

Jeb Bush
Governor

Department of Environmental Protection

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

David B. Struhs
Secretary

March 21, 2001

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

Dear Mr. Chapman:

One copy of the Revised Draft Air Construction Permit/PSD Permit Amendment for the existing Southern Gardens Citrus Processing Corp. citrus processing facility located at 755 County Road 833, Clewiston, Hendry County, is enclosed. The previous Draft Air Construction Permit/PSD Permit Amendment, issued December 11, 2001, is withdrawn. The permitting authority's Technical Evaluation and Preliminary Determination, "INTENT TO ISSUE AN AIR CONSTRUCTION PERMIT/PSD PERMIT AMENDMENT", and "PUBLIC NOTICE OF INTENT TO ISSUE AN AIR CONSTRUCTION PERMIT/PSD PERMIT AMENDMENT" are also included.

The "PUBLIC NOTICE OF INTENT TO ISSUE AN AIR CONSTRUCTION PERMIT/PSD PERMIT AMENDMENT" must be published as soon as possible. Proof of publication, i.e., newspaper affidavit, must be provided to the permitting authority's office within 7 (seven) days of publication pursuant to Rule 62-110.106(5), F.A.C. Failure to publish the notice and provide proof of publication within the allotted time may result in the denial of the permits pursuant to Rule 62-110.106(11), F.A.C.

Please submit any written comments you wish to have considered concerning the permitting authority's proposed action to Scott M. Sheplak, P.E., at the above letterhead address. If you have any other questions, please contact Bruce Mitchell at 850/413-9198.

Sincerely,

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

CHF/BM/m

Enclosures

"More Protection, Less Process"

Printed on recycled paper.

In the Matter of an
Application for Permits by:

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

Revised Draft Air Construction Permit No.: 0510015-010-AC
Revised Draft PSD Permit Amendment No.: PSD-FL-299(A)
Hendry County

INTENT TO ISSUE AN AIR CONSTRUCTION PERMIT/PSD PERMIT AMENDMENT

The Department of Environmental Protection (Department) gives notice of its intent to issue an Air Construction Permit/PSD Permit Amendment [copy of the Revised Draft Air Construction Permit/PSD Permit Amendment (letter) enclosed] for the facility detailed in the application specified above, for the reasons stated below.

The applicant, Southern Gardens Citrus Processing Corp., applied on August 9, 2001, to the permitting authority for an Air Construction Permit/PSD Permit Amendment for the existing Southern Gardens Citrus Processing Corp.'s citrus processing facility located at 755 County Road 833, Clewiston, Hendry County.

The subject of the permits (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 Department has permitting jurisdiction under the provisions of Chapter 403, Florida Statutes (F.S.), and Florida Administrative Code (F.A.C.) Chapters 62-4, 62-210 and 62-212. This above actions are not exempt from permitting procedures. The Department has determined that an Air Construction Permit/PSD Permit Amendment are required to perform the proposed work.

The Department intends to issue this Air Construction Permit/PSD Permit Amendment (letter) based on the belief that reasonable assurances have been provided to indicate that operation of the facility will not adversely impact air quality, and the facility will comply with all appropriate provisions of Chapters 62-4, 62-204, 62-210, 62-212, 62-256, 62-257, 62-281, 62-296, and 62-297, F.A.C.

Pursuant to Section 403.815, F.S., and Rule 62-103.150, F.A.C., you (the applicant) are required to publish at your own expense the enclosed "PUBLIC NOTICE OF INTENT TO ISSUE AN AIR CONSTRUCTION PERMIT/PSD PERMIT AMENDMENT." The notice shall be published one time only within 30 (thirty) days in the legal advertisement section of a newspaper of general circulation in the area affected. For the purpose of these rules, "publication in a newspaper of general circulation in the area affected" means publication in a newspaper meeting the requirements of Sections 50.011 and 50.031, F.S., in the county where the activity is to take place. If you are uncertain that a newspaper meets these requirements, please contact the permitting authority at the address or telephone number listed below. The applicant shall provide proof of publication to the Department's Bureau of Air Regulation, 2600 Blair Stone Road, Mail Station #5505, Tallahassee, Florida 32399-2400 (Telephone: 850/488-1344; Fax: 850/922-6979), within 7 (seven) days of publication pursuant to Rule 62-110.106(5), F.A.C. No permitting action for which published notice is required shall be granted until proof of publication of notice is made by furnishing a uniform affidavit in substantially the form prescribed in Section 50.051, F.S., to the office of the Department issuing the permits (letter). Failure to publish the notice and provide proof of publication within the allotted time may result in the denial of the permits (letter) pursuant to Rule 62-110.106(11), F.A.C.

