

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
NOTICE OF FINAL PERMIT

In the Matter of an
Application for Permit by:

Mr. Tristan Chapman, VP and General Mgr.
Southern Gardens Citrus Processing Corp.
PO Box 130
Clewiston, Florida 33440

DEP File No. 0510015-011-AC
Backup Pellet Cooler No. 4
Hendry County

Enclosed is Final Permit Number 0510015-011-AC. This permit authorizes Southern Gardens Citrus Processing Corp. to install a backup pellet cooler at its existing facility located at 755 County Road 833, Clewiston, Hendry County. This permit is issued pursuant to Chapter 403, Florida Statutes.

Any party to this order has the right to seek judicial review of it under Section 120.68 of the Florida Statutes, by filing a notice of appeal under Rule 9.110 of the Florida Rules of Appellate Procedure with the clerk of the Department of Environmental Protection in the Office of General Counsel, Mail Station #35, 3900 Commonwealth Boulevard, Tallahassee, Florida, 32399-3000, and by filing a copy of the notice of appeal accompanied by the applicable filing fees with the appropriate District Court of Appeal. The notice must be filed within thirty days after this order is filed with the clerk of the Department.

Executed in Tallahassee, Florida.



C. H. Fancy, P.E., Chief
Bureau of Air Regulation

CERTIFICATE OF SERVICE

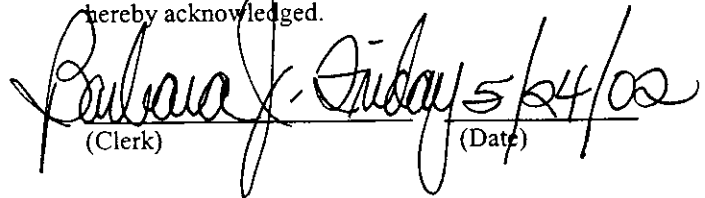
The undersigned duly designated deputy agency clerk hereby certifies that this Notice of Final Permit (including the Final permit) was sent by certified mail (*) and copies were mailed by U.S. Mail before the close of business on 5/24/02 to the person(s) listed:

Mr. Tristan Chapman, Southern Gardens Citrus Processing Corporation *
Mr. David Buff, P.E., Golder Associates
Mr. Ron Blackburn, DEP SD

5/24/02 cc: Ed Svec
Reading File

Clerk Stamp

FILING AND ACKNOWLEDGMENT FILED, on this date, pursuant to §120.52, Florida Statutes, with the designated Department Clerk, receipt of which is hereby acknowledged.


(Clerk) (Date)

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none"> Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 	A. Received by (Please Print Clearly)	B. Date of Delivery 5-28-02
	C. Signature X <i>Tristan Chapman</i> <input type="checkbox"/> Agent <input type="checkbox"/> Addressee	
1. Article Addressed to: Mr. Tristan Chapman VP and General Manager Southern Gardens Citrus Processing Corp. P.O. Box 130 Clewiston, Florida 33440	D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No	
	3. Service Type <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.	
2. Article Number (Copy from service label) 7000 0520 0020 9371 3056	4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes	

PS Form 3811, July 1999 Domestic Return Receipt 102595-00-M-0952

U.S. Postal Service CERTIFIED MAIL RECEIPT (Domestic Mail Only; No Insurance Coverage Provided)		
Mr. Tristan Chapman		
Postage	\$	Postmark Here
Certified Fee		
Return Receipt Fee (Endorsement Required)		
Restricted Delivery Fee (Endorsement Required)		
Total Postage & Fees	\$	
Recipient's Name (Please Print Clearly) (To be completed by mailer) Mr. Tristan Chapman Street, Apt. No., or PO Box No. P.O. Box 130 City, State, ZIP+4 Clewiston, Florida 33440		

7000 0520 0020 9371 3056

PS Form 3800, February 2000 See Reverse for Instructions

1 APPLICANT NAME AND ADDRESS

Southern Gardens Citrus Processing Corporation
 Post Office Box 130
 Clewiston, Florida 33440

Authorized Representative: Tristan Chapman, Vice President and General Manager

2 FACILITY DESCRIPTION, PROJECT DETAILS AND RULE APPLICABILITY

The facility is an existing citrus juice processing facility. The facility currently has a total of thirty-nine citrus juice extractors, one citrus feed mill with a backup peel dryer, two pellet mills with three pellet coolers, four steam boilers, and seven volatile organic liquid storage tanks. The facility is limited to a total fruit processing capacity of 20 million boxes of fruit per year by permit PSD-FL-299.

