



Jeb Bush  
Governor

# Department of Environmental Protection

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

David B. Struhs  
Secretary

May 9, 2002

CERTIFIED MAIL – Return Receipt Requested

Mr. Tristan Chapman  
Vice President and General Manager  
Southern Gardens Citrus Processing Corp.  
Post Office Box 130  
Clewiston, Florida 33440

Re: Final Air Construction Permit/PSD Permit Amendment Nos.: 0510015-010-AC/PSD-FL-299(A)  
Southern Gardens Citrus Processing Corp.

Dear Mr. Chapman:

This letter modification effects changes to several federally enforceable Specific Conditions established in Air Construction Permit/PSD Permit Nos. 0510015-007-AC/PSD-FL-299, issued/clerked on December 4, 2000, which established facility and emissions unit permit limitations and authorized the installation of three additional juice extractors at the existing facility located at 755 County Road 833, Clewiston, Hendry County. Each request will be addressed below, with the Department's response following:

A. Letters received August 9, 2001, and March 11, 2002.

1. Section II. Facility-wide Specific Conditions. Specific Condition No. 28. The requests are to (a) include the "oil phase essence recovered" in the material balance scheme for the measurement of oil recovery from citrus fruit; (b) to allow the owner or operator the option to include or exclude from the oil recovery calculation the "oil remaining in the dried pellets"; and, (c) to change the averaging time for evaluating oil recovery.

### Responses.

1.(a) & (c) The Department accepts the request to include the "oil phase essence recovered" in the material scheme for the measurement of oil recovery from citrus fruit. In addition, the request to change the averaging time for evaluating oil recovery is acceptable. Therefore, the following is changed in Section II, Facility-wide Specific Conditions, Specific Condition No. 28:

FROM:

28. Minimum Oil Recovery Required: The owner or operator shall recover a minimum of 50.0 percent of oil from citrus fruits processed during each consecutive 12 months of operation, as determined by the following methodology.

Measurement of recovery of oil from citrus fruits processed shall be by material balance using the measured oil in the incoming fruit, divided into the sum of the oil remaining in the juice, the cold press oil recovered, d-limonene recovered, and oil remaining in the dried pellets, expressed as a percentage. Alternatively, the material balance may use the measured oil in the incoming fruit divided into the oil measured remaining in the pressed peel prior to introduction into the feed mill dryers, in which case the decimal result shall be subtracted from the numeral 1, and added to the decimal result of the measured oil in the incoming fruit divided into the oil measured remaining in the dried pellets, with the resulting sum expressed as a percentage. Measurement of

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recovery of oil shall be made each operational day and averaged over the days of facility operation during each month. The monthly averages shall be averaged to calculate the consecutive 12 month oil recovery. Monthly records shall be completed no later than the 10<sup>th</sup> day of each following month. The owner or operator shall elect to use one of the above material balance methods and shall not change methods without approval from the Department's Bureau of Air Regulation.

The owner or operator may accept wet peel from offsite sources for drying, provided that the owner or operator receives sufficient recorded information from the offsite source to measure available oil and oil recovery at the offsite source, and accounts for those values in determining compliance with the limitation of this paragraph. Any wet peel received from any offsite source, expressed as equivalent boxes of fruit derived from production records of the offsite source, shall be included in the throughput limitation of specific condition 27., above. Wet peel not processed through the peel dryer shall be excluded from the oil recovery calculations. Methodologies for determining oil contents shall be submitted by the owner or operator to the Department's Bureau of Air Regulation for approval prior to beginning record keeping pursuant to this condition. [Rule 62-4.070(3), F.A.C.]

TO:

28. Minimum Oil Recovery Required: The owner or operator shall recover a minimum of 50.0 percent of oil from citrus fruits during each consecutive 12 months of operation, as determined by the following methodology.

