tuesday, October 07, 2008 2:19 PM
To: Gibson, Victoria; Swango, Katie
Cc: Koerner, Jeff; Vielhauer, Trina
Subject: RE: US Sugar Title V and Concurrent AC

No problem, thanks!

Ronda L. Moore
Assistant General Counsel



Please consider the environment before printing this email.

From: Gibson, Victoria
Sent: Tuesday, October 07, 2008 2:03 PM
To: Moore, Ronni; Swango, Katie
Cc: Koerner, Jeff; Vielhauer, Trina
Subject: FW: US Sugar Title V and Concurrent AC

Ronni,

As per Jeff's e-mail below, please grant the request through and including January 8, 2009 for both of these cases:

0510003-032-AV and 031-AC

Thank you.

Vickie

Victoria Gibson, Administrative Secretary for
Trina Vielhauer, Chief
Bureau of Air Regulation
Division of Air Resource Management
victoria.gibson@dep.state.fl.us
850-921-9504 fax 850-921-9533

From: Koerner, Jeff
Sent: Tuesday, October 07, 2008 10:11 AM
To: Gibson, Victoria
Cc: Vielhauer, Trina
Subject: FW: US Sugar Title V

Vickie,

10/7/2008

Please let your contact in OGC know that US Sugar will likely request another extension of 90 days.

I have not yet been able to meet with them and work out the remaining issues.

I would like to grant their request.

Thanks.

Jeff Koerner, BAR - New Source Review Section
Florida Department of Environmental Protection
850/921-9536

From: Buff, Dave [mailto:DBuff@GOLDER.com]
Sent: Tuesday, October 07, 2008 8:50 AM
To: Koerner, Jeff
Subject: US Sugar Title V

Jeff, the latest extension expires today! Should I request another 90 days?

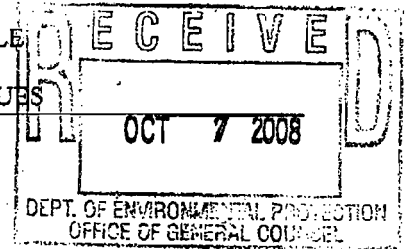
David A. Buff, P.E., Q. E. P.
Golder Associates Inc.
Phone: (352)336-5600 x 545
Fax: (352)336-6603 Mobile: (352)514-5600
E-Mail: dbuff@golder.com

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STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION

PETITION FOR ADDITIONAL TIME IN WHICH TO FILE
A PETITION FOR ADMINISTRATIVE HEARING
UNDER SECTIONS 120.569 and 120.57, FLORIDA STATUTES



Applicant: United States Sugar Corporation

DEP Draft Title V Permit No.: 0510003-032-AV
0510003-031-AC

Intent to Issue and Draft Title V Air Operation Permit Renewal
Concurrent Air Construction Permit Revision

The undersigned has read Sections 120.569 and 120.57, Florida Statutes (F.S.), and fully understands the applicant's rights under those sections.

On or about February 7, 2008, United States Sugar Corporation received notice of publication of the Public Notice of Intent to Issue Title V Air Operation Permit Renewal and Concurrent Air Construction Permit Revision for the Clewiston Sugar Mill and Refinery. United States Sugar has not yet published the notice in the local newspaper. United States Sugar hereby requests a fourth extension of time in which to file a petition for an administrative hearing on the draft permits.

Since receiving the Draft Title V Air Operation Permit Renewal and Concurrent Air Construction Permit Revision from the Department's Tallahassee office, the applicant has been diligently reviewing the drafts and preparing comments. The Draft Title V represents a major reformatting and restructuring of the permit. Therefore, United States Sugar and Golder Associates spent considerable effort and time to conduct a thorough review of the two Draft Permits, Appendices and the accompanying Statement of Basis. A comment letter was developed as well as an electronic markup of the draft permits. The applicant has submitted these comments on the draft permits to the Department on or about May 8, 2008.

The Department is still reviewing these comments on the draft permits, and has indicated that a teleconference will be needed to review the comments and to attempt to resolve any issues. Issues may need to be discussed and negotiated with the Department. Additional time may then be needed for the Department to request any additional information from the applicant, and to meet with further with the applicant. It is anticipated that revised draft permits will then be issued by the Department.

To allow for this process, and protect the right of the applicant to file for an administrative hearing if so desired, this fourth request for additional time is being made. This request is made freely and voluntarily by the applicant, is in its self-interest, and is made without any pressure or coercion by anyone employed by the State of Florida Department of Environmental Protection.

This request for extension of time shall expire on January 8, 2009.

The undersigned is authorized to make this request on behalf of the applicant.