The existing pellet mills utilize three pellet coolers. No. 3 Pellet Cooler is the primary pellet cooler. No. 1 and No. 2 Pellet Coolers operate simultaneously and are used only when No. 3 pellet cooler is shut down for repair or maintenance.

The applicant is proposing to install a new pellet cooler and to remove existing No. 1 and No. 2 Pellet Coolers. The proposed No. 4 Pellet Cooler will essentially be identical to the existing No. 3 Pellet Cooler. The applicant proposed no simultaneous operation of No. 3 and No. 4 Pellet Coolers, requests the total operating hours of the two pellet coolers will not exceed 6,000 hours per year, and requests the same currently permitted allowable emission limit of 5.0 pounds per hour of particulate matter. The applicant did not seek any relaxation in currently enforceable conditions in its other existing emissions units.

The emissions unit addressed by this permit is Pellet Cooler No. 4, new emissions unit I.D. -020.

The emissions increases associated with this project were estimated as follows in tons per year. No offsetting emissions were assumed in this estimate.

Pollutant	Net Increase ¹	PSD Significance	Subject to PSD?
PM/ PM ₁₀	0	25/15	No
SO ₂	0	40	No
NO _x	0	40	No
CO	0	100	No
VOC	0	40	No

¹ Since there will be no increase in the current permitted plant processing capacity of 20 million boxes of fruit per year, no increase in the input to the pellet coolers and no simultaneous operation of pellet coolers No. 3 and No. 4, then there will be no net emissions increase, when operated as described by the permit application.

The proposed project is subject to preconstruction review requirements under the provisions of Chapter 403, F.S., and Chapters 62-4, 62-204, 62-210, 62-212, 62-296 and 62-297, F.A.C. The existing facility is located in an area designated, in accordance with Rule 62-204.340, F.A.C., as attainment or unclassifiable for the criteria pollutants ozone, PM₁₀, carbon monoxide, SO₂, nitrogen dioxide and lead. This facility is classified as a Major or Title V Source of air pollution because emissions of at least one regulated air pollutant exceeds 100 tons per year (TPY). The

Department has previously found that citrus juice processing facilities such as this facility have potential emissions of VOC exceeding 250 TPY.

This facility is not within an industry included in the list of the 28 Major Facility Categories per Table 212.400-1 of Chapter 62-212, F.A.C. Because emissions are greater than 250 TPY for at least one criteria pollutant (VOC), the facility is also an existing Major Facility with respect to Rule 62-212.400, F.A.C. Prevention of Significant Deterioration (PSD). The net increase in emissions of PM/PM₁₀, NO_x, SO₂, CO and VOC do not exceed the PSD significance levels of Table 212.400-2 of Chapter 62-212, F.A.C. Therefore the project is not subject to PSD requirements of Rule 62-212.400, F.A.C., for these pollutants.

The applicant stated that this facility is a major source of hazardous air pollutants (HAPs). This project is not subject to a case-by-case MACT determination, per Rule 62-204.800(10)(d)2, F.A.C., because it does not result in the construction or reconstruction of a major source of HAP emissions. This project is not subject to any requirements under the National Emissions Standards for Hazardous Air Pollutants, 40 CFR 61 or 63.

3 SOURCE IMPACT ANALYSIS

An impact analysis was not required for this project because it is not subject to the requirements of PSD.

4 EXCESS EMISSIONS

Excess emissions for this emissions unit are specified in Section II of the permit. This permitting action does not change any authorization for excess emissions provided by other Department permits for other emissions units

5 LIMITS AND COMPLIANCE REQUIREMENTS

The permit limits the operation of the proposed pellet cooler. Specific emission limits were not imposed because the potential emissions are well below the PSD significance criteria. The operational limits and the compliance requirements are detailed in Section III of the permit.

6 PRELIMINARY DETERMINATION

Based on the foregoing technical evaluation of the application and additional information submitted by the applicant and other available information, the Department has made a preliminary determination that the proposed project will comply with all applicable state and federal air pollution regulations. The Department's preliminary determination is to issue the draft permit to allow the construction of a new No. 4 Pellet Cooler, subject to the terms and conditions of the draft permit.