Measurement of oil recovery from citrus fruits processed shall be by material balance using the measured oil in the incoming fruit, divided into the sum of the oil remaining in the juice, the cold press oil recovered, d-limonene recovered, **oil phase essence recovered**, and oil remaining in the dried pellets, expressed as a percentage. Alternatively, the material balance may use the measured oil in the incoming fruit divided into the oil measured remaining in the pressed peel prior to introduction into the feed mill dryers, in which case the decimal result shall be subtracted from the numeral 1, and added to the decimal result of the measured oil in the incoming fruit divided into the oil measured remaining in the dried pellets, with the resulting sum expressed as a percentage. Measurement of recovery shall be made each operational day and averaged over the days of facility operation during each consecutive 12-month period. Monthly records shall be completed no later than the 10<sup>th</sup> day of each following month. The owner or operator shall elect to use one of the above material balance methods and shall not change methods without approval from the Department's Bureau of Air Regulation.

The owner or operator may accept wet peel from offsite sources for drying, provided that the owner or operator receives sufficient recorded information from the offsite source to measure available oil and oil recovery at the offsite source, and accounts for those values in determining compliance with the limitation of this paragraph. Any wet peel received from any offsite source, expressed as equivalent boxes of fruit derived from production records of the offsite source, shall be included in the throughput limitation of specific condition 27., above. Wet peel not processed through the peel dryer shall be excluded from the oil recovery calculations. Methodologies for determining oil contents shall be submitted by the owner or operator to the Department's Bureau of Air Regulation for approval prior to beginning record keeping pursuant to this condition. [Rule 62-4.070(3), F.A.C.; and, 0510015-011-AC/PSD-FL-299(A)]

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1.(b) Previous information provided to the Department indicates that the determination of oil in the dried peel was a routine daily analysis done at the plant and provided additional reasonable assurances that the minimum oil recovery requirement (i.e., 50.0 percent) would be met. The PSD permit was issued with this in mind. In addition, the Department feels that the inclusion of this data more accurately depicts the actual emissions of VOCs, which would become a critical issue for any future PSD permitting action. In conclusion, the Department fails to see how something that has been purported to be a routine daily procedure constitutes a burden. Therefore, the request is denied and no change will be made.

B. Letter received August 9, 2001.

1. Section III. Subsection A. Specific Condition No. 4. The request was to add an additional requirement that particulate matter emissions tests be conducted each federal fiscal year on Pellet Coolers Nos. 1 and 2, when the emissions unit operates for 400 hours or more.

**Response.** Since the emissions units are minor for particulate matter, then there is no rationale to impose additional annual particulate matter (PM/PM<sub>10</sub>) emissions tests than what is already imposed in Section III, Subsection A., Specific Condition No. 4, of the permit. Also, the PSD permit requires that an initial test be conducted to provide reasonable assurance that the combined emissions of particulate matter (PM/PM<sub>10</sub>) from Pellet Coolers Nos. 1 and 2 do not exceed the limitation of 5.0 lbs/hr; and, there is the additional requirement that they be tested every five years for permit renewal, which is in accordance with Rule 62-297.310(7)(a)3., F.A.C. Based on discussions with the Department's South District office and an evaluation of the ARMS database, the initial compliance test for Pellet Coolers Nos. 1 and 2 have not yet been conducted. Consequently, the Department will not consider any change of the testing frequency requirements and, therefore, no change will be made.

2. Section III. Subsection B. Specific Condition No. 2. The request is to change the input rate into the peel dryer from pressed peel to bone dry peel.

**Response.** The input rate of 47 tons/hr of pressed peel, including the weight of moisture in the pressed peel, on a daily average basis, was established as the capacity for the peel dryer in Section III, Subsection B., Specific Condition No. 2, of the permit; and, this input rate was used in the Process Weight Table formula to establish the particulate matter (PM/PM<sub>10</sub>) limitation of the emissions unit, which was used to define the potential to emit and in the modeling impacts exercise for the PSD permit. Therefore, no change will be made.

C. Letter received September 25, 2001.

1. Section II. Facility-wide Specific Conditions. Specific Condition No. 27. The request is to allow the facility to ship pressed peel from the juice extractors offsite, as equivalent boxes of fruit, without them being counted against the permit limitation of 20.0 million boxes of citrus fruit (@ 90 lbs/box of oranges or 85 lbs/box of grapefruit), in any consecutive twelve month period.