The Department will issue the Final Air Construction Permit/PSD Permit Amendment (letter), in accordance with the conditions of the enclosed Revised Draft Air Construction Permit/PSD Permit Amendment (letter), unless a response received in accordance with the following procedures results in a different decision or significant change of terms or conditions.

The Department will accept written comments concerning the proposed permits issuance action for a period of 14 (fourteen) days from the date of publication of "PUBLIC NOTICE OF INTENT TO ISSUE AN AIR CONSTRUCTION PERMIT/PSD PERMIT AMENDMENT." Written comments should be provided to the Department's Bureau of Air Regulation, 2600 Blair Stone Road, Mail Station #5505, Tallahassee Florida 32399-2400. Any written comments filed shall be made available for public inspection. If written comments received result in a significant change in the Revised Draft Air Construction Permit/PSD Permit Amendment (letter), the Department shall issue another Revised Draft Air Construction Permit/PSD Permit Amendment (letter) and require, if applicable, another Public Notice.

The Department will issue the permits (letter) with the attached conditions unless a timely petition for an administrative hearing is filed pursuant to Sections 120.569 and 120.57, F.S., before the deadline for filing a petition. Choosing mediation will not adversely affect the right to a hearing if mediation does not result in a settlement. The procedures for petitioning for a hearing are set forth below.

A person whose substantial interests are affected by the proposed permitting decision may petition for an administrative hearing in accordance with Sections 120.569 and 120.57, F.S. The petition must contain the information set forth below and must be filed (received) in the Office of General Counsel of the Department of Environmental Protection, 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000 (Telephone: 850/488-9730; Fax: 850/487-4938). Petitions filed by the permits applicant or any of the parties listed below must be filed within 14 (fourteen) days of receipt of this notice of intent. Petitions filed by any persons other than those entitled to written notice under Section 120.60(3), F.S., must be filed within 14 (fourteen) days of publication of the public notice or within 14 (fourteen) days of receipt of this notice of intent, whichever occurs first. Under Section 120.60(3), F.S., however, any person who asked the Department for notice of agency action may file a petition within fourteen (14) days of receipt of that notice, regardless of the date of publication. A petitioner must mail a copy of the petition to the applicant at the address indicated above, at the time of filing. The failure of any person to file a petition within the appropriate time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under Sections 120.569 and 120.57, F.S., or to intervene in this proceeding and participate as a party to it. Any subsequent intervention will be only at the approval of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205, F.A.C.

A petition that disputes the material facts on which the Department's action is based must contain the following information:

(a) The name and address of each agency affected and each agency's file or identification number, if known;

(b) The name, address, and telephone number of the petitioner; the name, address, and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding; and, an explanation of how the petitioner's substantial interests will be affected by the agency determination;

(c) A statement of how and when petitioner received notice of the agency action or proposed action;

(d) A statement of all disputed issues of material fact. If there are none, the petition must so indicate;

(e) A concise statement of the ultimate facts alleged, including the specific facts the petitioner contends warrant reversal or modification of the agency's action or proposed action;

(f) A statement identifying the rules or statutes that the petitioner contends require reversal or modification of the agency's action or proposed action; and,

(g) A statement of the relief sought by the petitioner, stating precisely the action that the petitioner wants the agency to take with respect to the agency's action or proposed action addressed in this notice of intent.

A petition that does not dispute the material facts upon which the Department's action is based shall state that no such facts are in dispute and otherwise shall contain the same information as set forth above, as required by Rule 28-106.301, F.A.C.

Because the administrative hearing process is designed to formulate final agency action, the filing of a petition means that the Department's final action may be different from the position taken by it in this notice of intent. Persons whose substantial interests will be affected by any such final decision of the Department on the application have the right to petition to become a party to the proceeding, in accordance with the requirements set forth above.

In addition to the above, a person subject to regulation has a right to apply to the Department of Environmental Protection for a variance from or waiver of the requirements of particular rules, on certain conditions, under Section 120.542, F.S. The relief provided by this state statute applies only to state rules, not statutes, and not to any federal regulatory requirements. Mediation is not available in this proceeding. Applying for

a variance or waiver does not substitute or extend the time for filing a petition for an administrative hearing or exercising any other right that a person may have in relation to the action proposed in this notice of intent.