7 FINAL DETERMINATION

An "INTENT TO ISSUE AIR CONSTRUCTION PERMIT" to Southern Gardens Citrus Processing Corporation for their existing citrus juice processing plant located at 833 CR 883, Clewiston, Hendry County was clerked on April 10, 2002. The "PUBLIC NOTICE OF INTENT TO ISSUE AIR CONSTRUCTION PERMIT" was published in The Clewiston News on April

24, 2002. The Draft Air Construction Permit was available for public inspection at the South District office in Ft. Myers and the permitting authority's office in Tallahassee. Proof of publication of the "PUBLIC NOTICE OF INTENT TO ISSUE TITLE V AIR OPERATION PERMIT" was received on April 26, 2002.

No comments were received during the fourteen (14) day public comment period. As a result, the Final Air Construction permit will be issued, as noticed.

DETAILS OF THIS ANALYSIS MAY BE OBTAINED BY CONTACTING:

Edward J. Svec, Engineer IV
Department of Environmental Protection
Bureau of Air Regulation
Mail Station #5505
2600 Blair Stone Road
Tallahassee, Florida 32399-2400
Telephone: 850/488-0114



Department of Environmental Protection

Jeb Bush
Governor

Twin Towers Office Building
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

David B. Struhs
Secretary

PERMITTEE

Southern Gardens Citrus Processing Corporation
Post Office Box 130
Clewiston, Florida 33440

Permit No.	0510015-011-AC
Project	No. 4 Pellet Cooler
SIC No.	2037
Expires:	December 31, 2002

Authorized Representative:

Tristan Chapman, Vice President, General Manager

PROJECT AND LOCATION

This permit authorizes Southern Gardens Citrus Processing Corporation, to install a new No. 4 Pellet Cooler. The new unit will operate only when the No. 3 Pellet Cooler is shut down and no simultaneous operation of the two pellet coolers has been requested. In addition, the existing No. 1 and No. 2 pellet coolers will be removed.

This facility is located at 755 CR 833, Clewiston, Hendry County. The UTM coordinates are: Zone 17; 447.5 km E and 2958.0 km N.

STATEMENT OF BASIS

This construction permit is issued under the provisions of Chapter 403 of the Florida Statutes (F.S.), and the Florida Administrative Code (F.A.C.) Chapters 62-4, 62-204, 62-210, 62-212, 62-296, and 62-297. The above named permittee is authorized to construct the emissions units in accordance with the conditions of this permit and as described in the application, approved drawings, plans, and other documents on file with the Department of Environmental Protection (Department).

APPENDICES

The attached appendix is a part of this permit:

Appendix GC General Permit Conditions

Howard L. Rhodes, Director
Division of Air Resources
Management

AIR CONSTRUCTION PERMIT
SECTION I. FACILITY INFORMATION

FACILITY AND PROJECT DESCRIPTION

The facility is an existing citrus juice processing facility. The facility currently has a total of thirty-nine citrus juice extractors, one citrus feed mill with a backup peel dryer, two pellet mills with three pellet coolers, four steam boilers, and seven volatile organic liquid storage tanks. The facility is limited to a total fruit processing capacity of 20 million boxes of fruit per year by permit PSD-FL-299.

The existing pellet mills utilize three pellet coolers. No. 3 Pellet Cooler is the primary pellet cooler. No. 1 and No. 2 Pellet Coolers operate simultaneously and are used only when No. 3 pellet cooler is shut down for repair or maintenance.

The applicant is proposing to install a new pellet cooler and to remove existing No. 1 and No. 2 Pellet Coolers. The proposed No. 4 Pellet Cooler will essentially be identical to the existing No. 3 Pellet Cooler. The applicant proposed no simultaneous operation of No. 3 and No. 4 Pellet Coolers, requests the total operating hours of the two pellet coolers will not exceed 6,000 hours per year, and requests the same currently permitted allowable emission limit of 5.0 pounds per hour of particulate matter. The applicant did not seek any relaxation in currently enforceable conditions in its other existing emissions units.

The emissions increases associated with this project were estimated as follows in tons per year. No offsetting emissions were assumed in this estimate.

Pollutant	Net Increase ¹	PSD Significance	Subject to PSD?
PM/ PM ₁₀	0	25/15	No
SO ₂	0	40	No
NO _x	0	40	No
CO	0	100	No
VOC	0	40	No

¹ Since there will be no increase in the current permitted plant processing capacity of 20 million boxes of fruit per year, no increase in the input to the pellet coolers and no simultaneous operation of pellet coolers No. 3 and No. 4, then there will be no net emissions increase, when operated as described by the permit application.

The facility information, project scope, emissions and rule applicability are described in detail in the Department's Technical Evaluation and Determination.