David A. Buff 10/7/08
Signature/Date

David A. Buff, P.E., Principal Engineer, Golder Associates Inc.

Gibson, Victoria

From: Crandall, Lea
Sent: Tuesday, October 07, 2008 1:57 PM
To: Moore, Ronni; Gibson, Victoria; Koerner, Jeff
Subject: 4th Request for Extension of Time - 0510003-031-AC & 0510003-032-AV - United States Sugar Corp.
Attachments: Di4700810071351.PDF

FYI, please see the attached request for extension of time.

Thanks,
Lea

Lea Crandall
Agency Clerk
Office of General Counsel
3900 Commonwealth Boulevard, MS 35
Tallahassee, FL 32399-3000
Phone: (850) 245-2212
Fax: (850) 245-2303

FLORIDA DISCOUNT CARD: More than 3,000 retail pharmacies in Florida are now a part of the Florida Discount Drug Card program. See www.FloridaDiscountDrugCard.com for more info or call toll-free, 1-866-341-8894.

From: Knight, Barnard
Sent: Tuesday, October 07, 2008 1:52 PM
To: Crandall, Lea
Subject: From KONICA MINOLTA Di470

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION

UNITED STATES SUGAR CORPORATION,

Petitioner,

vs.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION,

Respondent.

OGC No. 08-0232
DEP Permit No. 0510003-032-AV

OGC No. 08-0233
DEP Permit No. 0510003-031-AC

**ORDER GRANTING THIRD REQUEST FOR
EXTENSION OF TIME TO FILE PETITION FOR HEARING**

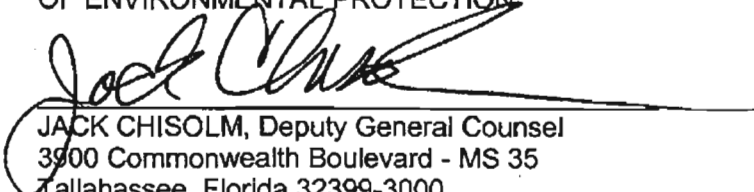
This cause has come before the State of Florida Department of Environmental Protection (Department) upon receipt of a request made by Petitioner, United States Sugar Corporation (Petitioner), to grant a third extension of time to file a petition for administrative hearing to allow time to discuss with the Department several specific permit conditions for its facility in Hendry County, Florida. Because the request shows good cause for the extension of time,

IT IS ORDERED:

The request for an extension of time to file a petition for administrative hearing is GRANTED. Petitioner shall have until **October 7, 2008**, to file a petition in this matter. Filing shall be complete upon receipt by the Office of General Counsel, Department of Environmental Protection, 3900 Commonwealth Boulevard, Mall Station 35, Tallahassee, Florida 32399-3000.

DONE AND ORDERED on this 14 day of August, 2008, in Tallahassee, Florida.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION


JACK CHISOLM, Deputy General Counsel
3900 Commonwealth Boulevard - MS 35
Tallahassee, Florida 32399-3000
850/245-2242 facsimile 850/245-2302

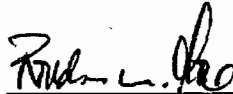
CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing, Order Granting Third Request for Extension of Time to File Petition for Hearing, was furnished via 2 facsimile only on this 14 day of August, 2008, to:

David A. Buff
Golder Associates, Inc.
6241 NW 23rd St. Suite 500
Gainesville, FL 32653

Facsimile 352/336-6603

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION



RONDA L. MOORE, Assistant General Counsel
3900 Commonwealth Boulevard - MS 35
Tallahassee, Florida 32399-3000
850/245-2193 facsimile 850/245-2302
Florida Bar No. 0676411

cc via electronic mail:

Trina Vielhauer - FDEP BAR Trina.Vielhauer@dep.state.fl.us
Jeff Koerner - FDEP BAR Jeff.Koerner@dep.state.fl.us

Gibson, Victoria

From: Vielhauer, Trina
Sent: Thursday, August 14, 2008 12:47 PM
To: Gibson, Victoria
Subject: FW: re: United States Sugar Corporation OGC #'s 08-0232 & 08-0233 Order Granting Extension of Time
Attachments: 080232+080233 8-14-08.pdf

From: Swango, Katie
Sent: Thursday, August 14, 2008 10:31 AM
To: Vielhauer, Trina; Koerner, Jeff
Cc: Moore, Ronni
Subject: re: United States Sugar Corporation OGC #'s 08-0232 & 08-0233 Order Granting Extension of Time

Please find attached the Order Granting third Request for Extension of Time for United States Sugar Corporation. If you have a problem opening or viewing the above attachment please let me know and I will send you a hard copy as soon as possible.