The application for a variance or waiver is made by filing a petition with the Office of General Counsel of the Department of Environmental Protection, 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000. The petition must specify the following information:


- (a) The name, address, and telephone number of the petitioner;
- (b) The name, address, and telephone number of the attorney or qualified representative of the petitioner, if any;
- (c) Each rule or portion of a rule from which a variance or waiver is requested;
- (d) The citation to the statute underlying (implemented by) the rule identified in (c) above;
- (e) The type of action requested;
- (f) The specific facts that would justify a variance or waiver for the petitioner;
- (g) The reason why the variance or waiver would serve the purposes of the underlying statute (implemented by the rule); and,
- (h) A statement whether the variance or waiver is permanent or temporary and, if temporary, a statement of the dates showing the duration of the variance or waiver requested.

The Department will grant a variance or waiver when the petition demonstrates both that the application of the rule would create a substantial hardship or violate principles of fairness, as each of those terms is defined in Section 120.542(2), F.S., and that the purpose of the underlying statute will be or has been achieved by other means by the petitioner.

Persons subject to regulation pursuant to any federally delegated or approved air program should be aware that Florida is specifically not authorized to issue variances or waivers from any requirements of any such federally delegated or approved program. The requirements of the program remain fully enforceable by the Administrator of the United States Environmental Protection Agency and by any person under the Clean Air Act unless and until the Administrator separately approves any variance or waiver in accordance with the procedures of the federal program.

Executed in Tallahassee, Florida.

**STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION**



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

CERTIFICATE OF SERVICE

The undersigned duly designated deputy agency clerk hereby certifies that this INTENT TO ISSUE AN AIR CONSTRUCTION PERMIT/PSD PERMIT AMENDMENT package (including the PUBLIC NOTICE, Technical Evaluation and Preliminary Determination, and the Revised Draft Permits (letter)) was sent by certified mail (*) and copies mailed by U.S. Mail before the close of business on 3/25/02 to the person(s) listed:

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

Clerk Stamp

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

Victoria Gibson March 25, 2002
(Clerk) (Date)

**PUBLIC NOTICE OF INTENT TO ISSUE AN AIR CONSTRUCTION PERMIT/PSD PERMIT
AMENDMENT**

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION

Revised Draft Air Construction Permit No.: 0510015-010-AC
Revised Draft PSD Permit Amendment No.: PSD-FL-299(A)

Southern Gardens Citrus Processing Corp.
Hendry County

The Department of Environmental Protection (Department) gives notice of its intent to issue an Air Construction Permit/PSD Permit Amendment (letter) to Southern Gardens Citrus Processing Corp., located at 755 County Road 833, Clewiston, Hendry County. The applicant's name and address are: Mr. Tristan Chapman, Vice President and General Manager, Southern Gardens Citrus Processing Corp., Post Office Box 130, Clewiston, Florida 33440.

The subject of the permits (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 Department will issue the Final Air Construction Permit/PSD Permit Amendment (letter), in accordance with the conditions of the Revised Draft Air Construction Permit/PSD Permit Amendment (letter) unless a response received in accordance with the following procedures results in a different decision or significant change of terms or conditions.

The Department will accept written comments concerning the proposed permits (letter) issuance action for a period of 14 (fourteen) days from the date of publication of this Notice. Written comments should be provided to the Department's Bureau of Air Regulation, 2600 Blair Stone Road, Mail Station #5505, Tallahassee, Florida 32399-2400. Any written comments filed shall be made available for public inspection. If written comments received result in a significant change in the Revised Draft Air Construction Permit/PSD Permit Amendment (letter), the Department shall issue another Revised Draft Air Construction Permit/PSD Permit Amendment (letter) and require, if applicable, another Public Notice.

The Department will issue the permits (letter) unless a timely petition for an administrative hearing is filed pursuant to Sections 120.569 and 120.57, Florida Statutes (F.S.), before the deadline for filing a petition. Choosing mediation will not adversely affect the right to a hearing if mediation does not result in a settlement. The procedures for petitioning for a hearing are set forth below. Mediation is not available in this proceeding.

A person whose substantial interests are affected by the proposed permitting decision may petition for an administrative proceeding (hearing) in accordance with Sections 120.569 and 120.57, F.S. The petition must contain the information set forth below and must be filed (received) in the Office of General Counsel of the Department of Environmental Protection, 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000 (Telephone: 850/488-9730; Fax: 850/487-4938). Petitions filed by the permits applicant or any of the parties listed below must be filed within 14 (fourteen) days of publication of the public notice or within 14 (fourteen) days of receipt of the notice of intent, whichever occurs first. Under Section 120.60(3), F.S., however, any person who asked the Department for notice of agency action may file a petition within 14 (fourteen) days of receipt of that notice, regardless of the date of publication. A petitioner shall mail a copy of the petition to the applicant at the address indicated above, at the time of filing. The failure of any person to file a petition within the appropriate time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under Sections 120.569 and 120.57, F.S., or to intervene in this proceeding and participate as a party to it. Any subsequent intervention will be only at the approval of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205, Florida Administrative Code (F.A.C.).