REVIEWING AND PROCESS SCHEDULE

March 1, 2002	Received permit application (no application fee required)
March 1, 2002	Application complete
April 10, 2002	Distributed Notice of Intent to Issue and supporting documents
April 24, 2002	Notice of Intent published in The Clewiston News, Hendry County

RELEVANT DOCUMENTS

The documents listed below are the basis of the permit. They are specifically related to this permitting action. These documents are on file with the Department.

- Permit application
- Department's Technical Evaluation and Determination
- Department's Intent to Issue

AIR CONSTRUCTION PERMIT
SECTION II. FACILITY-WIDE SPECIFIC CONDITIONS

The following specific conditions apply to all emissions units at this facility addressed by this permit.

ADMINISTRATIVE

1. Regulating Agencies: All documents related to applications for permits to construct, operate or modify an emissions unit should be submitted to the Bureau of Air Regulation (BAR), Florida Department of Environmental Protection at Mail Station #5505, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, phone number 850/488-0114. All documents related to reports, tests, minor modifications and notifications shall be submitted to the Department's South District office at 2295 Victoria Avenue, Suite 364W, Fort Meyers, Florida 33901, and phone number 239/332-6975.
2. General Conditions: The owner and operator is subject to and shall operate under the attached General Permit Conditions G.1 through G.15 listed in Appendix GC of this permit. General Permit Conditions are binding and enforceable pursuant to Chapter 403, F.S. [Rule 62-4.160, F.A.C.]
3. Terminology: The terms used in this permit have specific meanings as defined in the corresponding chapters of the Florida Administrative Code.
4. Applicable Regulations, Forms and Application Procedures: Unless otherwise indicated in this permit, the construction and operation of the subject emissions unit shall be in accordance with the capacities and specifications stated in the application. The facility is subject to all applicable provisions of Chapter 403, F.S.; Chapters 62-4, 62-110, 62-204, 62-212, 62-213, 62-296, 62-297, F.A.C.; and, the Code of Federal Regulations Title 40, Part 60, adopted by reference in the F.A.C. regulations. The permittee shall use the applicable forms listed in Rule 62-210.900, F.A.C. and follow the application procedures in Chapter 62-4, F.A.C. Issuance of this permit does not relieve the facility owner or operator from compliance with any applicable federal, state, or local permitting or regulations. [Rules 62-204.800, 62-210.300 and 62-210.900, F.A.C.]
5. New or Additional Conditions: Pursuant to Rule 62-4.080, F.A.C., for good cause shown and after notice and an administrative hearing, if requested, the Department may require the permittee to conform to new or additional conditions. The Department shall allow the permittee a reasonable time to conform to the new or additional conditions, and on application of the permittee, the Department may grant additional time. [Rule 62-4.080, F.A.C.]
6. Expiration: This air construction permit shall expire on December 31, 2002. The permittee, for good cause, may request that this construction permit be extended. Such a request shall be submitted to the Department's Bureau of Air Regulation prior to 60 days before the expiration of the permit. [Rules 62-210.300(1), 62-4.070(4), 62-4.080, and 62-4.210, F.A.C.]
7. Modifications: No emissions unit or facility subject to this permit shall be constructed or modified without obtaining an air construction permit from the Department. Such permit must be obtained prior to the beginning of construction or modification. [Rules 62-210.300(1) and 62-212.300(1)(a), F.A.C.]
8. Title V Operation Permit Required: This permit authorizes construction and/or installation of the permitted emissions unit and initial operation to determine compliance with Department rules. A revision to the Title V operation permit is required for regular operation of the permitted emissions unit. The owner or operator shall apply for a Title V operation permit at least ninety days prior to expiration of this permit, but no later than 180 days after commencing operation. To apply for a Title V operation permit, the applicant shall submit the appropriate application form, compliance test

AIR CONSTRUCTION PERMIT
SECTION II. FACILITY-WIDE SPECIFIC CONDITIONS

results, and such additional information as the Department may by law require. The application shall be submitted to the Department's South District office. [Rules 62-4.030, 62-4.050, 62-4.220, and Chapter 62-213, F.A.C.]

