



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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Printed on recycled paper.

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)]

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.]

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 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**

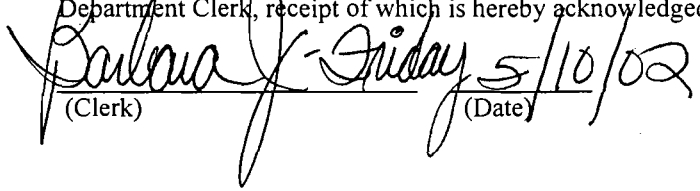
The undersigned duly designated deputy agency clerk hereby certifies that this NOTICE OF FINAL PERMIT/PERMIT AMENDMENT (including the Final Permit/Permit Amendment (letter)) was sent by certified mail (\*) and copies were mailed by U.S. Mail before the close of business on 5/10/02 to the person(s) listed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

PS Form 3811, July 1999

**COMPLETE THIS SECTION ON DELIVERY**

A. Received by (Please Print Clearly) B. Date of Delivery  
5.13.02

C. Signature  Agent  
 Addressee  
*X Tristan Chapman*

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

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

4. Restricted Delivery? (Extra Fee)  Yes

102595-00-M-0952

Domestic Return Receipt

7000 0520 0020 9371 2936

**U.S. Postal Service  
 CERTIFIED MAIL RECEIPT  
 (Domestic Mail Only; No Insurance Coverage Provided)**

Mr. Tristan Chapman

Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
<b>Total Postage &amp; Fees</b>	<b>\$</b>

Postmark  
Here

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

# SOUTHERN GARDENS CITRUS

RECEIVED

APR 17 2002

BUREAU OF AIR REGULATION

Mr. Scott M. Sheplak, P.E.  
Department of Environmental Protection  
South District Office  
2295 Victoria Avenue, Suite 364  
Ft. Myers, Florida 33902-2549

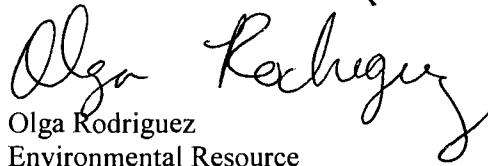
Dear Mr. Sheplak,

Please find enclosed an Affidavit of Publication, for the PSD Permit Ammendment. The notice of intent was published on April 3, 2002.

If you have any questions concerning this matter please feel free to contact me at (863) 902-4109.

Thank you,

SOUTHERN GARDENS CITRUS PROCESSING CORPORATION

  
Olga Rodriguez  
Environmental Resource

RECEIVED

APR 11 2002

D.E.P. - South District





STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION  
SOUTH DISTRICT

POST OFFICE BOX 2549, FORT MYERS FLORIDA 33902-2549  
OFFICE TELEPHONE #: 239.332.6975 - OFFICE SUNCOM: 748.6975  
FAX TELEPHONE #: 239.332.6969 - FAX SUNCOM #: 748.6969

FAX TRANSMITTAL FORM

**FAXED**

04-15-02

DATE: 04-15-02

# OF PAGES INCLUDING COVER SHEET 3

TO: BRUCE MITCHELL

AGENCY: FDEP - TALLY DARM

TELEPHONE #: \_\_\_\_\_ FAX #: 850-922-6979  
8-291-9532

FROM: MARA G. NASCA

COMMENTS: Bruce - Received this April 11<sup>th</sup> - Southern Gardens  
Public Notice for 0510015-010-AC - (I believe its your project)  
I will have original mailed to you if you wish - let me know.  
MARA

PLEASE CONTACT IMMEDIATELY IF PAGES ARE NOT RECEIVED CLEARLY.

# SOUTHERN GARDENS CITRUS

Mr. Scott M. Sheplak, P.E.  
Department of Environmental Protection  
South District Office  
2295 Victoria Avenue, Suite 364  
Ft. Myers, Florida 33902-2549

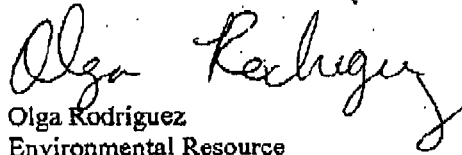
Dear Mr. Sheplak,

Please find enclosed an Affidavit of Publication, for the PSD Permit Ammendment. The notice of intent was published on April 3, 2002.

If you have any questions concerning this matter please feel free to contact me at (863) 902-4109.

Thank you,

SOUTHERN GARDENS CITRUS PROCESSING CORPORATION

  
Olga Rodriguez  
Environmental Resource

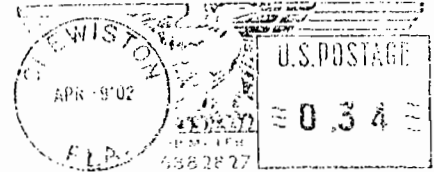
RECEIVED

APR 11 2002

DEP. - South District

# SOUTHERN GARDENS CITRUS

P.O. Box 130  
1820 County Road 833  
Clewiston, FL 33440



DEP. - South District

APR 11 2002

RECEIVED

Department of Environmental Protection  
Attn: Mr. Scott M. Sheplak  
South District Office  
P.O. Box 2549  
Ft. Myers, FL 33902-1254

33902+2549

**AFFIDAVIT OF PUBLICATION**

State of Florida  
 County of Hendry

Before the undersigned authority, personally appeared Debra Miller, who on oath says she is the Editor of the Clewiston News, a weekly newspaper published at Clewiston in Hendry County, Florida, that the attached copy of advertisement being a Notice of Intent in the matter

of to Issue An Air Construction Permit / PSD Permit Amendment in the \_\_\_\_\_ court, was published in said newspaper in the issue(s) of April 3, 2002

Affiant further says that the said Clewiston News is a newspaper published at Clewiston, in said Hendry County, continuously published in said Hendry County, Florida, each week, and has been entered as periodicals matter at the post office in Clewiston, in said Hendry County, Florida, for a period of one year next preceding the first publication says that she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Debra Miller

Sworn to and subscribed before me this 12th day of April 2002

Sifany Koon  
 Notary Public

Notary Public  
 State of Florida  
 My Commission Expires 12/31/2003  
 Commission # 12345678

**RECEIVED**

APR 15 2002

BUREAU OF AIR REGULATION

**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 permit 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 Section 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.

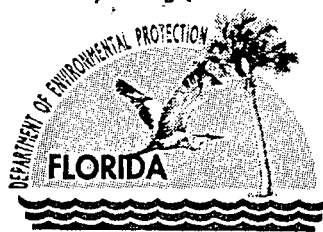
Because the administrative hearing process is designed to formulate final agency action, the filing of a petition means that the Department's final action may be different from the position taken by it in this notice of intent. Persons whose substantial interests will be affected by any such final decision 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. Shaplak, P.E., at the above address, or call 850/921-9532, for additional information.



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"

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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:

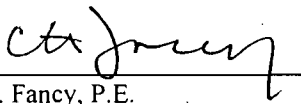
- (a) The name, address, and telephone number of the petitioner;
- (b) The name, address, and telephone number of the attorney or qualified representative of the petitioner, if any;
- (c) Each rule or portion of a rule from which a variance or waiver is requested;
- (d) The citation to the statute underlying (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:

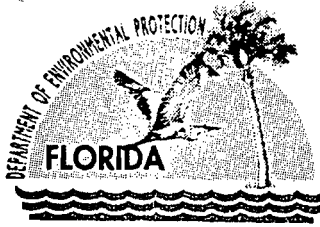
Based on the reasonable assurances from the latest construction permitting action (0510015-007-AC/PSD-FL-299), the operation of the existing facility should not cause a violation of any air quality standard or increment.

**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)  
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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)]



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/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.

I. 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.]

**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 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.

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*

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

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

**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  
 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

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

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

4. Restricted Delivery? (Extra Fee)  Yes

2 7001 0320 0001 3692 9090

PS Form 3811, July 1999

Domestic Return Receipt

102595-00-M-0952

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Sent To  
 Tristan Chapman  
 Street, Apt. No.,  
 or P.O. Box  
 P.O. Box 130  
 City, State, ZIP+4  
 Clewiston, FL 33440

PS Form 3800, January 2001

See Reverse for Instructions



Florida  
Department of  
Environmental Protection

Jeb Bush  
Governor

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

David Struhs  
Secretary

F A X T R A N S M I T T A L S H E E T

DATE: 3-11-02

TO: Jimmy Kirkland

PHONE: 404/572-3533

FAX: 404/572-5100

FROM: Bruce Mitchell

PHONE: 850/413-9198

**Division of Air Resources Management**

FAX: **850.922.6979**

RE: Petition Request

CC: \_\_\_\_\_

Total number of pages including cover sheet: 5

**Message**

2 x Request letters/formats. Hope the attachments  
are of some help. Give me a call if readability is bad.

Sincerely,

Bruce Mitchell

**If there are any problems with this fax transmittal, please call the above phone number.**

*"Protect, Conserve, and Manage Florida's Environmental and Natural Resources"*

*Printed on recycled paper*

8/8 v.8  
3/11

**Golder Associates Inc.**

6241 NW 23rd Street, Suite 500  
Gainesville, FL 32653-1500  
Telephone (352) 336-5600  
Fax (352) 336-6603



March 7, 2002

0137582

Florida Department of Environmental Protection  
New Source Review Section  
2600 Blair Stone Road  
Tallahassee, FL 32399-2400

RECEIVED

MAR 11 2002

BUREAU OF AIR REGULATION

Attention: Mr. Scott Sheplak, P.E.

RE: SOUTHERN GARDENS CITRUS PROCESSING CORP.  
DRAFT PERMIT NO. 0510015-010-AC; PSD-FL-299(A)  
ADDITION OF THREE JUICE EXTRACTORS

Dear Mr. Sheplak:

On December 11, 2001, the Department issued a draft air construction permit No. 0510015-010-AC/PSD-FL-299(a) to revised the prevention of significant deterioration (PSD) permit for three juice extractors at Southern Gardens Citrus Processing Corporation (SGCPC). Upon review of the draft, we are submitting several comments and requested changes. The comments are as follows.

**ITEM 1(a)**

This item addresses changes to Specific Condition II.28 of the PSD permit. SGCPC is in agreement with the changes proposed by the Department. However, SGCPC has identified an additional issue with this condition. This condition states in part that:

Measurement of recovery shall be made each operational day and averaged over the days of facility operation during each month. The monthly averages shall be used to calculate the consecutive 12-month oil recovery.

The problem that SGCPC has identified is that this methodology does not correctly account for limited operation during certain months. Each month used to calculate the 12-month average is given equal weight, regardless of the level of operation or amount of fruit processed in that month. This would be particularly significant in months in which the processing season started or ended, or months with very little operation. For example, a facility may start processing at the end of October, a few days before the end of the calendar month. The oil recovery during this month may be particularly low, and much less than 50 percent, because all systems at the facility were not yet up and running efficiently. However, by the permit wording, this month would count equally with all other months in the consecutive 12-month period.

A review of the citrus industry legislative language from which this condition was derived [FLL 403.08725(4)(a)1] reveals differences between the legislation and the PSD permit. The legislative language is as follows:

Measurement of recovery of oil shall be made each operational day and averaged over the days of facility operation during each **calendar year**.

There is no mention of monthly oil recovery or a 12-month average based on the monthly averages.

In order to remedy the problem with potential erroneous 12-month average oil recovery and to be consistent with the legislation, we suggest that the wording of Specific Condition 28 be revised as follows:

Measurement of recovery shall be made each operational day and averaged over the days of facility operation during each consecutive 12-month period. [Delete the next sentence]

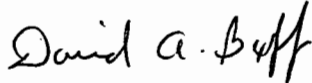
**Item C.**

This item addresses Section III, Subsection B, Specific Condition 2. SGPCPC withdraws its request to revise this permit condition. We therefore request that the wording of this condition remain unchanged from the original PSD permit.

Thank you for consideration of these requested revisions to the final permit. Please call or e-mail me if you have any questions concerning this information.

Sincerely,

GOLDER ASSOCIATES INC.