Thanks and Have a GREAT DAY ! ☺

Katie Marie Swango
Administrative Assistant for
Rebecca Robinette, Ronni Moore, & Pat Comer

FLORIDA DISCOUNT CARD: More than 3,000 retail pharmacies in Florida are now a part of the Florida Discount Drug Card program. See www.FloridaDiscountDrugCard.com for more info or call toll-free, 1-866-341-8894.

Gibson, Victoria

From: Koerner, Jeff
Sent: Monday, August 04, 2008 12:44 PM
To: Crandall, Lea; Moore, Ronni; Gibson, Victoria
Subject: RE: Request for Third Extension of Time - 0510003-032-AV & 0510003-031-AC - United States Sugar Corp.

I recommend granting an additional 60 days so we can work out these issues, which will likely result in a revised draft permit.

Thanks!

Jeff Koerner, BAR - New Source Review Section
Florida Department of Environmental Protection
850/921-9536

From: Crandall, Lea
Sent: Monday, August 04, 2008 10:44 AM
To: Moore, Ronni; Koerner, Jeff; Gibson, Victoria
Subject: Request for Third Extension of Time - 0510003-032-AV & 0510003-031-AC - United States Sugar Corp.

FYI, a Request for Third Extension of Time was received today re: 0510003-032-AV & 0510003-031-AC - United States Sugar Corp.

Thanks,
Lea

Lea Crandall

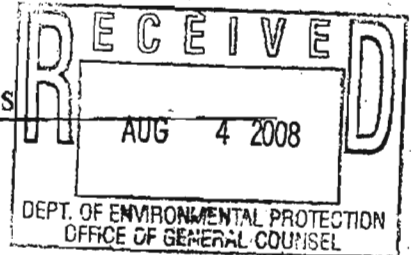
Agency Clerk
Office of General Counsel
3900 Commonwealth Boulevard, MS 35
Tallahassee, FL 32399-3000
Phone: (850) 245-2212
Fax: (850) 245-2303

FLORIDA DISCOUNT CARD: More than 3,000 retail pharmacies in Florida are now a part of the Florida Discount Drug Card program. See www.FloridaDiscountDrugCard.com for more info or call toll-free, 1-866-341-8894.

8/4/2008

STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION

PETITION FOR ADDITIONAL TIME IN WHICH TO FILE
A PETITION FOR ADMINISTRATIVE HEARING
UNDER SECTIONS 120.569 and 120.57, FLORIDA STATUTES



Applicant: United States Sugar Corporation

DEP Draft Title V Permit No.: 0510003-032-AV
0510003-031-AC

Intent to Issue and Draft Title V Air Operation Permit Renewal
Concurrent Air Construction Permit Revision

The undersigned has read Sections 120.569 and 120.57, Florida Statutes (F.S.), and fully understands the applicant's rights under those sections.

On or about February 7, 2008, United States Sugar Corporation received notice of publication of the Public Notice of Intent to Issue Title V Air Operation Permit Renewal and Concurrent Air Construction Permit Revision for the Clewiston Sugar Mill and Refinery. United States Sugar has not yet published the notice in the local newspaper. United States Sugar hereby requests a third extension of time in which to file a petition for an administrative hearing on the draft permits.

Since receiving the Draft Title V Air Operation Permit Renewal and Concurrent Air Construction Permit Revision from the Department's Tallahassee office, the applicant has been diligently reviewing the drafts and preparing comments. The Draft Title V represents a major reformatting and restructuring of the permit. Therefore, United States Sugar and Golder Associates spent considerable effort and time to conduct a thorough review of the two Draft Permits, Appendices and the accompanying Statement of Basis. A comment letter was developed as well as an electronic markup of the draft permits. The applicant has submitted these comments on the draft permits to the Department on or about May 8, 2008.

The Department is still reviewing these comments on the draft permits, and has indicated that a teleconference will be needed to review the comments and to attempt to resolve any issues. Issues may need to be discussed and negotiated with the Department. Additional time may then be needed for the Department to request any additional information from the applicant, and to meet with further with the applicant. It is anticipated that revised draft permits will then be issued by the Department.

To allow for this process, and protect the right of the applicant to file for an administrative hearing if so desired, this third request for additional time is being made. This request is made freely and voluntarily by the applicant, is in its self-interest, and is made without any pressure or coercion by anyone employed by the State of Florida Department of Environmental Protection.

This request for extension of time shall expire on November 8, 2008.

The undersigned is authorized to make this request on behalf of the applicant.