OPERATIONAL REQUIREMENTS

9. Plant Operation - Problems: If temporarily unable to comply with any of the conditions of the permit due to breakdown of equipment or destruction by hazard of fire, wind or by other cause, the permittee shall immediately notify the Department's South District office. The notification shall include pertinent information as to the cause of the problem, and what steps are being taken to correct the problem and to prevent its recurrence, and where applicable, the owner's intent toward reconstruction of destroyed facilities. Such notification does not release the permittee from any liability for failure to comply with Department rules. [Rule 62-4.130, F.A.C.]
10. Circumvention: No person shall circumvent any air pollution control device or allow the emission of air pollutants without the applicable air pollution control device operating properly. [Rule 62-210.650, F.A.C.]
11. Excess Emissions: This permit does not change any authorization for excess emissions provided by other Department permits for other emissions units. The following excess emissions provisions of state rule apply to this emissions unit (emissions unit 020) as specified below.
 - (a) Excess emissions resulting from start-up and shutdown are permitted for emissions unit 020 providing (1) best operational practices to minimize emissions are adhered to and (2) the duration of excess emissions shall be minimized, but in no case exceed two hours in any 24 hour period.
 - (b) Excess emissions resulting from malfunction of this emissions unit shall be permitted providing (1) best operational practices to minimize emissions are adhered to and (2) the duration of excess emissions shall be minimized, but in no case exceed two hours in any 24 hour period unless specifically authorized by the Department for longer duration.
 - (c) Excess emissions which are caused entirely or in part by poor maintenance, poor operation, or any other equipment or process failure which may reasonably be prevented during start-up, shutdown, or malfunction shall be prohibited.

[Rules 62-210.700(1), (4) and (5), F.A.C.]

COMPLIANCE MONITORING AND TESTING REQUIREMENTS

12. Determination of Process Variables: [Rule 62-297.310(5), F.A.C.]
 - (a) Required Equipment. The owner or operator of an emissions unit for which compliance tests are required shall install, operate, and maintain equipment or instruments necessary to determine process variables, such as process weight input or heat input, when such data are needed in conjunction with emissions data to determine the compliance of the emissions unit with applicable emission limiting standards.
 - (b) Accuracy of Equipment. Equipment or instruments used to directly or indirectly determine process variables, including devices such as belt scales, weight hoppers, flow meters, and tank scales, shall be calibrated and adjusted to indicate the true value of the parameter being measured

AIR CONSTRUCTION PERMIT
SECTION II. FACILITY-WIDE SPECIFIC CONDITIONS

with sufficient accuracy to allow the applicable process variable to be determined within 10% of its true value.

REPORTING AND RECORD KEEPING REQUIREMENTS

13. Duration of Record Keeping: Upon request, the permittee shall furnish all records and plans required under Department rules. During enforcement actions, the retention period for all records will be extended automatically unless otherwise stipulated by the Department. The permittee shall hold at the facility or other location designated by this permit records of all monitoring information (including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation) required by the permit, copies of all reports required by this permit, and records of all data used to complete the application for this permit. These materials shall be retained at least five years from the date of the sample, measurement, report, or application unless otherwise specified by Department rule. [Rules 62-4.160(14)(a)&(b) and 62-213.440(1)(b)2.b., F.A.C.]
14. Excess Emissions Report: In case of excess emissions resulting from malfunction, the owner or operator shall notify the Department's South District office within one working day of: the nature, extent, and duration of the excess emissions; the cause of the excess emissions; and the actions taken to correct the problem. In addition, the Department may request a written summary report of the incident. A full written report on the malfunctions shall be submitted in a quarterly report if requested by the Department. [Rules 62-4.130 and 62-210.700(6), F.A.C.]
15. Annual Operating Report for Air Pollutant Emitting Facility: The Annual Operating Report for Air Pollutant Emitting Facility shall be completed each year and shall be submitted to the Department's South District office and, if applicable, the appropriate local program by March 1 of the following year. [Rule 62-210.370(3), F.A.C.]

AIR CONSTRUCTION PERMIT

SECTION III. EMISSIONS UNITS SPECIFIC CONDITIONS

The following specific conditions apply to the following emissions units after construction.

EMISSIONS UNIT NO.	EMISSIONS UNIT DESCRIPTION
020	No. 4 Pellet Cooler

[Note: This emissions unit is subject to the requirements of the state rules as indicated in this permit. All PM is assumed to be PM₁₀.]