**Response.** The Department agrees with the request and Specific Condition No. 27 (Section II, Facility-wide Specific Conditions) will be changed as follows:

FROM:

27. Fruit Throughput Limited: The owner or operator shall not process more than 20.0 million boxes of citrus fruit in any consecutive twelve month period. For purposes of this permit, a box of citrus fruit shall be defined to contain 90 pounds of oranges or 85 pounds of grapefruit. The owner or operator shall make and maintain monthly and rolling month records of fruit processing rates to demonstrate compliance with this limitation. Such records shall be made from daily processing records and shall be completed no later than the 10<sup>th</sup> day of each following month. [Rule 62-4.070(3), F.A.C.]

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TO:

27. Fruit Throughput Limited: The owner or operator shall not process more than 20.0 million boxes of citrus fruit in any consecutive twelve month period; and, the owner or operator may ship pressed peel from the juice extractors offsite, as equivalent boxes of citrus fruit, without them being counted against the permit limitation of 20.0 million boxes of citrus fruit in any consecutive twelve month period. For purposes of this permit, a box of citrus fruit shall be defined to contain 90 pounds of oranges or 85 pounds of grapefruit. The owner or operator shall make and maintain monthly and rolling month records of fruit processing rates to demonstrate compliance with this limitation. Such records shall be made from daily processing records and shall be completed no later than the 10<sup>th</sup> day of each following month.

[Rule 62-4.070(3), F.A.C.; and, 0510015-011-AC/PSD-FL-299(A)]

D. Letters received November 7, 2001, and March 11, 2002.

1. Section III. Subsection B. Specific Condition No. 2. The request was to allow the inclusion of molasses in with the pressed peel input rate limitation to the peel dryer; but, the request was withdrawn.

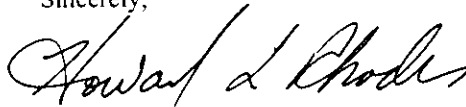
**Response.** The Department accepts the request to withdraw and no change will be made. The Specific Condition reverts back to the way it was worded in PSD-FL-299, which is:

Operation Limited: The rate of pressed peel input to the dryer shall not exceed 47 tons per hour, including the weight of moisture in the pressed peel, on a daily average basis.

This permit (letter) is issued pursuant to Chapter 403, Florida Statutes (F.S.). Any party to this order has the right to seek judicial review of it under Section 120.68, F.S., 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.

Sincerely,



Howard L. Rhodes  
Director  
Division of Air Resource Management

CHF/BM/m

Enclosure

cc: Mr. C. H. Fancy, BAR  
Mr. Ron Blackburn, SD  
Mr. David Buff, P.E., GAI  
Mr. Gregg Worley, U.S. EPA, Region 4

**NOTICE OF FINAL PERMIT/PERMIT AMENDMENT**

In the Matter of an  
Application for Permit/Permit Amendment:

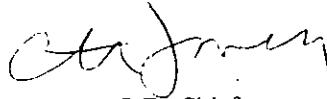
Mr. Tristan Chapman  
Vice President and General Manager  
Southern Gardens Citrus Processing Corp.  
Post Office Box 130  
Clewiston, Florida 33440

DEP File No.: 0510015-010-AC/PSD-FL-299(A)  
Hendry County

Enclosed is the Final Air Construction Permit/PSD Permit Amendment, Nos. 0510015-010-AC/PSD-FL-299(A). The subject of the permit (letter) is to change some federally enforceable permit conditions established in Air Construction Permit/PSD Permit Nos. 0510015-007-AC/PSD-FL-299, issued on December 4, 2000. The facility is located at 755 County Road 833, Clewiston, Hendry County. This permit (letter) is issued pursuant to Chapter 403, Florida Statutes (F.S.). There were no comments received during the Public Notice period nor during the Extension of Time to Petition for an Administrative Hearing.