David A. Buff, P.E., Q.E.P.  
Principal Engineer  
Florida P.E. #19011

DB/jkw

Attachments

cc: Derek Pridgen  
Olga Rodriguez  
Lisa Gefen

P:\Projects\2001\0137582 Southern Gardens\4\4.1\030702.doc

# SOUTHERN GARDENS CITRUS PROCESSING CORPORATION

RECEIVED

FEB 18 2002

BUREAU OF AIR REGULATION

February 15, 2002

Department of Environmental Protection  
Attn: Department's Bureau of Air Regulation  
2600 Blair Stone Road, Mail Station # 5505  
Tallahassee, FL 32399-2400

Please find enclosed an affidavit concerning the Public Notice of Intent to Issue an Air Construction Permit for #0510015-010-AC and Draft PSD Permit Amendment No: PSD-FL 299(A).

If you have any questions regarding this matter I can be contacted at (863) 902-4109.

Sincerely,

SOUTHERN GARDENS CITRUS PROCESSING CORPORATION



Olga Rodriguez  
Environmental

cc: B. Mitchell  
R. Blackburn, SD  
K. Wally, EPA



**AFFIDAVIT OF PUBLICATION**

State of Florida  
 County of Hendry

Before the undersigned authority, personally appeared Debra Miller, who on oath says she is the Editor of the Clewiston News, a weekly newspaper published at Clewiston in Hendry County, Florida.

that the attached copy of advertisement being a Public Notice in the matter of Intent to Issue Air Construction Permit

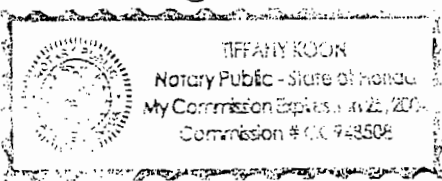
in the \_\_\_\_\_ court, was published in said newspaper in the issue(s) of February 6, 2002

Affiant further says that the said Clewiston News is a newspaper published at Clewiston, in said Hendry County, continuously published in said Hendry County, Florida, each week, and has been entered as periodicals matter at the post office in Clewiston, in said Hendry County, Florida, for a period of one year next preceding the first publication says that she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Debra Miller

Sworn to and subscribed before me this 11th day of Feb 2002

Siffany Koon  
 Notary Public



**PUBLIC NOTICE OF INTENT TO ISSUE AIR CONSTRUCTION PERMIT**  
 STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION

Draft Air Construction Permit No.: 0510015-010-AC  
 Draft PSD Permit Amendment No.: PSD-FL-299(A)  
 Southern Gardens Citrus Processing Corporation  
 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 Corporation located at 1820 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 Corporation, Post Office Box 130, Clewiston, Florida 33440.

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 Department will issue the Final Air Construction Permit/PSD Permit Amendment (letter) in accordance with the conditions of the 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 permit (letter) issuance action for a period of fourteen (14) 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, FL 32399-2400. Any written comments filed shall be made available for public inspection. If written comments received result in a significant change in the proposed agency action, the Department shall issue a Revised Draft Air Construction Permit/PSD Permit Amendment (letter), and require, if applicable, another Public Notice.

The Department will issue the permit (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 Section 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 permit applicant or any of the parties listed below must be filed within fourteen (14) days of publication of the public notice, or within fourteen (14) 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 fourteen (14) 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 upon 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 proposed action;
- (f) A statement identifying the rules or statutes the petitioner contends require reversal or modification of the agency's proposed action; and
- (g) A statement of the relief sought by the petitioner, stating the action 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 384  
 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 Draft Permit (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. Sheplek, P.E., at the above address, or call (850)921-9532, for additional information.

259194 - CN 2/8/02



Florida  
Department of  
Environmental Protection

Jeb Bush  
Governor

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

David Struhs  
Secretary

F A X T R A N S M I T T A L S H E E T

DATE: 1-9-02

TO: Lisa Glenn

PHONE: \_\_\_\_\_

FAX: 850/921-3000

FROM: Bruce Mitchell

PHONE: 850/413-9198

**Division of Air Resources Management**

FAX: **850.922.6979**

RE: So. Gardens Citrus Processing Corp.

CC: \_\_\_\_\_

Total number of pages including cover sheet: 4

**Message**

Request for Extension of Time to File for an  
Administrative Hearing [0510015-010-AC/PSA-FI-299(A)].  
Howard Rhodes said that it is OK for a 60-day timeframe  
extension.

**If there are any problems with this fax transmittal, please call the above phone number.**

*"Protect, Conserve, and Manage Florida's Environmental and Natural Resources"*

*Printed on recycled paper*

**Fax**

To: Attn: *Office of General Council* Fax Number: *850-922-6979*  
 Company: *FL DEP* Date: *12/28/01*  
 From: *Dave Buff* E-mail: *@golder.com*  
 Project No: *0137582* Voice Mail:  
 RE: *Southern Garden Citrus Processing Corp.*  
 Total Pages (including cover): *3* Hard copy to follow

**MESSAGE**

**RECEIVED**

DEC 28 2001

BUREAU OF AIR REGULATION

*Howard grant 60 days*



**Golder Associates**

6241 NW 23rd St., Suite 500  
 Gainesville, FL 32653  
 U.S.A.  
 Telephone: (352) 336-5600  
 Fax: (352) 336-6603

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## STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

Applicant: Southern Gardens Citrus Processing Corporation

DEP File No.: Draft Air Construction Permit/PSD Permit Amendment Nos.: 0510015-010-AC/PSD-FL-299(A)

Southern Garden Citrus Processing Corporation (SGCPC) respectfully submits this request for an extension of time to file a petition for a formal administrative hearing concerning the draft construction/PSD permit No. 0510015-010-AC/PSD-299(A), issued by the Florida Department of Environmental Protection ("Department") on December 11, 2001. The following are provided in support of this request:

1. On December 11, 2000, the Department issued the Draft Permit, the "Intent to Issue an Air Construction Permit" and related documents. SGCPC's facility will be governed by the terms of the Draft Permit and, therefore, SGCPC is substantially affected by the Department's actions concerning the Draft Permit.
2. The Draft Permit contains several provisions that are of concern to SGCPC. The Department did not grant several of SGCPC's requests to amend the construction permit. Some of SGCPC's requests were not addressed directly in the Draft Permit. SGCPC wants to submit written comments and have an opportunity to work with the Department to resolve these concerns.
3. The Department's Notice of Intent states that:  
The Department will accept written comments concerning the proposed permit issuance action for a period of 14 (fourteen) days from the date of publication of the "PUBLIC NOTICE OF INTENT TO ISSUE AN AIR CONSTRUCTION PERMIT."
4. The Department's Notice of Intent also states that:  
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. ....Petitions filed by the permit applicant or any of the parties listed below must be filed within 14 (fourteen) days of receipt of this notice of intent.
5. On or about December 19, 2001, SGCPC's consultant, Golder Associates Inc., spoke with Department representatives in order to attempt to resolve the outstanding issues. As a result of these discussions, a meeting was scheduled between the Department and SGCPC for January 8, 2002.

WHEREFORE, SGPCPC respectfully requests the Department of Environmental Protection to grant a sixty (60) day extension of time for filing a petition for an administrative hearing, if necessary, concerning the Department's actions in this case.

The undersigned has read Sections 120.569 and 120.57, Florida Statutes (F.S.), and fully understands the applicant's rights under those sections. With regard to the above referenced permit application, the applicant hereby, with full knowledge and understanding of its rights under Sections 120.60(2) and 403.0876, F.S., waives the right under those statutes to have the application for a permit issued or denied by the State of Florida Department of Environmental Protection within the ninety day time period proscribed in those sections. Said waiver is made freely and voluntarily by the applicant, is in its self-interest, and is made without any pressure or coercion by anyone employed by the State of Florida Department of Environmental Protection.

Respectfully submitted this 28<sup>th</sup> day of December, 2001. The undersigned is authorized to make this waiver on behalf of the applicant.

Golder Associates Inc.

David A. Buff 12/28/01  
Signature/Date

David A. Buff, P.E., Principal Engineer  
Florida P.E. #19011  
6241 NW 23 Street  
Gainesville, FL 32653  
Phone: 352-336-5600  
Fax: 325-336-6603



Jeb Bush  
Governor

# Department of Environmental Protection

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

David B. Struhs  
Secretary

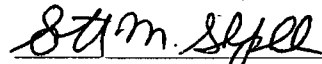
## P.E. Certification Statement

**Permittee:**  
Southern Gardens Citrus Processing Corp.

**Permit No.:** 0510015-010-AC

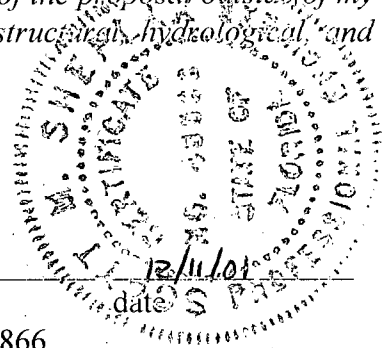
**Project type:** Air Construction Permit Amendment

*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



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



Jeb Bush  
Governor

# Department of Environmental Protection

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

David B. Struhs  
Secretary

December 11, 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: Draft Air Construction Permit/PSD Permit Amendment Nos.: 0510015-010-AC/PSD-FL-299(A)  
Southern Gardens Citrus Processing Corp.

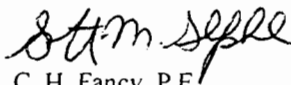
Dear Mr. Chapman:

One copy of the 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 permitting authority's Technical Evaluation and Preliminary Determination, "INTENT TO ISSUE AN AIR CONSTRUCTION PERMIT", and "PUBLIC NOTICE OF INTENT TO ISSUE AN AIR CONSTRUCTION PERMIT" are also included.

The "PUBLIC NOTICE OF INTENT TO ISSUE AN AIR CONSTRUCTION PERMIT" 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. Failure to publish the notice and provide proof of publication within the allotted time may result in the denial of the permit.

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 Permit by:

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

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

---

**INTENT TO ISSUE AN AIR CONSTRUCTION PERMIT**

The Department of Environmental Protection (Department) gives notice of its intent to issue an Air Construction Permit/PSD Permit Amendment [copy of the 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 for the existing Southern Gardens Citrus Processing Corp. citrus processing facility located at 755 County Road 833, Clewiston, Hendry County.

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 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 is 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 Sections 403.815 and 403.0872, F.S., and Rules 62-103.150 and 62-210.350(3), 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." 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. Failure to publish the notice and provide proof of publication within the allotted time may result in the denial of the combined permits pursuant to Rule 62-103.150(6), 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 permit (letter). Failure to publish the notice and provide proof of publication may result in the denial of the permit (letter) pursuant to Rules 62-110.106(9) and (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 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 permit 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." 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 Draft Air Construction Permit/PSD Permit Amendment (letter), the Department shall issue a Revised Draft Air Construction Permit/PSD Permit Amendment (letter) and require, if applicable, another Public Notice.



The Department will issue the permit (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 permit 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:

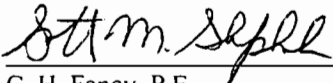
- (a) The name, address, and telephone number of the petitioner;
- (b) The name, address, and telephone number of the attorney or qualified representative of the petitioner, if any;
- (c) Each rule or portion of a rule from which a variance or waiver is requested;
- (d) The citation to the statute underlying (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 package (including the PUBLIC NOTICE, Technical Evaluation and Preliminary Determination, and the Draft Permit) was sent by certified mail (\*) and copies mailed by U.S. Mail before the close of business on 12/11/01 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.

Barbara J. Friday 12/11/01  
(Clerk) (Date)

**PUBLIC NOTICE OF INTENT TO ISSUE AN AIR CONSTRUCTION PERMIT**

STATE OF FLORIDA  
DEPARTMENT OF ENVIRONMENTAL PROTECTION

Draft Air Construction Permit No.: 0510015-010-AC  
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 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 Department will issue the Final Air Construction Permit/PSD Permit Amendment (letter), in accordance with the conditions of the 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 permit (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 proposed agency action, the Department shall issue a Revised Draft Air Construction Permit/PSD Permit Amendment (letter) and require, if applicable, another Public Notice.

The Department will issue the permit (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 permit 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:

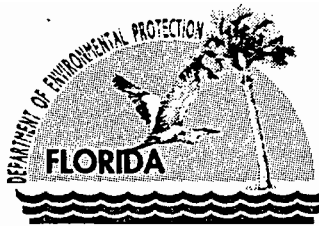
Permitting Authority:

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 Draft Permit (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.