OPERATIONAL REQUIREMENTS

1. Hours of Operation: This emissions unit and existing Pellet Cooler No. 3 (Emissions Unit I.D. No. –009) shall operate no more than 6,000 total hours during any consecutive 12 month period. This emissions unit shall operate only when existing Pellet Cooler No. 3 (Emissions Unit I.D. No. –009) is shutdown. Existing Pellet Cooler No. 1 (Emissions Unit I.D. No. –004) and existing Pellet Cooler No. 2 (Emissions Unit I.D. No. –005) are to be removed. [Rules 62-4.070(3), 62-210.200 and 62-212.400, F.A.C., limitation on potential to emit and assumptions relied upon for net emissions increase calculations]

EMISSION LIMITING STANDARDS

2. Particulate Matter Emissions Limited: Emissions of particulate matter (PM/PM₁₀) from Pellet Cooler No. 3 (Emissions Unit I.D. No. –009), or Pellet Cooler No. 4 (Emissions Unit I.D. No. –020), shall not exceed 5.0 pounds per hour. [Rules 62-4.070(3) and 62-212.400, F.A.C., limitation on potential to emit and assumptions relied upon for net emissions increase calculations]
3. General Visible Emissions Standard: Except for emissions units that are subject to a particulate matter or opacity limit set forth or established by rule and reflected by conditions in this permit, no person shall cause, let, permit, suffer, or allow to be discharged into the atmosphere the emissions of air pollutants from any activity, the density of which is equal to or greater than that designated as Number 1 on the Ringelmann Chart (20% opacity). The test method for visible emissions shall be EPA Method 9, incorporated and adopted by reference in Chapter 62-297, F.A.C. Test procedures shall meet all applicable requirements of Chapter 62-297, F.A.C. [Rule 62-296.320(4)(b)1, F.A.C.]

COMPLIANCE MONITORING AND TESTING REQUIREMENTS

4. Emission Tests Required: The owner or operator shall demonstrate compliance with the particulate emissions limit of this section by testing the emissions units initially and prior to renewal of each operation permit using Method 5 of 40 CFR 60 Appendix A, assuming that all particulate matter is PM₁₀. [Rules 62-4.070(3) and 62-297.310, F.A.C., required to monitor compliance with the limitation on potential to emit]
5. Visible Emission Tests Required: The owner or operator shall demonstrate compliance with the visible emissions limit for this emissions unit upon initial installation and annually using EPA Method 9, as described in 40 CFR 60 Appendix A. [Rules 62-4.070(3) and 62-297.310, F.A.C., required to monitor compliance with the limitation on potential to emit]
6. Required Number of Test Runs: For mass emission limitations, a compliance test shall consist of three complete and separate determinations of the total air pollutant emission rate through the test section of the stack or duct and three complete and separate determinations of any applicable process variables corresponding to the three distinct time periods during which the stack emission rate was

AIR CONSTRUCTION PERMIT

SECTION III. EMISSIONS UNITS SPECIFIC CONDITIONS

measured; provided, however, that three complete and separate determinations shall not be required if the process variables are not subject to variation during a compliance test, or if three determinations are not necessary in order to calculate the unit's emission rate. The three required test runs shall be completed within one consecutive five-day period. In the event that a sample is lost or one of the three runs must be discontinued because of circumstances beyond the control of the owner or operator, and a valid third run cannot be obtained within the five-day period allowed for the test, the Secretary or his or her designee may accept the results of two complete runs as proof of compliance, provided that the arithmetic mean of the two complete runs is at least 20% below the allowable emission limiting standard. [Rule 62-297.310(1), F.A.C.]

7. Operating Rate During Testing: Unless otherwise stated in the applicable emission limiting standard rule, testing of emissions shall be conducted with the emissions unit operation at permitted capacity. Permitted capacity is defined as 90 to 100 percent of the maximum operation rate allowed by the permit. If it is impractical to test at permitted capacity, an emissions unit may be tested at less than the minimum permitted capacity; in this case, subsequent emissions unit operation is limited to 110 percent of the test load until a new test is conducted. Once the unit is so limited, operation at higher capacities is allowed for no more than 15 consecutive days for the purpose of additional compliance testing to regain the authority to operate at the permitted capacity. [Rule 62-297.310(2), F.A.C.]