David A. Buff 8/3/08
Signature/Date

David A. Buff, P.E., Principal Engineer, Golder Associates Inc.

Gibson, Victoria

From: Crandall, Lea
Sent: Monday, August 04, 2008 10:44 AM
To: Moore, Ronni; Koerner, Jeff; Gibson, Victoria
Subject: Request for Third Extension of Time - 0510003-032-AV & 0510003-031-AC - United States Sugar Corp.
Attachments: Di4700808041028.pdf

FYI, a Request for Third Extension of Time was received today re: 0510003-032-AV & 0510003-031-AC - United States Sugar Corp.

Thanks,
Lea

Lea Crandall

Agency Clerk
Office of General Counsel
3900 Commonwealth Boulevard, MS 35
Tallahassee, FL 32399-3000
Phone: (850) 245-2212
Fax: (850) 245-2303

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Gibson, Victoria

From: Koerner, Jeff
Sent: Friday, August 01, 2008 2:25 PM
To: Gibson, Victoria
Subject: RE: US Sugar - Clewiston 0510003-032-AV and 031-AC

They probably will ...

Thanks!

Jeff Koerner, BAR - New Source Review Section
Florida Department of Environmental Protection
850/921-9536

From: Gibson, Victoria
Sent: Friday, August 01, 2008 2:22 PM
To: Koerner, Jeff
Cc: Arif, Syed
Subject: US Sugar - Clewiston 0510003-032-AV and 031-AC

Hi,

The facility's extension of time on both of these permits will expire in one week on August 8th. Do you think that they may request another extension of time?

Vickie

Victoria Gibson, Administrative Secretary for
Trina Vielhauer, Chief
Bureau of Air Regulation
Division of Air Resource Management
victoria.gibson@dep.state.fl.us
850-921-9504 fax 850-921-9533

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION

UNITED STATES SUGAR CORPORATION,

Petitioner,

vs.

OGC No. 08-0232
DEP Permit No. 0510003-032-AV

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION,

OGC No. 08-0233
DEP Permit No. 0510003-031-AC

Respondent.

**ORDER GRANTING SECOND REQUEST FOR
EXTENSION OF TIME TO FILE PETITION FOR HEARING**

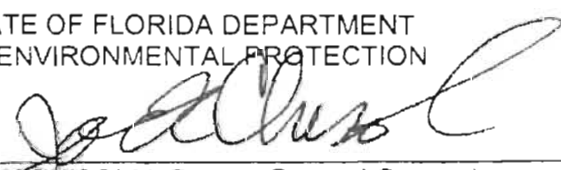
This cause has come before the State of Florida Department of Environmental Protection (Department) upon receipt of a request made by Petitioner, United States Sugar Corporation (Petitioner), to grant a second extension of time to file a petition for administrative hearing to allow time to discuss with the Department several specific permit conditions for its facility in Hendry County, Florida. Because the request shows good cause for the extension of time,

IT IS ORDERED:

The request for an extension of time to file a petition for administrative hearing is GRANTED. Petitioner shall have until **August 8, 2008**, to file a petition in this matter. Filing shall be complete upon receipt by the Office of General Counsel, Department of Environmental Protection, 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000.

DONE AND ORDERED on this 15th day of May, 2008, in Tallahassee, Florida.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION



JACK CHISOLM, Deputy General Counsel
3900 Commonwealth Boulevard - MS 35
Tallahassee, Florida 32399-3000
850/245-2242 facsimile 850/245-2302

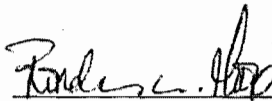
CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing, Order Granting Second Request for Extension of Time to File Petition for Hearing, was furnished via facsimile only on this 15th day of May, 2008, to:

David A. Buff
Golder Associates, Inc.
6241 NW 23rd St. Suite 500
Gainesville, FL 32653

Facsimile 352/336-6603

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION



RONDA L. MOORE, Assistant General Counsel
3900 Commonwealth Boulevard - MS 35
Tallahassee, Florida 32399-3000
850/245-2193 facsimile 850/245-2302
Florida Bar No. 0676411

cc via electronic mail:

Trina Vielhauer - FDEP BAR Trina.Vielhauer@dep.state.fl.us
Jeff Koerner - FDEP BAR Jeff.Koerner@dep.state.fl.us

Gibson, Victoria

From: Gibson, Victoria
Sent: Friday, May 09, 2008 1:16 PM
To: Koerner, Jeff
Cc: Moore, Ronni; Swango, Katie
Subject: RE: 2nd Request for Extention of Time - US Sugar Corp.

Okay....thanks very much.