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

**Project type:** Air Construction 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

12/11/01  
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

**TECHNICAL EVALUATION**  
**AND**  
**PRELIMINARY DETERMINATION**

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

**Air Construction Permit**  
**Draft Air Construction Permit No.:** 0510015-010-AC  
**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

## **2. FACILITY INFORMATION.**

### **2.1. Facility Location**

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

## **3. PROJECT DESCRIPTION.**

3.1. 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 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 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, 62-213, 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, 62-213, 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), 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:

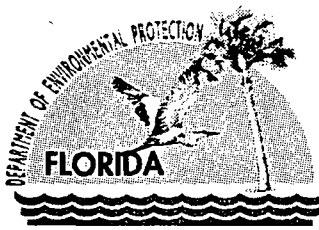
Based on the reasonable assurances from the latest construction permitting action (0510015-007-AC/PSD-FL-299), the operation of the existing facility should not cause a violation of any air quality standard or increment.

**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

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

David B. Struhs  
Secretary

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

Dear Mr. Chapman:

This draft letter modification proposes 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. Letter received August 9, 2001.

1. The request is to (a) include the "oil phase essence recovered" in the material balance scheme for the measurement of oil recovery from citrus fruit; and, (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".

#### Responses.

1.(a) 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. 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 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.

"More Protection, Less Process"

Printed on recycled paper.

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 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.; and, 0510015-011-AC/PSD-FL-299(A)]

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.

2. 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.

3. 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.

B. Letter received September 25, 2001.

1. 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.]

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)]

C. Letter received November 7, 2001.

1. The request is to allow the inclusion of molasses in with the pressed peel input rate limitation to the peel dryer.

**Response.** The Department does not care that molasses is sprayed onto the pressed peel prior to drying in the peel dryer, so long as the amount of molasses, by weight, is accounted for on the same frequency as the pressed peel, which is on a daily average basis. Therefore, the following change will be made to Specific Condition No. 2 (Section III, Subsection B.):

FROM:

2. 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. [Rules 62-4.070(3) and 62-212.400, F.A.C., limitation on potential to emit and assumptions relied upon for modeling impacts]

TO:

2. 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; in addition, molasses may be sprayed onto the pressed peel, prior to drying in the peel dryer, and the weight of the molasses shall be accounted for on a daily average basis; and, therefore, the total input rate to the dryer of pressed peel, including the weight of the moisture in the pressed peel, plus molasses, by weight, shall not exceed 47 tons per hour, on a daily average basis. [Rules 62-4.070(3) and 62-212.400, F.A.C., limitation on potential to emit and assumptions relied upon for modeling impacts; 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 4 of 4

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,

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

**BEST AVAILABLE COPY**

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none"> <li>Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</li> <li>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.</li> </ul>	A. Received by (Please Print Clearly)	B. Date of Delivery
Article Addressed to: . Tristan Chapman Vice President and General Manager Southern Gardens Citrus Processing Corporation Post Office Box 130 Clewiston, Florida 33440	C. Signature X <i>Tristan Chapman</i> <input type="checkbox"/> Agent <input type="checkbox"/> Addressee D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No	
2. Article Number (Copy from service label) 7000 0520 0020 9371 1861	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. 4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes	

PS Form 3811, July 1999 Domestic Return Receipt 12595-00-M-0952

**U.S. Postal Service**  
**CERTIFIED MAIL RECEIPT**  
*(Domestic Mail Only; No Insurance Coverage Provided)*

1997 1266 0200 0250 0001

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.  
 Post Office Box 130

City, State, ZIP+4  
 Clewiston, Florida 33440

PS Form 3800, February 2000 See Reverse for Instructions

**Golder Associates Inc.**

6241 NW 23rd Street, Suite 500  
Gainesville, FL 32653-1500  
Telephone (352) 336-5600  
Fax (352) 336-6603

November 5, 2001



0137582

Florida Department of Environmental Protection  
New Source Review Section  
2600 Blair Stone Road  
Tallahassee, FL

RECEIVED

NOV 07 2001

Attention : Mr. Scott Sheplak, P.E.

RE: Southern Gardens Citrus Processing Corp. (SGCPC) BUREAU OF AIR REGULATION  
Permit No. 0510015-007-AC; PSD-FL-299  
Addition of Three Juice Extractors

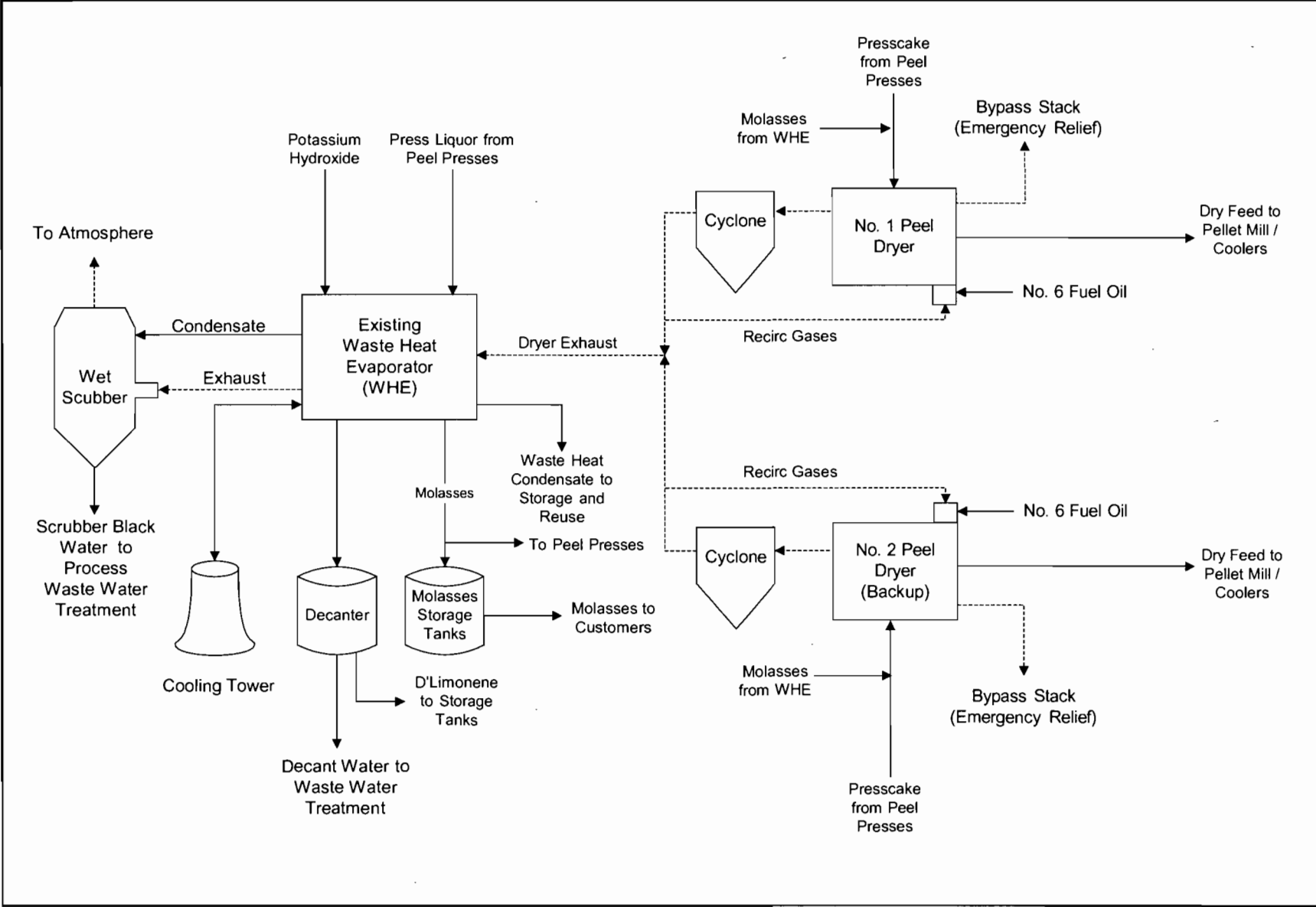
Dear Mr. Sheplak:

Southern Gardens Citrus Processing Corporation (SGCPC) recently applied for several revisions to Final Permit No. 0510015-007-AC/PSD-FL-299 issued on December 4, 2000. These changes were requested in letters to the Department dated August 7, 2001 and September 20, 2001. In the August 7 letter, it was requested that the limitation on the peel dryer process input rate be changed from 47 tons per hour (TPH) of pressed peel to 18.5 TPH of bone-dry peel (BDP). The reason for this request was that all of the emissions in the original PSD application for the three juice extractors were based on BDP input to the dryer.

Based on my discussions with Mr. Bruce Mitchell of your staff, the Department is reluctant to change the basis of the peel dryer limitation, since no other citrus processing plants in Florida currently have peel dryer input limits in terms of BDP. The purpose of this letter is to provide additional information in regards to this request and to offer alternative limits based on wet peel input.

A review was conducted of all current Title V permits for citrus plants in Florida. The results of this review are presented in the attached table, for your reference. About 25 citrus plants are currently permitted. All peel dryer capacity limits are based on wet (pressed) peel input. Of these, 10 plants do not have any hourly capacity limitation, but instead have a monthly or 12-month rolling average limitation on wet peel input. Some of these 10 plants have a maximum hourly input rate specified under the particulate matter (PM) emission standards, for testing and hourly/annual emission limit purposes. For several of these plants, the 12-month rolling average limitation was taken to avoid PSD review.

In the original extractors PSD application for SGCPC, a maximum process rate of 47 TPH pressed peel was shown on the application form and was stated in the report with the PSD application. In the application form, this rate was qualified as based on 74-percent moisture. In the PSD report, it was qualified as "approximately 47 TPH at 74 percent moisture". Therefore, it was recognized that input rates could vary based on moisture content. Unfortunately, SGCPC did not object to this limit in the final permit that was issued. Nevertheless, as discussed previously, all emissions in the application were based on 18.5 TPH BDP input or the maximum 84 MMBtu/hr heat input to the dryer, and not 47 TPH pressed peel input.



Attachment SG-EU1-J1  
 Southern Gardens Citrus Processing Corporation  
 Process Flow Diagram  
 Clewiston, Florida

Process Area: Backup No. 2 Peel Dryer Evaporator  
 Filename: SG-EU1-J1.VSD  
 Latest Revision Date: 11/5/01

Process Flow Legend:  
 Solid / Liquid ———→  
 Gas - - - - -→  
 Steam - · - - - -→





It is also noted that molasses from the process may or may not be added onto the peel press cake prior to entering the peel dryer. This was indicated on the flow diagram of the facility and the feed mill in the original PSD permit application. Historically, until last season, SGPC normally added recovered molasses back onto the peel. Last season, however, it became more economical to sell the molasses as a separate byproduct. Whether molasses continues to be sold separately or is combined back with the pressed peel will depend on economics.

The molasses stream is large in volume and can add a significant amount of additional solids into the peel press cake. Molasses is about 50-percent moisture; therefore, adding molasses to the press cake lowers the overall moisture content of the press cake (the press cake is typically around 70-percent moisture). As described below, lowering press cake moisture allows greater weight of press cake through the peel dryer.

If the Department deems it appropriate to retain the dryer capacity limitation based on pressed peel input, then SGPC requests that the limitation be changed to more correctly reflect the potential total input to the dryer, i.e., pressed peel plus molasses. The current hourly limitation on the dryer only relates to "pressed peel".

The attached Table 2 presents SGPC peel dryer input rates in terms of dryer evaporation rate, pressed peel input rate (can include molasses), peel moisture content, and the corresponding bone dry peel input rate. SGPC's dryer is designed for 60,000 lb/hr water evaporation rate. Based on this water evaporation rate, the potential input rate to the dryer becomes a function of moisture content of the pressed peel/molasses. The pressed peel/molasses input rate changes rapidly with moisture content, due to the high moisture contents associated with citrus peel. Also note that up to 54.3 TPH of pressed peel/molasses could be processed if moisture content is low enough (i.e., 62 percent). This low moisture content is possible if the pressed peel moisture content is about 65 percent, and molasses is being added to the peel.

It is important to note that, as peel moisture content is lowered, additional pressed peel can be accommodated by the dryer. All citrus processors today are striving to make process improvements to lower pressed peel moisture content. The feed mill operations are currently losing money. Therefore the goal is to process more peel through the dryer at lower cost. Lowering the peel moisture content saves energy, allows higher peel throughput thus lowering the operating hours of the dryer, and lowers overall operating costs.

