

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**

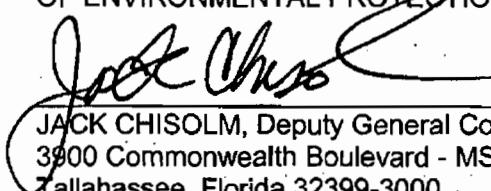
This cause has come before the State of Florida Department of Environmental Protection (Department) upon receipt of a request made by Petitioner, United States Sugar Corporation (Petitioner), to grant a fourth extension of time to file a petition for administrative hearing to allow time to discuss with 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 10<sup>th</sup> 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

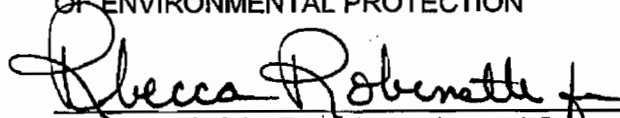
**CERTIFICATE OF SERVICE**

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 10<sup>th</sup> day of October, 2008, to:

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

Facsimile 352/336-6603

STATE OF FLORIDA DEPARTMENT  
OF ENVIRONMENTAL PROTECTION



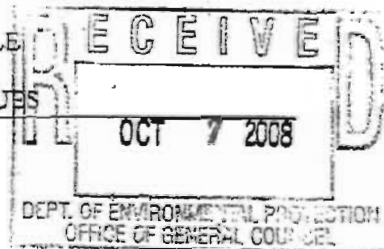
RONDA L. MOORE, Assistant General Counsel  
3900 Commonwealth Boulevard - MS 35  
Tallahassee, Florida 32399-3000  
850/245-2193 facsimile 850/245-2302  
Florida Bar No. 0676411

cc via electronic mail:

Trina Vielhauer - FDEP BAR [Trina.Vielhauer@dep.state.fl.us](mailto:Trina.Vielhauer@dep.state.fl.us)  
Jeff Koerner - FDEP BAR [Jeff.Koerner@dep.state.fl.us](mailto:Jeff.Koerner@dep.state.fl.us)

## 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.

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

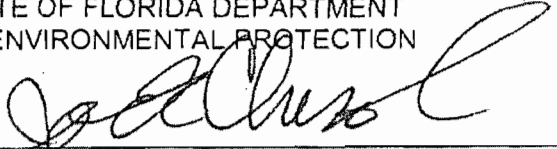
This cause has come before the State of Florida Department of Environmental Protection (Department) upon receipt of a request made by Petitioner, United States Sugar Corporation (Petitioner), to grant a second extension of time to file a petition for administrative hearing to allow time to discuss with 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

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

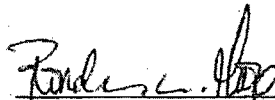
CERTIFICATE OF SERVICE

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 23<sup>rd</sup> St. Suite 500  
Gainesville, FL 32653

Facsimile 352/336-6603

STATE OF FLORIDA DEPARTMENT  
OF ENVIRONMENTAL PROTECTION



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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](mailto:Trina.Vielhauer@dep.state.fl.us)  
Jeff Koerner - FDEP BAR [Jeff.Koerner@dep.state.fl.us](mailto:Jeff.Koerner@dep.state.fl.us)

file

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 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 20<sup>th</sup> 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

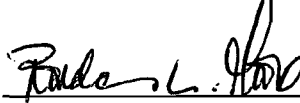
**CERTIFICATE OF SERVICE**

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 25<sup>th</sup> day of February, 2008, to:

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

Facsimile 352/336-6603

STATE OF FLORIDA DEPARTMENT  
OF ENVIRONMENTAL PROTECTION

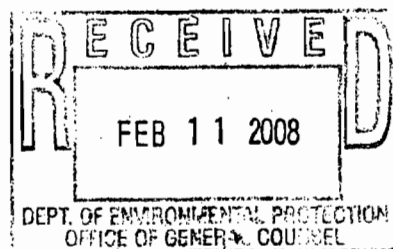


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RONDA L. MOORE, Assistant General Counsel  
3900 Commonwealth Boulevard - MS 35  
Tallahassee, Florida 32399-3000  
850/245-2193 facsimile 850/245-2302  
Florida Bar No. 0676411

cc via electronic mail:

Trina Vielhauer, Chief-FDEP BAR [Trina.Vielhauer@dep.state.fl.us](mailto:Trina.Vielhauer@dep.state.fl.us)  
Jeff Koerner, Prof. Engineer-FDEP BAR [Jeff.Koerner@dep.state.fl.us](mailto:Jeff.Koerner@dep.state.fl.us)

*file*

## 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, 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.