A petition that disputes the material facts on which the Department's action is based must contain the following information:

(a) The name and address of each agency affected and each agency's file or identification number, if known;

(b) The name, address, and telephone number of the petitioner; the name, address, and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the

proceeding; and, an explanation of how the petitioner's substantial interests will be affected by the agency determination;

(c) A statement of how and when petitioner received notice of the agency action or proposed action;

(d) A statement of all disputed issues of material fact. If there are none, the petition must so indicate;

(e) A concise statement of the ultimate facts alleged, including the specific facts the petitioner contends warrant reversal or modification of the agency's action or proposed action;

(f) A statement identifying the rules or statutes that the petitioner contends require reversal or modification of the agency's action or proposed action; and,

(g) A statement of the relief sought by the petitioner, stating precisely the action that the petitioner wants the agency to take with respect to the agency's action or proposed action addressed in this notice of intent.

A petition that does not dispute the material facts upon which the Department's action is based shall state that no such facts are in dispute and otherwise shall contain the same information as set forth above, as required by Rule 28-106.301, F.A.C.

Because the administrative hearing process is designed to formulate final agency action, the filing of a petition means that the Department's final action may be different from the position taken by it in this notice of intent. Persons whose substantial interests will be affected by any such final decision of the Department on the application have the right to petition to become a party to the proceeding, in accordance with the requirements set forth above.

A complete project file is available for public inspection during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at:

Permitting Authority:

Department of Environmental Protection
Bureau of Air Regulation
111 South Magnolia Drive, Suite 4
Tallahassee, Florida 32301
Telephone: 850/488-1344
Fax: 850/922-6979

Affected District Office:

Department of Environmental Protection
South District Office
2295 Victoria Avenue, Suite 364
Fort Myers, Florida 33902-2549
Telephone: 941/332-6975
Fax: 941/332-6969

The complete project file includes the application, the Technical Evaluation and Preliminary Determination, the Revised Draft Permits (letter), and the information submitted by the applicant or its representative, exclusive of confidential records under Section 403.111, F.S. Interested persons may contact Scott M. Sheplak, P.E., at the above address, or call 850/921-9532, for additional information.

**TECHNICAL EVALUATION
AND
PRELIMINARY DETERMINATION**

Southern Gardens Citrus Processing Corp.
Facility ID No.: 0510015
Hendry County

Revised Draft Air Construction Permit No.: 0510015-010-AC
Revised Draft PSD Permit Amendment No.: PSD-FL-299(A)

Department of Environmental Protection
Division of Air Resources Management
Bureau of Air Regulation
Title V Section

1. APPLICATION INFORMATION.

1.1. Applicant Name and Address:

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

Responsible Official

Mr. Tristan Chapman
Vice President and General Manager

1.2. Reviewing and Process Schedule:

08/05/2001: Date of Receipt of Application

11/07/2001: Date Deemed Complete

03/11/2002: Revised Date of Completeness (significant change requested in the draft permits that were Public Noticed)

2. FACILITY INFORMATION.

2.1. Facility Location

The existing Southern Gardens Citrus Processing Corp.'s citrus processing facility is located at 755 County Road 833, Clewiston, Hendry County, Florida.

The UTM: coordinates of this facility are: Zone 17; 487.5 km East; and, 2958.0 km North.

2.2. Standard Industrial Classification Code (SIC):

Major Group No.	20	Food and Kindred Products
Group No.	203	Canned, Frozen, and Preserved Fruits, Vegetables, and Food Specialties
Industry No.	2037	Frozen Fruits, Fruit Juices, and Vegetables

2.3. Facility Category

The Southern Gardens Citrus Processing Corp.'s citrus processing facility is classified as a major air pollutant emitting facility.

3. PROJECT DESCRIPTION.

3.1. The subject of the permits (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 Department intends to issue the Air Construction Permit/PSD Permit Amendment (letter) based on the belief that reasonable assurances have been provided to indicate that operation of the existing facility will not adversely impact air quality, and the facility will comply with all appropriate provisions of Chapters 62-4, 62-204, 62-210, 62-212, 62-256, 62-257, 62-281, 62-296, and 62-297, F.A.C.