In addition, the environment benefits in several ways. First, lower peel moisture content translates to less citrus oil in the peel. This leads directly to lower VOC and CO emissions out the dryer/waste heat evaporator stack. Secondly, less energy is consumed by the dryer, improving energy efficiency and lowering combustion-related emissions.

Based on the foregoing discussion, SGPC requests the following changes in regards to capacity limitations on the peel dryer:

1. Remove the hourly throughput limitation, and replace it with the previous short-term limitation on the peel dryer of 84 MMBtu/hr (daily average).
2. Set a new annual capacity limitation on the dryer based on the 20 million box capacity limitation for the plant. The limitation is based on the historic maximum amount of pellets produced in the feed mill at SGPC, plus a margin to account for variability.

This historic maximum is approximately 10 lb of dried pellets @ 15-percent moisture per box of fruit processed (this figure includes molasses added back into the peel). Assuming the average moisture of the pressed peel is 74 percent (worst case on annual basis), and using 10.5 lb pellets/box of fruit, the specific limitation is 343,000 TPY of pressed peel/molasses, derived as follows:

$$10.5 \text{ lb pellets/box @ 15\% moisture} \times (1-0.85) = 8.93 \text{ lb/box bone dry}$$

$$8.93 \text{ lb/box} \times 1/(1-0.74) = 34.3 \text{ lb pressed peel/box @ 74\% moisture}$$

$$20 \text{ million boxes/yr} \times 34.3 \text{ lb/box} \times \text{ton}/2000 \text{ lb} = 343,000 \text{ TPY pressed peel}$$


This request in no way affects the actual capacity of the peel dryer. No change in the maximum heat input to the dryer of 84 MMBtu/hr is being requested. It will not affect the annual rate through the dryer, since this is limited by the 20 million boxes of fruit cap on the facility. This request does not increase hourly or annual potential emissions from the facility. Approving this change will allow SGPCPC to become more efficient in its operations, and potentially reduce air emissions.

In order that the potential hourly and annual PM emissions from the peel dryer are not increased, SGPCPC is also proposing to place a cap on PM emissions at 32.05 lb/hr and 96.15 TPY. This is the current limitation based on the process rate of 47 TPH and using the process weight table. At process rates lower than 47 TPH, the process weight table would still govern. However, at process rates above 47 TPH, PM emissions would be limited to 32.05 lb/hr.

Please find attached a responsible official and P.E. signature page, as well as updated pages from the extractors PSD application. The flow diagrams have been revised to show that molasses can also be sent off-site to customers.

Thank you for consideration of this requested revision to the PSD permit. Please call or e-mail me if you have any questions concerning this information.

Sincerely,  
Golder Associates Inc.

  
David A. Buff, P.E., Q.E.P.  
Principal Engineer  
Florida P.E. #19011  
DB/jkw

Attachments

cc: Derek Pridgen  
Olga Rodriguez  
Lisa Gefen

Table 2. Calculation of Maximum Peel Dryer Process Rates, Southern Gardens

Parameter	Process Rate							
Moisture removal in dryer (lb/hr)*	60,000	60,000	60,000	60,000	60,000	60,000	60,000	60,000
Pressed peel input rate (TPH)	<b>54.26</b>	<b>52.06</b>	<b>50.00</b>	<b>48.13</b>	<b>46.37</b>	<b>44.75</b>	<b>43.23</b>	<b>41.79</b>
Pressed peel moisture (%)	62	64	66	68	70	72	74	76
Total moisture input (lb/hr)	67,286	66,631	66,000	65,450	64,913	64,440	63,982	63,523
Pressed peel input rate (TPH bone dry peel)	20.62	18.74	17.00	15.40	13.91	12.53	11.24	10.03
Dried peel moisture (%)**	15.0%	15.0%	15.0%	15.0%	15.0%	15.1%	15.0%	14.9%
Moisture remaining in dry peel (lb/hr)	7,286	6,631	6,000	5,450	4,913	4,440	3,982	3,523
Total dried peel production rate (TPH)	24.26	22.06	20.00	18.13	16.37	14.75	13.23	11.79

\* Design water removal rate for peel dryer.

\*\* Dried peel existing the dryer normally in 13%-15% range. Using highest moisture results in greatest pressed peel input rate.

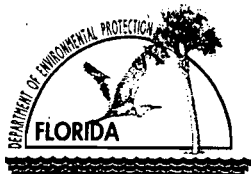
Table 1. Summary of Permitted Peel Dryer Capacities, Florida Citrus Industry (October 2001)

Facility	Formerly Named	City	County	Title V Permit No.	Number of Peel Dryers	Capacity Limitation
A. Duda & Sons/Citrus Belle		Labelle	Hendry	0150004-001-AV	1	12.3 TPH BDP/ 35 TPH wet peel/ 7.5 million boxes*
Cargill Citro Pure	Cargill Citro-America	Frostproof	Polk	1050019-003-AV	1	51.0 TPH pressed peel (daily avg)
Cargill Citro Pure	Indian River Foods	Ft. Pierce	St. Lucie	1110018-003-AV	1	140,000 TPY *
Cargill Citro Pure	SunPure	Avon Park	Highlands	0550035-005-AV	1	N/A: "Normal operating capacity, approximately 14 TPH."
Citrus Service		Brooksville	Hernando	0530004-003-AV	1	10 TPH wet peel (daily avg)
Citrus World		Lake Wales	Polk	1050002-003-AV	3	40/ 80/ 88.6 TPH pressed peel (daily avg)
Citrusuco North America	Alcoma Packing	Lake Wales	Polk	1050001-001-AV	2	50 TPH each dryer (daily avg); 285,700 TPY* pressed peel for both dryers
Cutrale Citrus Juices		Auburndale	Polk	1050023-002-AV	2	55/ 55 TPH (daily avg)
Cutrale Citrus Juices		Lessburg	Lake	0690002-003-AV	1	457,272 TPY*
Florida Global Citrus	SFE Citrus Porcessors	Auburndale	Polk	1050037-001-AV	1	62 TPH pressed peel
Florida Select Citrus		Groveland	Lake	0690001-001-AV	1	95,795 TPY wet peel*+; 19.55 TPH under PM standards
Goldem Gem Growers		Umatilla	Lake	069005-001-AV	1	237,888 TPY wet peel*; 47.2 TPH under PM standards
Holly Hill		Davenport	Polk	1050061-001-AV	1	28.4 TPH wet peel (daily avg)
Louis Dreyfus Citrus	Caulkins Indiantown	Indiantown	Martin	085000-003-AV	2	27/ 39 TPH; 4,500 hr/yr combined operation
Louis Dreyfus Citrus	Winter Garden Citrus	Winter Garden	Orange	0950053-002-AV	2	185,490 TPY*+ (cobined operation)
Met Life Insurance Company	Fla. Juice Partner/ US Beverage	Lakeland	Polk	1050015-005-AV	1	36.0 TPH wet peel (daily avg)
Ocean Spray Cranberry		Vero Beach	Indian River	0610021-007-AV	#1 #2 #1+#2	95,256 TPY wet peel*; 27.0 TPH under PM standards 127,008 TPY wet peel*; 36.0 TPH under PM standards 127,008 TPY wet peel* (combined input)
Pasco Processing	Orange- Co.	Bartow	Polk	1050045-004-AV	2	45.0/ 22.5 TPH pressed peel; cannot operate simultaneously
Peace River Citrus		Arcadia	Desoto	0270003-005-AV	1	32.5 TPH (monthly avg)
Silver Springs Citrus		Howey-in-the-Hi Lake		0690014-002-AV	1	122,285 TPY wet peel*; 21.23 TPH udner PM standards
Southern Gardens Citrus		Clewiston	Hendry	0510015-009-AV	1	47.0 TPH wet peel (daily avg)
SunPac Foods		Winter Haven	Polk	1050106-001-AV	1	25 TPH pressed peel (daily avg)
Tropicana		Ft. Pierce	St. Lucie	1110004-002-AV	2	50 TPH pressed peel each dryer (daily avg)
Tropicana		Bradenton	Manatee	0810007-003-AV	3	50 TPH each- pressed peel

## Footnotes:

\* per 12 consecutive months

+ PSD avoidance limit



# Department of Environmental Protection

## Division of Air Resources Management

### APPLICATION FOR AIR PERMIT - TITLE V SOURCE

See Instructions for Form No. 62-210.900(1)

#### I. APPLICATION INFORMATION

##### Identification of Facility

1. Facility Owner/Company Name: <b>Southern Gardens Citrus Processing Corp.</b>	
2. Site Name: <b>Southern Gardens Citrus Processing Corp.</b>	
3. Facility Identification Number: <b>0510015</b> [    ] Unknown	
4. Facility Location: Street Address or Other Locator: <b>755 C.R. 833; P.O. Box 130</b> City: <b>Clewiston</b> County: <b>Hendry</b> Zip Code: <b>33440</b>	
5. Relocatable Facility? [    ] Yes     [ <b>X</b> ] No	6. Existing Permitted Facility? [ <b>X</b> ] Yes     [    ] No

##### Application Contact

1. Name and Title of Application Contact: <b>Derek Pridden, Environmental Engineer</b>	
2. Application Contact Mailing Address: Organization/Firm: <b>Southern Gardens Citrus Processing</b> Street Address: <b>755 CR 833; P.O. Box 130</b> City: <b>Clewiston</b> State: <b>FL</b> Zip Code: <b>33440</b>	
3. Application Contact Telephone Numbers: Telephone:   ( <b>863</b> ) <b>983 - 3030</b> Fax:   ( <b>863</b> ) <b>983 - 3060</b>	

##### Application Processing Information (DEP Use)

1. Date of Receipt of Application:	
2. Permit Number:	
3. PSD Number (if applicable):	
4. Siting Number (if applicable):	

**Purpose of Application**

**Air Operation Permit Application**

This Application for Air Permit is submitted to obtain: (Check one)

Initial Title V air operation permit for an existing facility which is classified as a Title V source.

Initial Title V air operation permit for a facility which, upon start up of one or more newly constructed or modified emissions units addressed in this application, would become classified as a Title V source.

Current construction permit number: \_\_\_\_\_

Title V air operation permit revision to address one or more newly constructed or modified emissions units addressed in this application.

Current construction permit number: \_\_\_\_\_

Operation permit number to be revised: \_\_\_\_\_

Title V air operation permit revision or administrative correction to address one or more proposed new or modified emissions units and to be processed concurrently with the air construction permit application. (Also check Air Construction Permit Application below.)

Operation permit number to be revised/corrected: \_\_\_\_\_

Title V air operation permit revision for reasons other than construction or modification of an emissions unit. Give reason for the revision; e.g., to comply with a new applicable requirement or to request approval of an "Early Reductions" proposal.

Operation permit number to be revised: \_\_\_\_\_

Reason for revision: \_\_\_\_\_

**Air Construction Permit Application**

This Application for Air Permit is submitted to obtain: (Check one)

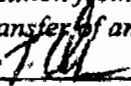
Air construction permit to construct or modify one or more emissions units.

Air construction permit to make federally enforceable an assumed restriction on the potential emissions of one or more existing, permitted emissions units.

Air construction permit for one or more existing, but unpermitted, emissions units.

## BEST AVAILABLE COPY

Owner/Authorized Representative or Responsible Official

1. Name and Title of Owner/Authorized Representative or Responsible Official: <b>Tristan Chapman, Vice President, General Manager</b>
2. Owner/Authorized Representative or Responsible Official Mailing Address: Organization/Firm: <b>Southern Gardens Citrus Processing Corp.</b> Street Address: <b>756 CR 833</b> City: <b>Clewiston</b> State: <b>FL</b> Zip Code: <b>33440</b>
3. Owner/Authorized Representative or Responsible Official Telephone Numbers: Telephone: <b>(883) 983-3030</b> Fax: <b>(883) 983-3060</b>
4. Owner/Authorized Representative or Responsible Official Statement:  <i>I, the undersigned, am the owner or authorized representative* (check here [ ], if so) or the responsible official (check here [ ], if so) of the Title V source addressed in this application, whichever is applicable. I hereby certify, based on information and belief formed after reasonable inquiry, that the statements made in this application are true, accurate and complete and that, to the best of my knowledge, any estimates of emissions reported in this application are based upon reasonable techniques for calculating emissions. The air pollutant emissions units and air pollution control equipment described in this application will be operated and maintained so as to comply with all applicable standards for control of air pollutant emissions found in the statutes of the State of Florida and rules of the Department of Environmental Protection and revisions thereof. I understand that a permit, if granted by the Department, cannot be transferred without authorization from the Department, and I will promptly notify the Department upon sale or legal transfer of any permitted emissions unit.</i>   _____ Signature Date: <u>10/6/01</u>

\* Attach letter of authorization if not currently on file.