{Permitting note: Performance testing of the pellet cooler shall be conducted while the peel dryer is operating at 90 to 100 percent of its permitted capacity.}
8. Calculation of Emission Rate: The indicated emission rate or concentration shall be the arithmetic average of the emission rate or concentration determined by each of the three separate test runs unless otherwise specified in a particular test method or applicable rule. [Rule 62-297.310(3), F.A.C.]
9. Test Procedures shall meet all applicable requirements of Rule 62-297.310(4), F.A.C. [Rule 62-297.310(4), F.A.C.]
10. Required Stack Sampling Facilities: Sampling facilities include sampling ports, work platforms, access to work platforms, electrical power, and sampling equipment support. All stack sampling facilities must meet any Occupational Safety and Health Administration (OSHA) Safety and Health Standards described in 29 CFR Part 1910, Subparts D and E. Sampling facilities shall also conform to the requirements of Rule 62-297.310(6), F.A.C. [Rule 62-297.310(6), F.A.C.]
11. Test Notification: The owner or operator shall notify the Department's district office and, if applicable, appropriate local program, at least 15 days prior to the date on which each formal compliance test is to begin. Notification shall include the date, time, and place of each such test, and the test contact person who will be responsible for coordinating and having such test conducted for the owner or operator. [Rule 62-297.310(7)(a)9., F.A.C.]
12. Special Compliance Tests: When the Department, after investigation, has good reason (such as complaints, increased visible emissions or questionable maintenance of control equipment) to believe that any applicable emission standard contained in a Department rule or in a permit issued pursuant to those rules is being violated, it shall require the owner or operator of the facility to conduct compliance tests which identify the nature and quantity of pollutant emissions from the emissions units and to provide a report on the results of said tests to the Department. [Rule 62-297.310(7)(b), F.A.C.]

AIR CONSTRUCTION PERMIT
SECTION III. EMISSIONS UNITS SPECIFIC CONDITIONS

REPORTING AND RECORD KEEPING REQUIREMENTS

13. Records of Operation Required: The owner or operator shall make and maintain records of hours of operation of each pellet cooler in units of hours per month and hours per consecutive 12 month period, to demonstrate compliance with the limit of condition 1 of this section. The records shall also detail which pellet cooler(s) were in operation during the operating period recorded, to demonstrate compliance with the requirements of condition 2 of this section. Records shall be made from daily operation records and shall be completed no later than the 10th day of each following month. [Rule 62-4.070(3), F.A.C., required to monitor compliance with the limitation on potential to emit]
14. Test Reports: The owner or operator of an emissions unit for which a compliance test is required shall file a report with the Department on the results of each such test. The required test report shall be filed with the Department as soon as practical but no later than 45 days after the last sampling run of each test is completed. The test report shall provide sufficient detail on the emissions unit tested and the test procedures used to allow the Department to determine if the test was properly conducted and the test results properly computed. As a minimum, the test report, other than for an EPA or DEP Method 9 test, shall provide the applicable information listed in Rule 62-297.310(8)(c), F.A.C. [Rule 62-297.310(8), F.A.C.]

APPENDIX GC
GENERAL PERMIT CONDITIONS [RULE 62-4.160, F.A.C.]

- G.1 The terms, conditions, requirements, limitations, and restrictions set forth in this permit are "Permit Conditions" and are binding and enforceable pursuant to Sections 403.161, 403.727, or 403.859 through 403.861, Florida Statutes. The permittee is placed on notice that the Department will review this permit periodically and may initiate enforcement action for any violation of these conditions.
- G.2 This permit is valid only for the specific processes and operations applied for and indicated in the approved drawings or exhibits. Any unauthorized deviation from the approved drawings or exhibits, specifications, or conditions of this permit may constitute grounds for revocation and enforcement action by the Department.
- G.3 As provided in Subsections 403.087(6) and 403.722(5), Florida Statutes, the issuance of this permit does not convey and vested rights or any exclusive privileges. Neither does it authorize any injury to public or private property or any invasion of personal rights, nor any infringement of federal, state or local laws or regulations. This permit is not a waiver or approval of any other Department permit that may be required for other aspects of the total project which are not addressed in the permit.
- G.4 This permit conveys no title to land or water, does not constitute State recognition or acknowledgment of title, and does not constitute authority for the use of submerged lands unless herein provided and the necessary title or leasehold interests have been obtained from the State. Only the Trustees of the Internal Improvement Trust Fund may express State opinion as to title.
- G.5 This permit does not relieve the permittee from liability for harm or injury to human health or welfare, animal, or plant life, or property caused by the construction or operation of this permitted source, or from penalties therefore; nor does it allow the permittee to cause pollution in contravention of Florida Statutes and Department rules, unless specifically authorized by an order from the Department.
- G.6 The permittee shall properly operate and maintain the facility and systems of treatment and control (and related appurtenances) that are installed or used by the permittee to achieve compliance with the conditions of this permit, as required by Department rules. This provision includes the operation of backup or auxiliary facilities or similar systems when necessary to achieve compliance with the conditions of the permit and when required by Department rules.
- G.7 The permittee, by accepting this permit, specifically agrees to allow authorized Department personnel, upon presentation of credentials or other documents as may be required by law and at a reasonable time, access to the premises, where the permitted activity is located or conducted to:
- (a) Have access to and copy and records that must be kept under the conditions of the permit;
 - (b) Inspect the facility, equipment, practices, or operations regulated or required under this permit, and,
 - (c) Sample or monitor any substances or parameters at any location reasonably necessary to assure compliance with this permit or Department rules.