4. RULE APPLICABILITY.

The proposed project is subject to preconstruction review requirements under the provisions of Chapter 403, Florida Statutes, and Florida Administrative Code (F.A.C.) Chapters 62-4, 62-204, 62-210, 62-212, 62-296, and 62-297.

In accordance with Rule 62-204.340, F.A.C., this facility is located in an area (Hendry County) designated as attainment for all pollutants. The proposed project is subject to permitting under Rule 62-210.300(1)(a), F.A.C., Permits Required. The potential emissions are not an issue with this permitting action.

5. SOURCE IMPACT ANALYSIS.

5.1. Emission Limitations:

This permitting action does not affect the pollutant emission limitations.

5.2. Control Technology Review:

A control technology review is not required under this permitting action.

5.3. Air Quality:

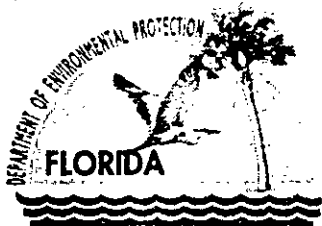
Based on the reasonable assurances from the latest construction permitting action (0510015-007-AC/PSD-FL-299), the operation of the existing facility should not cause a violation of any air quality standard or increment.

6. CONCLUSION.

Based on the foregoing technical evaluation, the Department has made a preliminary determination that the proposed project will be in compliance with all applicable state and federal air pollution regulations. The General and Specific Conditions are provided in the attached proposed permit.

Permit Engineer: Bruce Mitchell

Reviewed and Approved by Scott Sheplak, P.E.



Jeb Bush
Governor

Department of Environmental Protection

DRAFT

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

David B. Struhs
Secretary

April xx, 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: Revised Draft Air Construction Permit/PSD Permit Amendment Nos.: 0510015-010-AC/PSD-FL-299(A)
Southern Gardens Citrus Processing Corp.

Dear Mr. Chapman:

These revised draft permit modifications (letter) propose 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

"More Protection, Less Process"

Printed on recycled paper.

Mr. Tristan Chapman, V.P. and General Manager
Southern Gardens Citrus Processing Corp.
0510015-010-AC/PSD-FL-299(A)
Page 2 of 4

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 10th 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 10th 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)]

Mr. Tristan Chapman, V.P. and General Manager
Southern Gardens Citrus Processing Corp.
0510015-010-AC/PSD-FL-299(A)
Page 3 of 4

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/PM₁₀) 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/PM₁₀) 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/PM₁₀) 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 10th day of each following month. [Rule 62-4.070(3), F.A.C.]

DRAFT

Mr. Tristan Chapman, V.P. and General Manager
Southern Gardens Citrus Processing Corp.
0510015-010-AC/PSD-FL-299(A)
Page 4 of 4

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 10th 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.

These permits (letter) are 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.

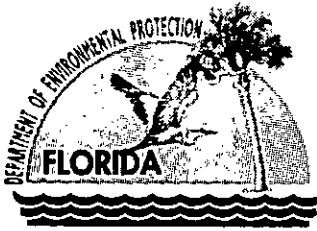
Sincerely,

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

CHF/BM/m

Enclosure

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



Jeb Bush
Governor

Department of Environmental Protection

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

David B. Struhs
Secretary

P.E. Certification Statement

Permittee:
Southern Gardens Citrus Processing Corp.

Permit No.: 0510015-010-AC
PSD-FL-299(A)

Project type: Air Construction/ PSD Permit Amendment

I HEREBY CERTIFY that the engineering features described in the above referenced application and subject to the proposed permit conditions provide reasonable assurance of compliance with applicable provisions of Chapter 403, Florida Statutes, and Florida Administrative Code Chapters 62-4 and 62-204 through 62-297. However, I have not evaluated and I do not certify aspects of the proposal outside of my area of expertise (including but not limited to the electrical, mechanical, structural, hydrological, and geological features).

Scott M. Sheplak, P.E.
Registration Number: 48866

03/21/02

date

Permitting Authority:

Department of Environmental Protection
Bureau of Air Regulation
111 South Magnolia Drive, Suite 4
Tallahassee, Florida 32301
Telephone: 850/921-9532
Fax: 850/922-6979

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- 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
 V.P. and General Manager
 Southern Gardens Citrus Processing Corporation
 P. O. Box 130
 Clewiston, FL 33440

COMPLETE THIS SECTION ON DELIVERY

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

C. Signature *Tristan Chapman* Agent Addressee

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 Clewiston, FL 33440

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