Professional Engineer Certification

1. Professional Engineer Name: <b>David A. Buff</b> Registration Number: <b>19011</b>
2. Professional Engineer Mailing Address: Organization/Firm: <b>Golder Associates Inc.</b> Street Address: <b>6241 NW 23rd Street, Suite 500</b> City: <b>Gainesville</b> State: <b>FL</b> Zip Code: <b>32653-1500</b>
3. Professional Engineer Telephone Numbers: Telephone: <b>(352) 336-5600</b> Fax: <b>(352) 336-6803</b>

4. Professional Engineer Statement:

*I, the undersigned, hereby certify, except as particularly noted herein\*, that:*

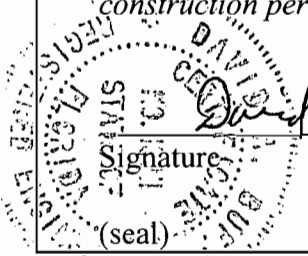
*(1) To the best of my knowledge, there is reasonable assurance that the air pollutant emissions unit(s) and the air pollution control equipment described in this Application for Air Permit, when properly operated and maintained, will comply with all applicable standards for control of air pollutant emissions found in the Florida Statutes and rules of the Department of Environmental Protection; and*

*(2) To the best of my knowledge, any emission estimates reported or relied on in this application are true, accurate, and complete and are either based upon reasonable techniques available for calculating emissions or, for emission estimates of hazardous air pollutants not regulated for an emissions unit addressed in this application, based solely upon the materials, information and calculations submitted with this application.*

*If the purpose of this application is to obtain a Title V source air operation permit (check here [ ], if so), I further certify that each emissions unit described in this Application for Air Permit, when properly operated and maintained, will comply with the applicable requirements identified in this application to which the unit is subject, except those emissions units for which a compliance schedule is submitted with this application.*

*If the purpose of this application is to obtain an air construction permit for one or more proposed new or modified emissions units (check here [X], if so), I further certify that the engineering features of each such emissions unit described in this application have been designed or examined by me or individuals under my direct supervision and found to be in conformity with sound engineering principles applicable to the control of emissions of the air pollutants characterized in this application.*

*If the purpose of this application is to obtain an initial air operation permit or operation permit revision for one or more newly constructed or modified emissions units (check here [ ], if so), I further certify that, with the exception of any changes detailed as part of this application, each such emissions unit has been constructed or modified in substantial accordance with the information given in the corresponding application for air construction permit and with all provisions contained in such permit.*



*David A. Buff*  
\_\_\_\_\_  
Signature

*11/06/01*  
\_\_\_\_\_  
Date

\* Attach any exception to certification statement.



**Scope of Application**

Emissions Unit ID	Description of Emissions Unit	Permit Type	Processing Fee
003	Citrus Feed Mill(Peel Dryer/Waste Heat Evaporator)	AC1A	
004, 005, 009	Citrus Pellet Coolers	AC1A	
006	7 VOC Storage Tanks	AC1A	

**Application Processing Fee**

Check one: [ ] Attached - Amount: \$: \_\_\_\_\_ [ X ] Not Applicable

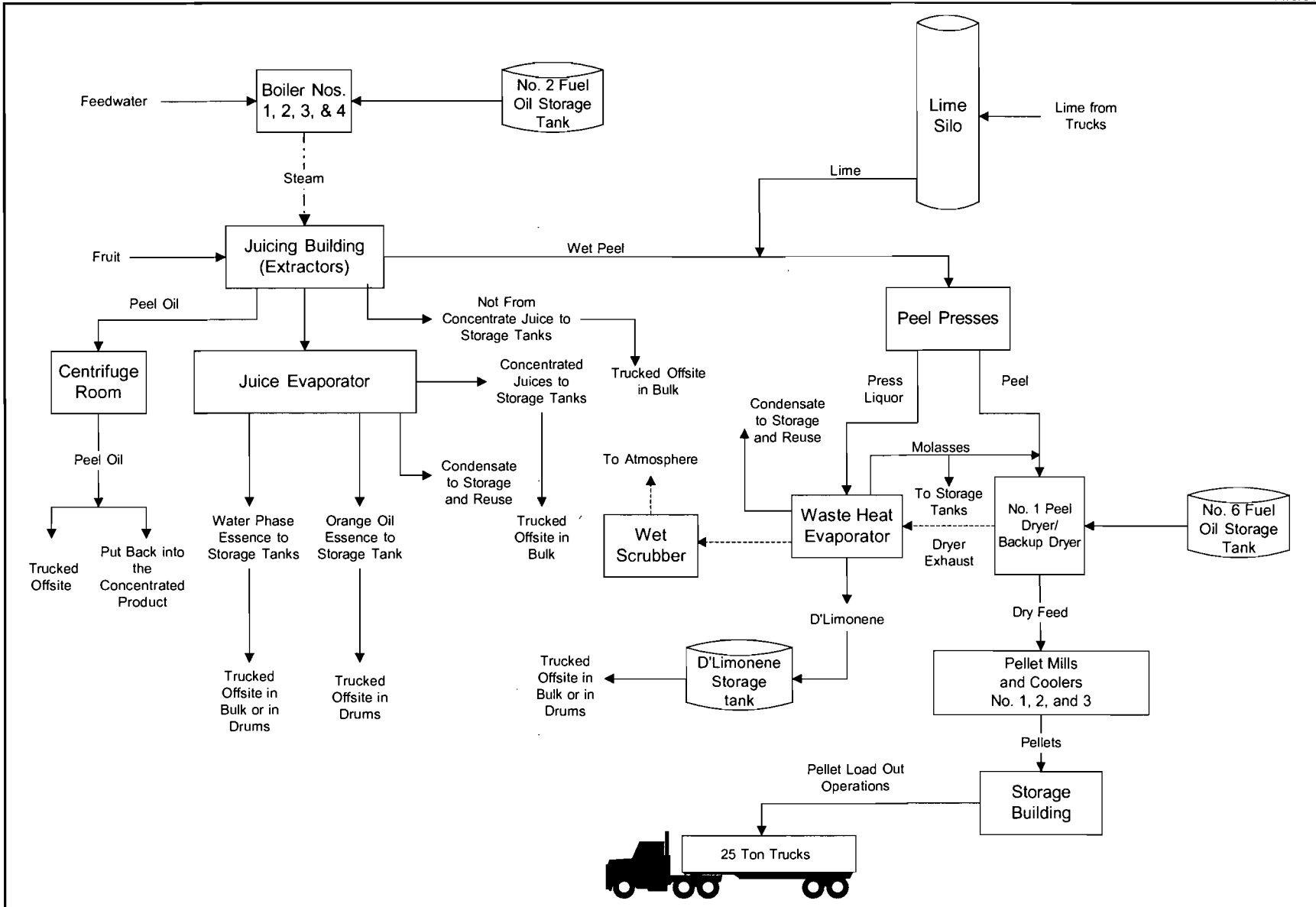
**Construction/Modification Information**

1. Description of Proposed Project or Alterations:
2. Projected or Actual Date of Commencement of Construction:
3. Projected Date of Completion of Construction:

**Application Comment**

This application is for a revision to the PSD permit for the addition of three (3) extractors (Permit No. 0510015-007-AC/PSD-FL-299).

**ATTACHMENT SG-FE-3  
PROCESS FLOW DIAGRAM**



Attachment SG-FE-3  
 Southern Gardens Citrus Processing Corporation  
 Process Flow Diagram with New Equipment  
 Clewiston, Florida

Process Area: Overall Plant Process  
 Filename: SG-EU1-J1.VSD  
 Latest Revision Date: 11/5/01

Process Flow Legend:  
 Solid / Liquid ———→  
 Gas - - - - -→  
 Steam - · - - - -→



**B. EMISSIONS UNIT CAPACITY INFORMATION  
(Regulated Emissions Units Only)**

**Emissions Unit Operating Capacity and Schedule**

1. Maximum Heat Input Rate:	<b>84</b> mmBtu/hr
2. Maximum Incineration Rate:	lb/hr                      tons/day
3. Maximum Process or Throughput Rate:	<b>54.3 TPH</b>
4. Maximum Production Rate:	<b>18.5 TPH BDP</b>
5. Requested Maximum Operating Schedule:	
	<b>24</b> hours/day <b>7</b> days/week
	<b>36</b> weeks/year <b>6,000</b> hours/year
6. Operating Capacity/Schedule Comment (limit to 200 characters):	
<p><b>1. Max Process Rate represents pressed citrus peel and molasses.</b></p> <p><b>2. Maximum production rate represents bone-dry peel.</b></p> <p><b>See Attachment SG-EU1-B6.</b></p>	

**G. EMISSIONS UNIT POLLUTANT DETAIL INFORMATION**  
**(Regulated Emissions Units -**  
**Emissions-Limited and Preconstruction Review Pollutants Only)**

**Potential/Fugitive Emissions**

1. Pollutant Emitted: <b>PM</b>	2. Total Percent Efficiency of Control:
3. Potential Emissions: <b>32.05</b> lb/hour <b>96.15</b> tons/year	4. Synthetically Limited? [ <input checked="" type="checkbox"/> ]
5. Range of Estimated Fugitive Emissions: [ ] 1      [ ] 2      [ ] 3      _____ to _____ tons/year	
6. Emission Factor: Reference: <b>See Att. SG-EU1-G8</b>	7. Emissions Method Code: <b>0</b>
8. Calculation of Emissions (limit to 600 characters):  <b>See Attachment SG-EU1-G8. Emission factor based on Process Weight Formula 62-296.320(4)(a) F.A.C. <math>E=17.31(P)^{0.16}</math> where P = 47 TPH; E = 32.05 lb/hr.</b>	
9. Pollutant Potential/Fugitive Emissions Comment (limit to 200 characters):  <b>Citrus feed mill hours of operation are limited to 6,000 hours/yr. Emissions at process rates higher than 47 TPH are capped at 32.05 lb/hr.</b>	

**Allowable Emissions** Allowable Emissions 1 of 1

1. Basis for Allowable Emissions Code: <b>OTHER</b>	2. Future Effective Date of Allowable Emissions:
3. Requested Allowable Emissions and Units: <b>32.05 lb/hr</b>	4. Equivalent Allowable Emissions: <b>32.05</b> lb/hour <b>96.15</b> tons/year
5. Method of Compliance (limit to 60 characters):  <b>EPA Method 5</b>	
6. Allowable Emissions Comment (Desc. of Operating Method) (limit to 200 characters):  <b>Based on Process Weight Formula 62-296.320(4)(a) F.A.C. Emissions capped at 32.05 lb/hr.</b>	

**ATTACHMENT SG-EU1-J1  
PROCESS FLOW DIAGRAM**



# Department of Environmental Protection

Jeb Bush  
Governor

Marjory Stoneman Douglas Building  
3900 Commonwealth Boulevard  
Tallahassee, Florida 32399-3000

David B. Struhs  
Secretary

September 4, 2001

Certified Mail – Return Receipt Requested

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

Re: Request for Additional Information  
DEP File No. 0510015-010-AC  
Revisions to Permit No. 0510015-007-AC/PSD-FL-299

Dear Mr. Chapman:

On August 9, 2001 the Department received your letter requesting several revisions to Final Permit No. 0510015-007-AC/PSD-FL-299. The application is incomplete. In order to continue processing your requests, the Department will need the additional information requested below. Should your response to any of the below items require new calculations, please submit the new calculations, assumptions, reference material and appropriate revised pages of the application form.

Please submit at least the first six pages (Section I) of the Department's permit application, DEP Form No. 62-210.900(1), F.A.C., certified by the authorized representative and a Professional Engineer registered to practice in Florida.