I will forward this to Ronni

Vickie

From: Koerner, Jeff
Sent: Thursday, May 08, 2008 5:17 PM
To: Crandall, Lea; Gibson, Victoria
Cc: Vielhauer, Trina
Subject: RE: 2nd Request for Extention of Time - US Sugar Corp.

We have several issues to work out.

I recommend approving their 2nd request through August 8th.

Thanks!

Jeff Koerner, BAR - New Source Review Section
Florida Department of Environmental Protection
850/921-9536

From: Crandall, Lea
Sent: Thursday, May 08, 2008 3:47 PM
To: Gibson, Victoria; Koerner, Jeff
Subject: 2nd Request for Extention of Time - US Sugar Corp.

Hi,

Please see the attached - it was filed today.

Thanks,
Lea

Lea Crandall
Agency Clerk
Office of General Counsel
3900 Commonwealth Boulevard, MS 35
Tallahassee, FL 32399-3000

5/9/2008

Phone: (850) 245-2212

Fax: (850) 245-2303

FLORIDA DISCOUNT CARD: More than 3,000 retail pharmacies in Florida are now a part of the Florida Discount Drug Card program. See www.FloridaDiscountDrugCard.com for more info or call toll-free, 1-866-341-8894.

From: Knight, Barnard

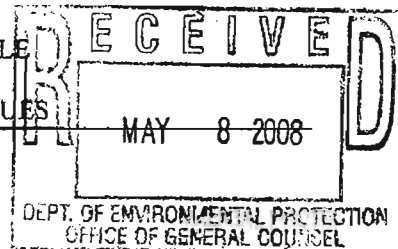
Sent: Thursday, May 08, 2008 1:03 PM

To: Crandall, Lea

Subject: From KONICA MINOLTA Di470

STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION

PETITION FOR ADDITIONAL TIME IN WHICH TO FILE
A PETITION FOR ADMINISTRATIVE HEARING
UNDER SECTIONS 120.569 and 120.57, FLORIDA STATUTES



Applicant: United States Sugar Corporation

DEP Draft Title V Permit No.: 0510003-032-AV
0510003-031-AC

Intent to Issue and Draft Title V Air Operation Permit Renewal
Concurrent Air Construction Permit Revision

The undersigned has read Sections 120.569 and 120.57, Florida Statutes (F.S.), and fully understands the applicant's rights under those sections.

On or about February 7, 2008, United States Sugar Corporation received notice of publication of the Public Notice of Intent to Issue Title V Air Operation Permit Renewal and Concurrent Air Construction Permit Revision for the Clewiston Sugar Mill and Refinery. United States Sugar has not yet published the notice in the local newspaper. United States Sugar hereby requests a second extension of time in which to file a petition for an administrative hearing on the draft permits.

The applicant will be submitting comments on the draft permits to the Department on or about May 8, 2008. Since receiving the Draft Title V Air Operation Permit Renewal and Concurrent Air Construction Permit Revision from the Department's Tallahassee office, the applicant has been diligently reviewing the drafts and preparing comments. The Draft Title V represents a major reformatting and restructuring of the permit. Therefore, United States Sugar and Golder Associates spent considerable effort and time to conduct a thorough review of the two Draft Permits, Appendices and the accompanying Statement of Basis. A comment letter was developed as well as an electronic markup of the draft permits.

After the Department receives the comments on the draft permits, additional time will then be needed for the Department to review the comments, request any additional information from the applicant, and to meet with the applicant and to review the comments on the specific and general permit conditions. Issues may need to be discussed and negotiated with the Department.

To allow for this process, and protect the right of the applicant to file for an administrative hearing if so desired, this second request for additional time is being made. This request is made freely and voluntarily by the applicant, is in its self-interest, and is made without any pressure or coercion by anyone employed by the State of Florida Department of Environmental Protection.

This request for extension of time shall expire on August 8, 2008.

The undersigned is authorized to make this request on behalf of the applicant.

David A. Buff 5/8/08
Signature/Date

David A. Buff, P.E., Principal Engineer, Golder Associates Inc.

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION

UNITED STATES SUGAR CORPORATION,

Petitioner,

vs.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION,

Respondent.

OGC No. 08-0232
DEP Permit No. 0510003-032-AV

OGC No. 08-0233
DEP Permit No. 0510003-031-AC

**ORDER GRANTING REQUEST FOR
EXTENSION OF TIME TO FILE PETITION FOR HEARING**


This cause has come before the State of Florida Department of Environmental Protection (Department) upon receipt of a request made by Petitioner, United States Sugar Corporation (Petitioner), to grant an extension of time to file a petition for administrative hearing to allow time to discuss with the Department several specific permit conditions for its facility in Hendry County, Florida. Because the request shows good cause for the extension of time,

IT IS ORDERED:

The request for an extension of time to file a petition for administrative hearing is GRANTED. Petitioner shall have until **May 8, 2008**, to file a petition in this matter. Filing shall be complete upon receipt by the Office of General Counsel, Department of Environmental Protection, 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000.