Any party to this order (permit) has the right to seek judicial review of the permit pursuant to Section 120.68, F.S., by the filing of a Notice of Appeal pursuant to Rule 9.110, Florida Rules of Appellate Procedure, with the Clerk of the Department in the Legal Office; 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 of Appeal must be filed within 30 (thirty) days from the date this Notice 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**

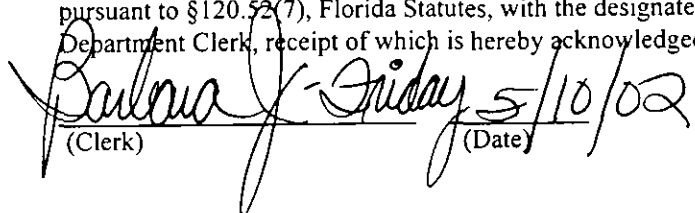
The undersigned duly designated deputy agency clerk hereby certifies that this NOTICE OF FINAL PERMIT/PERMIT AMENDMENT (including the Final Permit/Permit Amendment (letter)) was sent by certified mail (\*) and copies were mailed by U.S. Mail before the close of business on 5/10/02 to the person(s) listed or as otherwise noted:

Mr. Tristan Chapman \*, Vice President and General Manager, Southern Gardens Citrus Processing Corp.  
Mr. Ron Blackburn, SD  
Mr. David Buff, P.E., GAI  
Mr. Gregg Worley, U.S. EPA, Region 4

5/10/02 cc - Reading File  
Bruce Mitchell

Clerk Stamp

**FILING AND ACKNOWLEDGMENT FILED**, on this date, pursuant to §120.52(7), Florida Statutes, with the designated Department Clerk, receipt of which is hereby acknowledged.

  
(Clerk) 5/10/02 (Date)

## **Final Determination**

Southern Gardens Citrus Processing Corp.

Air Construction Permit/PSD Permit Amendment Nos.: 0510015-010-AC/PSD-FL-299(A)

An Intent to Issue an Air Construction Permit/PSD Permit Amendment, Nos. 0510015-010-AC/PSD-FL-299(A), to Southern Gardens Citrus Processing Corp., located at 755 County Road 833, Clewiston, Hendry County, Florida, was distributed on December 11, 2001. The Public Notice of Intent to Issue an Air Construction Permit/PSD Permit Amendment was published in The Clewiston News on February 6, 2002. Comments were received after the Public Notice period and the changes were deemed significant such that the Department distributed, on March 25, 2002, a Revised Draft Permit along with a new Intent to Issue an Air Construction Permit/PSD Permit Amendment. The Public Notice of Intent to Issue an Air Construction Permit/PSD Permit Amendment was published in The Clewiston News on April 3, 2002. No comments were received during the Public Notice period.

The final action of the Department will be to issue the Air Construction Permit/PSD Permit Amendment, Nos. 0510015-010-AC/PSD-FL-299(A), as noticed.

**SENDER: COMPLETE THIS SECTION**

- 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.

1. Article Addressed to:  
 Mr. Tristan Chapman  
 Vice President and General  
 Manager  
 Southern Gardens Citrus Processing  
 Corporation  
 Post Office Box 130  
 Clewiston, Florida 33440

2. Article Number (Copy from service label)  
 7000 0520 0020 9371 2936

**COMPLETE THIS SECTION ON DELIVERY**

A. Received by (Please Print Clearly) B. Date of Delivery  
 S. B. R

C. Signature  Agent  
*X Andrew Solis*  Addressee

D. Is delivery address different from item 1?  Yes  
 If YES, enter delivery address below:  No

3. Service Type  
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 Registered  Return Receipt for Merchandise  
 Insured Mail  C.O.D.

4. Restricted Delivery? (Extra Fee)  Yes

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Mr. Tristan Chapman

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Recipient's Name (Please Print Clearly) (To be completed by mailer)  
 Mr. Tristan Chapman  
 Street, Apt. No.; or PO Box No.  
 Post Office Box 130  
 City, State, ZIP+4  
 Clewiston, Florida 33440