The Department will resume processing your application after receipt of the requested information. Rule 62-4.050(3), F.A.C. requires that all applications for a Department permit must be certified by a professional engineer registered in the State of Florida. This requirement also applies to responses to Department requests for additional information of an engineering nature. Material changes to the application should also be accompanied by a new certification statement by the authorized representative or responsible official. Permit applicants are advised that Rule 62-4.055(1), F.A.C. now requires applicants to respond to requests for information within 90 days. If there are any questions, please call me at 850/921-9509.

Sincerely,

Scott M. Sheplak, P.E., Administrator  
Title V Section  
Bureau of Air Regulation

/raw

cc: Mr. David Buff, P.E., Golder Associates Inc.  
Mr. Ron Blackburn, DEP South District

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**U.S. Postal Service**  
**CERTIFIED MAIL RECEIPT**  
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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.*

P.O. Box 130

*City, State, ZIP+4*

Clewiston, Florida 33440

PS Form 3800, February 2000

See Reverse for Instructions

**Golder Associates Inc.**

6241 NW 23rd Street, Suite 500  
 Gainesville, FL 32653-1500  
 Telephone (352) 336-5600  
 Fax (352) 336-6603

November 5, 2001



0137582

Florida Department of Environmental Protection  
 New Source Review Section  
 2600 Blair Stone Road  
 Tallahassee, FL

Attention : Mr. Scott Sheplak, P.E.

RE: Southern Gardens Citrus Processing Corp. (SGCPC)  
 Permit No. 0510015-007-AC; PSD-FL-299  
 Addition of Three Juice Extractors

RECEIVED  
 NOV 5 2001

BUREAU OF ENVIRONMENTAL PROTECTION

Dear Mr. Sheplak:

Southern Gardens Citrus Processing Corporation (SGCPC) recently applied for several revisions to Final Permit No. 0510015-007-AC/PSD-FL-299 issued on December 4, 2000. These changes were requested in letters to the Department dated August 7, 2001 and September 20, 2001. In the August 7 letter, it was requested that the limitation on the peel dryer process input rate be changed from 47 tons per hour (TPH) of pressed peel to 18.5 TPH of bone-dry peel (BDP). The reason for this request was that all of the emissions in the original PSD application for the three juice extractors were based on BDP input to the dryer.

Based on my discussions with Mr. Bruce Mitchell of your staff, the Department is reluctant to change the basis of the peel dryer limitation, since no other citrus processing plants in Florida currently have peel dryer input limits in terms of BDP. The purpose of this letter is to provide additional information in regards to this request and to offer alternative limits based on wet peel input.

A review was conducted of all current Title V permits for citrus plants in Florida. The results of this review are presented in the attached table, for your reference. About 25 citrus plants are currently permitted. All peel dryer capacity limits are based on wet (pressed) peel input. Of these, 10 plants do not have any hourly capacity limitation, but instead have a monthly or 12-month rolling average limitation on wet peel input. Some of these 10 plants have a maximum hourly input rate specified under the particulate matter (PM) emission standards, for testing and hourly/annual emission limit purposes. For several of these plants, the 12-month rolling average limitation was taken to avoid PSD review.

In the original extractors PSD application for SGCPC, a maximum process rate of 47 TPH pressed peel was shown on the application form and was stated in the report with the PSD application. In the application form, this rate was qualified as based on 74-percent moisture. In the PSD report, it was qualified as "approximately 47 TPH at 74 percent moisture". Therefore, it was recognized that input rates could vary based on moisture content. Unfortunately, SGCPC did not object to this limit in the final permit that was issued. Nevertheless, as discussed previously, all emissions in the application were based on 18.5 TPH BDP input or the maximum 84 MMBtu/hr heat input to the dryer, and not 47 TPH pressed peel input.

It is also noted that molasses from the process may or may not be added onto the peel press cake prior to entering the peel dryer. This was indicated on the flow diagram of the facility and the feed mill in the original PSD permit application. Historically, until last season, SGPC normally added recovered molasses back onto the peel. Last season, however, it became more economical to sell the molasses as a separate byproduct. Whether molasses continues to be sold separately or is combined back with the pressed peel will depend on economics.

The molasses stream is large in volume and can add a significant amount of additional solids into the peel press cake. Molasses is about 50-percent moisture; therefore, adding molasses to the press cake lowers the overall moisture content of the press cake (the press cake is typically around 70-percent moisture). As described below, lowering press cake moisture allows greater weight of press cake through the peel dryer.

If the Department deems it appropriate to retain the dryer capacity limitation based on pressed peel input, then SGPC requests that the limitation be changed to more correctly reflect the potential total input to the dryer, i.e., pressed peel plus molasses. The current hourly limitation on the dryer only relates to "pressed peel".

The attached Table 2 presents SGPC peel dryer input rates in terms of dryer evaporation rate, pressed peel input rate (can include molasses), peel moisture content, and the corresponding bone dry peel input rate. SGPC's dryer is designed for 60,000 lb/hr water evaporation rate. Based on this water evaporation rate, the potential input rate to the dryer becomes a function of moisture content of the pressed peel/molasses. The pressed peel/molasses input rate changes rapidly with moisture content, due to the high moisture contents associated with citrus peel. Also note that up to 54.3 TPH of pressed peel/molasses could be processed if moisture content is low enough (i.e., 62 percent). This low moisture content is possible if the pressed peel moisture content is about 65 percent, and molasses is being added to the peel.

It is important to note that, as peel moisture content is lowered, additional pressed peel can be accommodated by the dryer. All citrus processors today are striving to make process improvements to lower pressed peel moisture content. The feed mill operations are currently losing money. Therefore the goal is to process more peel through the dryer at lower cost. Lowering the peel moisture content saves energy, allows higher peel throughput thus lowering the operating hours of the dryer, and lowers overall operating costs.

In addition, the environment benefits in several ways. First, lower peel moisture content translates to less citrus oil in the peel. This leads directly to lower VOC and CO emissions out the dryer/waste heat evaporator stack. Secondly, less energy is consumed by the dryer, improving energy efficiency and lowering combustion-related emissions.

Based on the foregoing discussion, SGPC requests the following changes in regards to capacity limitations on the peel dryer:

1. Remove the hourly throughput limitation, and replace it with the previous short-term limitation on the peel dryer of 84 MMBtu/hr (daily average).
2. Set a new annual capacity limitation on the dryer based on the 20 million box capacity limitation for the plant. The limitation is based on the historic maximum amount of pellets produced in the feed mill at SGPC, plus a margin to account for variability.

This historic maximum is approximately 10 lb of dried pellets @ 15-percent moisture per box of fruit processed (this figure includes molasses added back into the peel). Assuming the average moisture of the pressed peel is 74 percent (worst case on annual basis), and using 10.5 lb pellets/box of fruit, the specific limitation is 343,000 TPY of pressed peel/molasses, derived as follows:

$$10.5 \text{ lb pellets/box @ 15\% moisture} \times (1-0.85) = 8.93 \text{ lb/box bone dry}$$

$$8.93 \text{ lb/box} \times 1/(1-0.74) = 34.3 \text{ lb pressed peel/box @ 74\% moisture}$$

$$20 \text{ million boxes/yr} \times 34.3 \text{ lb/box} \times \text{ton}/2000 \text{ lb} = 343,000 \text{ TPY pressed peel}$$

This request in no way affects the actual capacity of the peel dryer. No change in the maximum heat input to the dryer of 84 MMBtu/hr is being requested. It will not affect the annual rate through the dryer, since this is limited by the 20 million boxes of fruit cap on the facility. This request does not increase hourly or annual potential emissions from the facility. Approving this change will allow SGPC to become more efficient in its operations, and potentially reduce air emissions.

In order that the potential hourly and annual PM emissions from the peel dryer are not increased, SGPC is also proposing to place a cap on PM emissions at 32.05 lb/hr and 96.15 TPY. This is the current limitation based on the process rate of 47 TPH and using the process weight table. At process rates lower than 47 TPH, the process weight table would still govern. However, at process rates above 47 TPH, PM emissions would be limited to 32.05 lb/hr.

Please find attached a responsible official and P.E. signature page, as well as updated pages from the extractors PSD application. The flow diagrams have been revised to show that molasses can also be sent off-site to customers.

Thank you for consideration of this requested revision to the PSD permit. Please call or e-mail me if you have any questions concerning this information.

Sincerely,  
Golder Associates Inc.



David A. Buff, P.E., Q.E.P.  
Principal Engineer  
Florida P.E. #19011

DB/jkw

Attachments

cc: Derek Pridgen  
Olga Rodriguez  
Lisa Gefen

Table 2. Calculation of Maximum Peel Dryer Process Rates, Southern Gardens

Parameter	Process Rate							
	60,000	60,000	60,000	60,000	60,000	60,000	60,000	60,000
Moisture removal in dryer (lb/hr)*	60,000	60,000	60,000	60,000	60,000	60,000	60,000	60,000
Pressed peel input rate (TPH)	<b>54.26</b>	<b>52.06</b>	<b>50.00</b>	<b>48.13</b>	<b>46.37</b>	<b>44.75</b>	<b>43.23</b>	<b>41.79</b>
Pressed peel moisture (%)	62	64	66	68	70	72	74	76
Total moisture input (lb/hr)	67,286	66,631	66,000	65,450	64,913	64,440	63,982	63,523
Pressed peel input rate (TPH bone dry peel)	20.62	18.74	17.00	15.40	13.91	12.53	11.24	10.03
Dried peel moisture (%)**	15.0%	15.0%	15.0%	15.0%	15.0%	15.1%	15.0%	14.9%
Moisture remaining in dry peel (lb/hr)	7,286	6,631	6,000	5,450	4,913	4,440	3,982	3,523
Total dried peel production rate (TPH)	24.26	22.06	20.00	18.13	16.37	14.75	13.23	11.79

\* Design water removal rate for peel dryer.

\*\* Dried peel existing the dryer normally in 13%-15% range. Using highest moisture results in greatest pressed peel input rate.

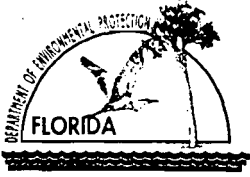
Table 1. Summary of Permitted Peel Dryer Capacities, Florida Citrus Industry (October 2001)

Facility	Formerly Named	City	County	Title V Permit No.	Number of Peel Dryers	Capacity Limitation
A. Duda & Sons/Citrus Belle		Labelle	Hendry	0150004-001-AV	1	12.3 TPH BDP/ 35 TPH wet peel/ 7.5 million boxes*
Cargill Citro Pure	Cargill Citro-America	Frostproof	Polk	1050019-003-AV	1	51.0 TPH pressed peel (daily avg)
Cargill Citro Pure	Indian River Foods	Ft. Pierce	St. Lucie	1110018-003-AV	1	140,000 TPY *
Cargill Citro Pure	SunPure	Avon Park	Highlands	0550035-005-AV	1	N/A."Normal operating capacity, approximately 14 TPH."
Citrus Service		Brooksville	Hernando	0530004-003-AV	1	10 TPH wet peel (daily avg)
Citrus World		Lake Wales	Polk	1050002-003-AV	3	40/ 80/ 88.6 TPH pressed peel (daily avg)
Citrusuco North America	Alcoma Packing	Lake Wales	Polk	1050001-001-AV	2	50 TPH each dryer (daily avg); 285,700 TPY* pressed peel for both dryers
Cutrale Citrus Juices		Auburndale	Polk	1050023-002-AV	2	55/ 55 TPH (daily avg)
Cutrale Citrus Juices		Lessburg	Lake	0690002-003-AV	1	457,272 TPY*
Florida Global Citrus	SFE Citrus Porcessors	Auburndale	Polk	1050037-001-AV	1	62 TPH pressed peel
Florida Select Citrus		Groveland	Lake	0690001-001-AV	1	95,795 TPY wet peel*+; 19.55 TPH under PM standards
Goldem Gem Growers		Umatilla	Lake	069005-001-AV	1	237,888 TPY wet peel*; 47.2 TPH under PM standards
Holly Hill		Davenport	Polk	1050061-001-AV	1	28.4 TPH wet peel (daily avg)
Louis Dreyfus Citrus	Caulkins Indiantown	Indiantown	Martin	085000-003-AV	2	27/ 39 TPH; 4,500 hr/yr combined operation
Louis Dreyfus Citrus	Winter Garden Citrus	Winter Garden	Orange	0950053-002-AV	2	185,490 TPY*+ (cobined operation)
Met Life Insurance Company	Fla. Juice Partner/ US Beverage	Lakeland	Polk	1050015-005-AV	1	36.0 TPH wet peel (daily avg)
Ocean Spray Cranberry		Vero Beach	Indian River	0610021-007-AV	#1 #2 #1+#2	95,256 TPY wet peel*; 27.0 TPH under PM standards 127,008 TPY wet peel*; 36.0 TPH under PM standards 127,008 TPY wet peel* (combined input)
Pasco Processing	Orange- Co.	Bartow	Polk	1050045-004-AV	2	45.0/ 22.5 TPH pressed peel; cannot operate simultaneously
Peace River Citrus		Arcadia	Desoto	0270003-005-AV	1	32.5 TPH (monthly avg)
Silver Springs Citrus		Howey-in-the-Hi Lake		0690014-002-AV	1	122,285 TPY wet peel*; 21.23 TPH udner PM standards
Southern Gardens Citrus		Clewiston	Hendry	0510015-009-AV	1	47.0 TPH wet peel (daily avg)
SunPac Foods		Winter Haven	Polk	1050106-001-AV	1	25 TPH pressed peel (daily avg)
Tropicana		Ft. Pierce	St. Lucie	1110004-002-AV	2	50 TPH pressed peel each dryer (daily avg)
Tropicana		Bradenton	Manatee	0810007-003-AV	3	50 TPH each- pressed peel