DONE AND ORDERED on this 20th day of February, 2008, in Tallahassee, Florida.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION



JACK CHISOLM, Deputy General Counsel
3900 Commonwealth Boulevard - MS 35
Tallahassee, Florida 32399-3000
850/245-2242 facsimile 850/245-2302

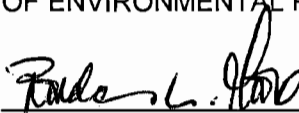
CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing, Order Granting Request for Extension of Time to File Petition for Hearing, was furnished via ✓ facsimile only on this 25th day of February, 2008, to:

David A. Buff
Golder Associates, Inc.
6241 NW 23rd St. Suite 500
Gainesville, FL 32653

Facsimile 352/336-6603

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION



RONDA L. MOORE, Assistant General Counsel
3900 Commonwealth Boulevard - MS 35
Tallahassee, Florida 32399-3000
850/245-2193 facsimile 850/245-2302
Florida Bar No. 0676411

cc via electronic mail:

Trina Vielhauer, Chief-FDEP BAR Trina.Vielhauer@dep.state.fl.us
Jeff Koerner, Prof. Engineer-FDEP BAR Jeff.Koerner@dep.state.fl.us

Gibson, Victoria

From: Vielhauer, Trina
Sent: Monday, February 25, 2008 4:45 PM
To: Gibson, Victoria
Subject: FW: United States Sugar Corp 02-25-08 ORD Granting until 05-08-08.pdf - Adobe Acrobat Professional
Follow Up Flag: Follow up
Flag Status: Red
Attachments: United States Sugar Corp 02-25-08 ORD Granting until 05-08-08

From: Lizotte, Ashley
Sent: Monday, February 25, 2008 3:44 PM
To: Vielhauer, Trina; Koerner, Jeff
Cc: Moore, Ronni; Brown, Lisa L.
Subject: United States Sugar Corp 02-25-08 ORD Granting until 05-08-08.pdf - Adobe Acrobat Professional

Please find attached a courtesy copy of the 02-25-08 United States Sugar Corp Order Granting Request for Extension of Time to File Petition for Hearing from Ronni Moore.

Ashley Marie Lizotte
Administrative Secretary Waste-Air
Office of General Counsel MS35
3900 Commonwealth Blvd
Tallahassee, FL 32399

Assistant to Ronda L. Moore Assistant General Counsel

Gibson, Victoria

From: Koerner, Jeff
Sent: Wednesday, February 13, 2008 9:51 AM
To: Moore, Ronni
Cc: Vielhauer, Trina; Lizotte, Ashley; Gibson, Victoria
Subject: RE: U.S. Sugar- req for extension on 0510003-032-AV and 0510003-031-AC

Ronni,

I'm OK with granting an extension through May 8th.

I spoke with their consultant. He identified two items that just came up which may need to be incorporated.

They filed the extension b/c this is one of their busy times at the plant. They really do need more time to review the documents.

Thanks!

Jeff Koerner, BAR - New Source Review Section
Florida Department of Environmental Protection
850/921-9536

*More than 3,000 retail pharmacies in Florida are now a part of the Florida Discount Drug Card program.
See www.FloridaDiscountDrugCard.com for more info or call toll-free, 1-866-341-8894*

From: Moore, Ronni
Sent: Wednesday, February 13, 2008 9:46 AM
To: Koerner, Jeff
Cc: Vielhauer, Trina; Lizotte, Ashley
Subject: U.S. Sugar- req for extension on 0510003-032-AV and 0510003-031-AC

Hi Jeff,

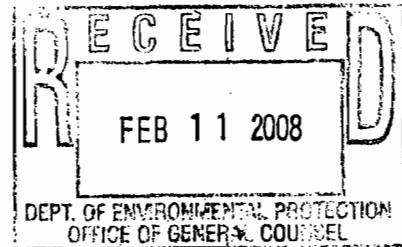
We received the attached req for ext of time on the U.S. Sugar Title V and construction permits referenced above. I see that you are the PE for these draft permits, so I'm contacting you about this request (hope I'm on the right track here). Would you like to grant the extension through May 8th or a shorter or longer time? Deny?