Reasonable time may depend on the nature of the concern being investigated.

- G.8 If, for any reason, the permittee does not comply with or will be unable to comply with any condition or limitation specified in this permit, the permittee shall immediately provide the Department with the following information:
- (a) A description of and cause of non-compliance; and
 - (b) The period of noncompliance, including dates and times; or, if not corrected, the anticipated time the non-compliance is expected to continue, and steps being taken to reduce, eliminate, and prevent recurrence of the non-compliance.


The permittee shall be responsible for any and all damages which may result and may be subject to enforcement action by the Department for penalties or for revocation of this permit.

APPENDIX GC
GENERAL PERMIT CONDITIONS [RULE 62-4.160, F.A.C.]

- G.9 In accepting this permit, the permittee understands and agrees that all records, notes, monitoring data and other information relating to the construction or operation of this permitted source which are submitted to the Department may be used by the Department as evidence in any enforcement case involving the permitted source arising under the Florida Statutes or Department rules, except where such use is prescribed by Sections 403.73 and 403.111, Florida Statutes. Such evidence shall only be used to the extent it is consistent with the Florida Rules of Civil Procedure and appropriate evidentiary rules.
- G.10 The permittee agrees to comply with changes in Department rules and Florida Statutes after a reasonable time for compliance, provided, however, the permittee does not waive any other rights granted by Florida Statutes or Department rules.
- G.11 This permit is transferable only upon Department approval in accordance with Florida Administrative Code Rules 62-4.120 and 62-730.300, F.A.C., as applicable. The permittee shall be liable for any non-compliance of the permitted activity until the transfer is approved by the Department.
- G.12 This permit or a copy thereof shall be kept at the work site of the permitted activity.
- G.13 This permit also constitutes:
- (a) Determination of Best Available Control Technology ();
 - (b) Determination of Prevention of Significant Deterioration (); and
 - (c) Compliance with New Source Performance Standards ().
- G.14 The permittee shall comply with the following:
- (a) Upon request, the permittee shall furnish all records and plans required under Department rules. During enforcement actions, the retention period for all records will be extended automatically unless otherwise stipulated by the Department.
 - (b) The permittee shall hold at the facility or other location designated by this permit records of all monitoring information (including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation) required by the permit, copies of all reports required by this permit, and records of all data used to complete the application or this permit. These materials shall be retained at least three years from the date of the sample, measurement, report, or application unless otherwise specified by Department rule.
 - (c) Records of monitoring information shall include:
 - 1. The date, exact place, and time of sampling or measurements;
 - 2. The person responsible for performing the sampling or measurements;
 - 3. The dates analyses were performed;
 - 4. The person responsible for performing the analyses;
 - 5. The analytical techniques or methods used; and
 - 6. The results of such analyses.
- G.15 When requested by the Department, the permittee shall within a reasonable time furnish any information, required by law, which is needed to determine compliance with the permit. If the permittee becomes aware that relevant facts were not submitted or were incorrect in the permit application or in any report to the Department, such facts or information shall be corrected promptly.

Florida Department of
Environmental Protection

Memorandum

TO: Howard Rhodes
FROM: Clair Fancy 
DATE: May 21, 2002
SUBJECT: Southern Gardens Citrus Processing Corporation
Backup Pellet Cooler No. 4
0510015-011-AC

Attached for approval and signature is a final air construction permit for the installation of a new Pellet Cooler No. 4 solely as a backup to the existing Pellet Cooler No. 3. The proposed pellet cooler will essentially be identical to the existing Pellet Cooler No. 3 and will replace existing Pellet Coolers Nos. 1 and 2. The proposed pellet cooler will only operate when Pellet Cooler No. 3 is shutdown. The applicant did not seek any relaxation in currently enforceable conditions in its other existing emissions units. There will be no emission increases due to this project.

This project is not subject to PSD because the associated emissions increases are not significant for PSD. There will be no actual emission increases due to this project.

No comments were received during the public comment period.

I recommend your approval and signature.

June 28, 2002 is day 90.

Attachments

/es