## Footnotes:

\* per 12 consecutive months

+ PSD avoidance limit



# Department of Environmental Protection

## Division of Air Resources Management

### APPLICATION FOR AIR PERMIT - TITLE V SOURCE

See Instructions for Form No. 62-210.900(1)

#### I. APPLICATION INFORMATION

##### Identification of Facility

1. Facility Owner/Company Name: <b>Southern Gardens Citrus Processing Corp.</b>	
2. Site Name: <b>Southern Gardens Citrus Processing Corp.</b>	
3. Facility Identification Number: <b>0510015</b> [ ] Unknown	
4. Facility Location: Street Address or Other Locator: <b>755 C.R. 833; P.O. Box 130</b> City: <b>Clewiston</b> County: <b>Hendry</b> Zip Code: <b>33440</b>	
5. Relocatable Facility? [ ] Yes [X] No	6. Existing Permitted Facility? [X] Yes [ ] No

##### Application Contact

1. Name and Title of Application Contact: <b>Derek Pridgen, Environmental Engineer</b>			
2. Application Contact Mailing Address: Organization/Firm: <b>Southern Gardens Citrus Processing</b> Street Address: <b>755 CR 833; P.O. Box 130</b> City: <b>Clewiston</b> State: <b>FL</b> Zip Code: <b>33440</b>			
3. Application Contact Telephone Numbers: Telephone: <b>( 863 ) 983 - 3030</b> Fax: <b>( 863 ) 983 - 3060</b>			

##### Application Processing Information (DEP Use)

1. Date of Receipt of Application:	
2. Permit Number:	
3. PSD Number (if applicable):	
4. Siting Number (if applicable):	

**Purpose of Application**

**Air Operation Permit Application**

This Application for Air Permit is submitted to obtain: (Check one)

- Initial Title V air operation permit for an existing facility which is classified as a Title V source.
- Initial Title V air operation permit for a facility which, upon start up of one or more newly constructed or modified emissions units addressed in this application, would become classified as a Title V source.  
Current construction permit number: \_\_\_\_\_
- Title V air operation permit revision to address one or more newly constructed or modified emissions units addressed in this application.  
Current construction permit number: \_\_\_\_\_  
Operation permit number to be revised: \_\_\_\_\_
- Title V air operation permit revision or administrative correction to address one or more proposed new or modified emissions units and to be processed concurrently with the air construction permit application. (Also check Air Construction Permit Application below.)  
Operation permit number to be revised/corrected: \_\_\_\_\_
- Title V air operation permit revision for reasons other than construction or modification of an emissions unit. Give reason for the revision; e.g., to comply with a new applicable requirement or to request approval of an "Early Reductions" proposal.  
Operation permit number to be revised: \_\_\_\_\_  
Reason for revision: \_\_\_\_\_

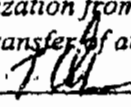
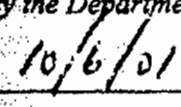
**Air Construction Permit Application**

This Application for Air Permit is submitted to obtain: (Check one)

- Air construction permit to construct or modify one or more emissions units.
- Air construction permit to make federally enforceable an assumed restriction on the potential emissions of one or more existing, permitted emissions units.
- Air construction permit for one or more existing, but unpermitted, emissions units.



**BEST AVAILABLE COPY****Owner/Authorized Representative or Responsible Official**

1. Name and Title of Owner/Authorized Representative or Responsible Official: <b>Tristan Chapman, Vice President, General Manager</b>	
2. Owner/Authorized Representative or Responsible Official Mailing Address: Organization/Firm: <b>Southern Gardens Citrus Processing Corp.</b> Street Address: <b>756 CR 833</b> City: <b>Clewiston</b> State: <b>FL</b> Zip Code: <b>33440</b>	
3. Owner/Authorized Representative or Responsible Official Telephone Numbers: Telephone: <b>( 883 ) 983-3030</b> Fax: <b>( 883 ) 983-3060</b>	
4. Owner/Authorized Representative or Responsible Official Statement:  <i>I, the undersigned, am the owner or authorized representative* (check here [ ], if so) or the responsible official (check here [ ], if so) of the Title V source addressed in this application, whichever is applicable. I hereby certify, based on information and belief formed after reasonable inquiry, that the statements made in this application are true, accurate and complete and that, to the best of my knowledge, any estimates of emissions reported in this application are based upon reasonable techniques for calculating emissions. The air pollutant emissions units and air pollution control equipment described in this application will be operated and maintained so as to comply with all applicable standards for control of air pollutant emissions found in the statutes of the State of Florida and rules of the Department of Environmental Protection and revisions thereof. I understand that a permit, if granted by the Department, cannot be transferred without authorization from the Department, and I will promptly notify the Department upon sale or legal transfer of any permitted emissions unit.</i>   _____  _____ Signature Date	

\* Attach letter of authorization if not currently on file.

**Professional Engineer Certification**

1. Professional Engineer Name: <b>David A. Buff</b> Registration Number: <b>19011</b>	
2. Professional Engineer Mailing Address: Organization/Firm: <b>Golder Associates Inc.</b> Street Address: <b>6241 NW 23rd Street, Suite 500</b> City: <b>Gainesville</b> State: <b>FL</b> Zip Code: <b>32653-1500</b>	
3. Professional Engineer Telephone Numbers: Telephone: <b>( 352 ) 336-5600</b> Fax: <b>( 352 ) 336-6603</b>	

4. Professional Engineer Statement:

*I, the undersigned, hereby certify, except as particularly noted herein\*, that:*

*(1) To the best of my knowledge, there is reasonable assurance that the air pollutant emissions unit(s) and the air pollution control equipment described in this Application for Air Permit, when properly operated and maintained, will comply with all applicable standards for control of air pollutant emissions found in the Florida Statutes and rules of the Department of Environmental Protection; and*

*(2) To the best of my knowledge, any emission estimates reported or relied on in this application are true, accurate, and complete and are either based upon reasonable techniques available for calculating emissions or, for emission estimates of hazardous air pollutants not regulated for an emissions unit addressed in this application, based solely upon the materials, information and calculations submitted with this application.*

*If the purpose of this application is to obtain a Title V source air operation permit (check here [ ], if so), I further certify that each emissions unit described in this Application for Air Permit, when properly operated and maintained, will comply with the applicable requirements identified in this application to which the unit is subject, except those emissions units for which a compliance schedule is submitted with this application.*

*If the purpose of this application is to obtain an air construction permit for one or more proposed new or modified emissions units (check here [X], if so), I further certify that the engineering features of each such emissions unit described in this application have been designed or examined by me or individuals under my direct supervision and found to be in conformity with sound engineering principles applicable to the control of emissions of the air pollutants characterized in this application.*

*If the purpose of this application is to obtain an initial air operation permit or operation permit revision for one or more newly constructed or modified emissions units (check here [ ], if so), I further certify that, with the exception of any changes detailed as part of this application, each such emissions unit has been constructed or modified in substantial accordance with the information given in the corresponding application for air construction permit and with all provisions contained in such permit.*

*David A. Buff*  
\_\_\_\_\_  
Signature

*11/06/01*  
\_\_\_\_\_  
Date

(seal)

\* Attach any exception to certification statement.

**Scope of Application**

Emissions Unit ID	Description of Emissions Unit	Permit Type	Processing Fee
003	Citrus Feed Mill(Peel Dryer/Waste Heat Evaporator)	AC1A	
004, 005, 009	Citrus Pellet Coolers	AC1A	
006	7 VOC Storage Tanks	AC1A	

**Application Processing Fee**

Check one:  Attached - Amount: \$: \_\_\_\_\_  Not Applicable

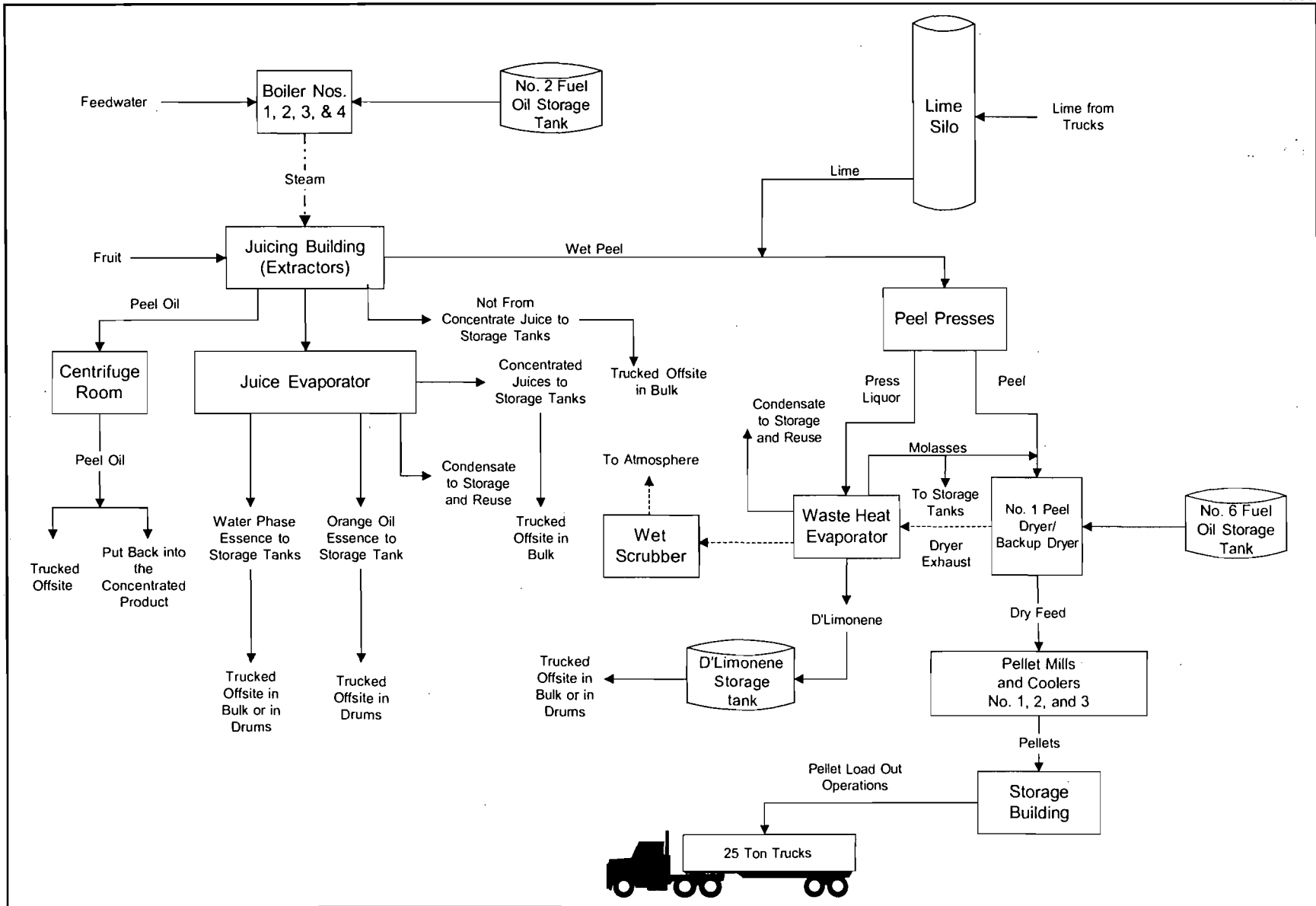
**Construction/Modification Information**