Thanks,
Ronni

Ronda L. Moore
Assistant General Counsel
Florida Department of Environmental Protection
3900 Commonwealth Blvd., MS 35
Tallahassee, FL 32399-3000
Phone: 850.245.2193; SC 205.2193
Fax: 850.245.2302
ronni.moore@dep.state.fl.us



Please consider the environment before printing this email.



STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION

PETITION FOR ADDITIONAL TIME IN WHICH TO FILE
A PETITION FOR ADMINISTRATIVE HEARING
UNDER SECTIONS 120.569 and 120.57, FLORIDA STATUTES

Applicant: United States Sugar Corporation

DEP Draft Title V Permit No.: 0510003-032-AV
0510003-031-AC
Intent to Issue and Draft Title V Air Operation Permit Renewal
Concurrent Air Construction Permit Revision

The undersigned has read Sections 120.569 and 120.57, Florida Statutes (F.S.), and fully understands the applicant's rights under those sections.

On or about February 7, 2008, United States Sugar Corporation received notice of publication of the Public Notice of Intent to Issue Title V Air Operation Permit Renewal and Concurrent Air Construction Permit Revision for the Clewiston Sugar Mill and Refinery. United States Sugar has not yet published the notice in the local newspaper. United States Sugar hereby requests an extension of time in which to file a petition for an administrative hearing on the draft permits.

The applicant has now received the Draft Title V Air Operation Permit Renewal and Concurrent Air Construction Permit Revision from the Department's Tallahassee office, but needs additional time in which to review the specific and general permit conditions. The Draft Title V represents a major reformatting and restructuring of the permit. United States Sugar needs time to conduct a thorough review of the two Draft Permits, Appendices and the accompanying Statement of Basis. Based on this review, it is anticipated that comments will be submitted concerning the draft permits. Issues may need to be discussed and negotiated with the Department. To allow for this process, and protect the right of the applicant to file for an administrative hearing if so desired, this request for additional time is being made. This request is made freely and voluntarily by the applicant, is in its self-interest, and is made without any pressure or coercion by anyone employed by the State of Florida Department of Environmental Protection.

This request for extension of time shall expire on May 8, 2007.

The undersigned is authorized to make this request on behalf of the applicant.

David A. Buff 2/10/08
Signature/Date

David A. Buff, P.E., Principal Engineer, Golder Associates Inc.

Gibson, Victoria

From: Moore, Ronni
Sent: Wednesday, February 13, 2008 3:53 PM
To: Gibson, Victoria
Cc: Crandall, Lea
Subject: FW: Request for Extension of Time - 0510003-032-AV & 031-AV - US Sugar Corporation

Follow Up Flag: Follow up
Flag Status: Red

Attachments: US Sugar - req for ext.pdf



US Sugar - req for
ext.pdf (33...

Ronda L. Moore
Assistant General Counsel
P Please consider the environment before printing this email.

From: Crandall, Lea
Sent: Wednesday, February 13, 2008 3:41 PM
To: Moore, Ronni
Subject: FW: Request for Extension of Time - 0510003-032-AV & 031-AV - US Sugar Corporation

Can you send a copy of this request to Victoria? I thought I scanned it, but I can't find the email so I guess I didn't!!!!

OGC numbers 08-0232 & 08-0233.

Thanks,
Lea

Lea Crandall

Agency Clerk
Department of Environmental Protection
3900 Commonwealth Boulevard, MS 35
Tallahassee, FL 32399-3000
Phone: (850) 245-2212 SC: 205-2212
Fax: (850) 245-2303

FLORIDA DISCOUNT CARD: More than 3,000 retail pharmacies in Florida are now a part of the Florida Discount Drug Card program. See www.FloridaDiscountDrugCard.com for more info or call toll-free, 1-866-341-8894.

From: Gibson, Victoria
Sent: Wednesday, February 13, 2008 2:39 PM
To: Crandall, Lea
Subject: RE: Request for Extension of Time - 0510003-032-AV & 031-AV - US Sugar Corporation

Hi,

st wanted to check in with you and see if you could send us the actual request yet?

Thanks so much

Vickie

Victoria Gibson, Administrative Secretary for
Trina Vielhauer, Chief
Bureau of Air Regulation
Department of Air Resource Management
victoria.gibson@dep.state.fl.us
850-921-9504 fax 850-921-9533

From: Crandall, Lea
Sent: Monday, February 11, 2008 12:03 PM
To: Chisolm, Jack; Brown, Lisa L.; Koerner, Jeff; Gibson, Victoria
Subject: Request for Extension of Time - 0510003-032-AV & 031-AV - US Sugar Corporation

FYI, a Request for Extension of Time was received today re: 0510003-032-AV & 031-AV - US Sugar Corporation.

Thanks,
Lea

Lea Crandall

Agency Clerk
Department of Environmental Protection
3900 Commonwealth Boulevard, MS 35
Tallahassee, FL 32399-3000
Phone: (850) 245-2212 SC: 205-2212
Fax: (850) 245-2303

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Legal Case Tracking - Chronology of Activities 10/22/2008 16:18:47

Chronology of Activities

OGC Number **08 0233 26 AC** District **SOUTH** County **HENDRY**
 Style of Case **UNITED STATES SUGAR CORPORATION VS. DEP**
 Program Area **AIR CONSTRUCT** Mode **PERMITTING**
 Lead Attorney **RONNI L MOORE** Status **OPEN**
 Forum Name _____ Forum Case Number _____
 Permit Appl **0510003-031-AC** Final Order Number _____

Date *	Code	Activity Description
02/13/2008	AR	RE-ASSIGNED TO LEAD ATTORNEY RONNI L MOORE
02/25/2008		ORDER GRANTING REQUEST FOR EXTENSION OF TIME UNTIL 05/08/08
05/08/2008	REX2	RECEIVED SECOND REQUEST FOR EXTENSION OF TIME
05/16/2008		ORDER GRANTING EXTENSION OF TIME SENT OUT
06/04/2008	REX3	RECEIVED THIRD REQUEST FOR EXTENSION OF TIME
08/08/2008	EXP2	SECOND EXTENSION EXPIRES TODAY
08/14/2008		ORDER GRANTING EXTENSION OF TIME SENT OUT
10/07/2008	EXP3	THIRD EXTENSION EXPIRES TODAY
10/07/2008	REX4	RECEIVED FOURTH REQUEST FOR EXTENSION OF TIME
10/10/2008		SENT OUT ORDER GRANTING EXTENSION UNTIL 01/08/09

Chronology of Activities

OGC Number **08 0233** **26 AC** District **SOUTH** County **HENDRY**
 Style of Case **UNITED STATES SUGAR CORPORATION VS. DEP**
 Program Area **AIR CONSTRUCT** Mode **PERMITTING**
 Lead Attorney **RONNI L MOORE** Status **OPEN**
 Forum Name _____ Forum Case Number _____
 Permit Appl **0510003-031-AC** Final Order Number _____

Date *	Code	Activity Description
02/11/2008	ACO	ADMIN. CASE OPENED IN OGC
02/11/2008	REX1	RECEIVED FIRST REQUEST FOR EXTENSION OF TIME
02/13/2008	AR	RE-ASSIGNED TO LEAD ATTORNEY RONNI L MOORE
02/25/2008		ORDER GRANTING REQUEST FOR EXTENSION OF TIME UNTIL 05/08/08
05/08/2008	REX2	RECEIVED SECOND REQUEST FOR EXTENSION OF TIME
05/16/2008		ORDER GRANTING EXTENSION OF TIME SENT OUT
08/04/2008	REX3	RECEIVED THIRD REQUEST FOR EXTENSION OF TIME
08/08/2008	EXP2	SECOND EXTENSION EXPIRES TODAY
08/14/2008		ORDER GRANTING EXTENSION OF TIME SENT OUT
10/07/2008	EXP3	THIRD EXTENSION EXPIRES TODAY

Chronology of Activities

OGC Number	08	0233	26	AC	District	SOUTH	County	HENDRY
Style of Case	UNITED STATES SUGAR CORPORATION VS. DEP							
Program Area	AIR CONSTRUCT			Mode	PERMITTING			
Lead Attorney	RONNI	L	MOORE	Status	CLOSED			
Forum Name				Forum Case Number				
Permit Appl	0510003-031-AC			Final Order Number				

Date *	Code	Activity Description
05/16/2008		ORDER GRANTING EXTENSION OF TIME SENT OUT
08/04/2008	REX3	RECEIVED THIRD REQUEST FOR EXTENSION OF TIME
08/08/2008	EXP2	SECOND EXTENSION EXPIRES TODAY
08/14/2008		ORDER GRANTING EXTENSION OF TIME SENT OUT
10/07/2008	EXP3	THIRD EXTENSION EXPIRES TODAY
10/07/2008	REX4	RECEIVED FOURTH REQUEST FOR EXTENSION OF TIME
10/10/2008		SENT OUT ORDER GRANTING EXTENSION UNTIL 01/08/09
01/08/2009	EXP4	FOURTH EXTENSION EXPIRES TODAY
01/09/2009	CC	CASE CLOSED IN OGC
01/09/2009		TO BE ARCHIVED PER RONNI MOORE