1. Description of Proposed Project or Alterations:
2. Projected or Actual Date of Commencement of Construction:
3. Projected Date of Completion of Construction:

**Application Comment**

This application is for a revision to the PSD permit for the addition of three (3) extractors (Permit No. 0510015-007-AC/PSD-FL-299).
---

**ATTACHMENT SG-FE-3  
PROCESS FLOW DIAGRAM**



Attachment SG-FE-3  
 Southern Gardens Citrus Processing Corporation  
 Process Flow Diagram with New Equipment  
 Clewiston, Florida

Process Area: Overall Plant Process  
 Filename: SG-EU1-J1.VSD  
 Latest Revision Date: 11/5/01

Process Flow Legend:  
 Solid / Liquid →  
 Gas - - - - -  
 Steam - · - - - -



**B. EMISSIONS UNIT CAPACITY INFORMATION  
(Regulated Emissions Units Only)**

**Emissions Unit Operating Capacity and Schedule**

1. Maximum Heat Input Rate:	<b>84</b> mmBtu/hr
2. Maximum Incineration Rate:	lb/hr                      tons/day
3. Maximum Process or Throughput Rate:	<b>54.3 TPH</b>
4. Maximum Production Rate:	<b>18.5 TPH BDP</b>
5. Requested Maximum Operating Schedule:	
	<b>24</b> hours/day <b>7</b> days/week
	<b>36</b> weeks/year <b>6,000</b> hours/year
6. Operating Capacity/Schedule Comment (limit to 200 characters):	
<p>1. <b>Max Process Rate</b> represents pressed citrus peel and molasses.</p> <p>2. <b>Maximum production rate</b> represents bone-dry peel.</p> <p><b>See Attachment SG-EU1-B6.</b></p>	

**G. EMISSIONS UNIT POLLUTANT DETAIL INFORMATION  
(Regulated Emissions Units -  
Emissions-Limited and Preconstruction Review Pollutants Only)**

Potential/Fugitive Emissions

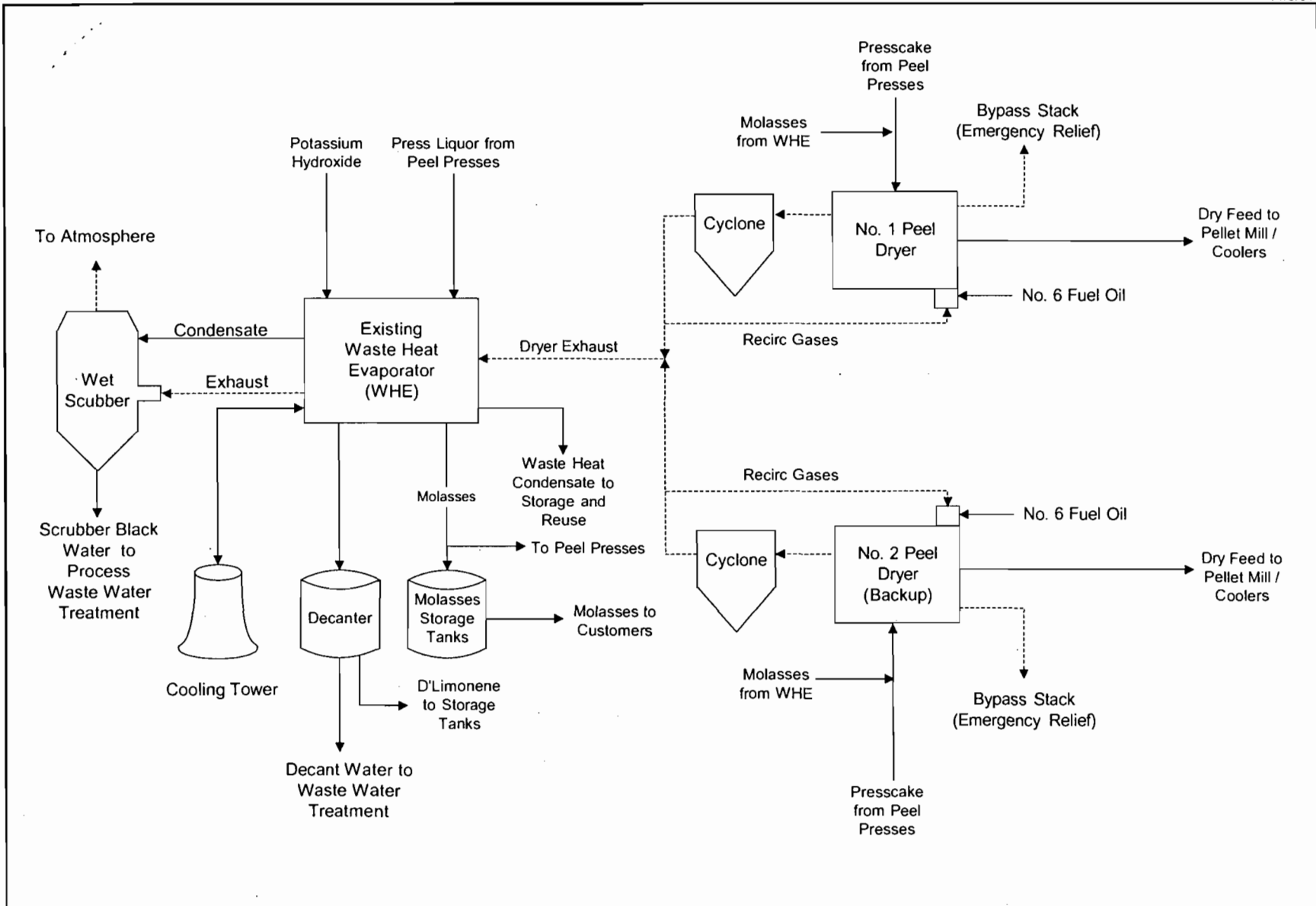
1. Pollutant Emitted: <b>PM</b>	2. Total Percent Efficiency of Control:
3. Potential Emissions: <b>32.05</b> lb/hour <b>96.15</b> tons/year	4. Synthetically Limited? [ <input checked="" type="checkbox"/> ]
5. Range of Estimated Fugitive Emissions: [ ] 1 [ ] 2 [ ] 3 _____ to _____ tons/year	
6. Emission Factor: Reference: <b>See Att. SG-EU1-G8</b>	7. Emissions Method Code: <b>0</b>
8. Calculation of Emissions (limit to 600 characters):  <b>See Attachment SG-EU1-G8. Emission factor based on Process Weight Formula 62-296.320(4)(a) F.A.C. <math>E=17.31(P)^{0.16}</math> where P = 47 TPH; E = 32.05 lb/hr.</b>	
9. Pollutant Potential/Fugitive Emissions Comment (limit to 200 characters):  <b>Citrus feed mill hours of operation are limited to 6,000 hours/yr. Emissions at process rates higher than 47 TPH are capped at 32.05 lb/hr.</b>	

Allowable Emissions Allowable Emissions 1 of 1

1. Basis for Allowable Emissions Code: <b>OTHER</b>	2. Future Effective Date of Allowable Emissions:
3. Requested Allowable Emissions and Units: <b>32.05 lb/hr</b>	4. Equivalent Allowable Emissions: <b>32.05</b> lb/hour <b>96.15</b> tons/year
5. Method of Compliance (limit to 60 characters):  <b>EPA Method 5</b>	
6. Allowable Emissions Comment (Desc. of Operating Method) (limit to 200 characters):  <b>Based on Process Weight Formula 62-296.320(4)(a) F.A.C. Emissions capped at 32.05 lb/hr.</b>	



**ATTACHMENT SG-EU1-J1  
PROCESS FLOW DIAGRAM**



Attachment SG-EU1-J1  
 Southern Gardens Citrus Processing Corporation  
 Process Flow Diagram  
 Clewiston, Florida

Process Area: Backup No. 2 Peel Dryer Evaporator  
 Filename: SG-EU1-J1.VSD  
 Latest Revision Date: 11/5/01

Process Flow Legend:	
Solid / Liquid	→
Gas	--->
Steam	- - - ->



**Golder Associates Inc.**

6241 NW 23rd Street, Suite 500  
Gainesville, FL 32653-1500  
Telephone (352) 336-5600  
Fax (352) 336-6603

RECEIVED

SEP 25 2001

BUREAU OF AIR REGULATION



September 24, 2001

0137582

Florida Department of Environmental Protection  
New Source Review Section  
2600 Blair Stone Road  
Tallahassee, FL

Attention : Mr. Scott Sheplak, P.E.

RE: SOUTHERN GARDENS CITRUS PROCESSING CORP. (SGCPC)  
PERMIT NO. 0510015-007-AC; PSD-FL-299  
ADDITION OF THREE JUICE EXTRACTORS

Dear Mr. Sheplak:

Southern Gardens Citrus Processing Corporation (SGCPC) recently applied for several revisions to Final Permit No. 0510015-007-AC/PSD-FL-299 issued to SGCPC on December 4, 2000. These changes were requested in a letter to the Department dated August 7, 2001. The purpose of this letter is to request an additional change to the permit. The requested change is discussed below.

**SECTION II. FACILITY-WIDE SPECIFIC CONDITIONS**

**Page 9 of 12, Specific Condition 27. Fruit Throughput Limited**

This condition limits the total citrus throughput of the facility to 20 million boxes of fruit per year. However, this condition does not recognize that the citrus peel resulting from the fruit brought into the facility may not be processed through the peel dryer. Although the amount of peel not processed through the facility is typically small, there are occasions when peel is shipped offsite. For example, during the past processing season, the peel dryer broke down for several days, during which wet peel was shipped offsite.

The purpose of the limitation on citrus fruit throughput is to limit the potential emissions of the facility. Emissions of volatile organic compounds (VOCs), carbon monoxide (CO) and particulate matter (PM) from the facility originate primarily from the peel dryer and pellet coolers (very minor emission of these pollutants result from boiler operation). As a result, processing additional fruit through the juice extractors but not through the peel dryer/pellet mills will not significantly increase actual emissions, and would require no increase in potential emissions.

Specific Condition 28 of the permit recognizes that wet peel received from an offsite source shall be included in the total throughput limitation of Specific Condition 27. Likewise, wet peel shipped out from the facility should be excluded from the total throughput limitation.

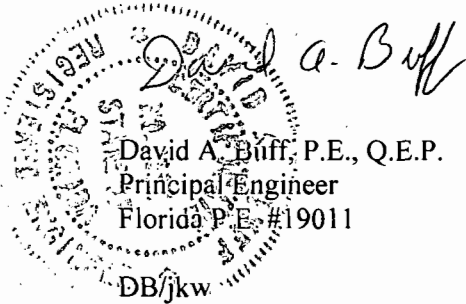
It is therefore proposed to amend Specific Condition 27 to add the following language:

Wet peel not processed through the citrus peel dryer shall be excluded from the determination of total citrus throughput for purposes of compliance with this condition. For purposes of this permit, a box of citrus fruit shall be defined to contain 45 pounds of wet peel. The permittee shall maintain records of the weight of wet peel shipped offsite, as well as the equivalent number of boxes of fruit. This shall be reported to the Department on an annual basis.

Thank you for consideration of this requested revision to the PSD permit. Please call or e-mail me if you have any questions concerning this information.

Sincerely,

GOLDER ASSOCIATES INC.



Attachments

cc: Derek Pridgen  
Olga Rodriguez  
Lisa Gefen

**Golder Associates Inc.**

6241 NW 23rd Street, Suite 500  
Gainesville, FL 32653-1500  
Telephone (352) 336-5600  
Fax (352) 336-6603

RECEIVED

SEP 25 2001



BUREAU OF AIR REGULATION

September 20, 2001

0137582

Florida Department of Environmental Protection  
New Source Review Section  
2600 Blair Stone Road  
Tallahassee, FL

Attention : Mr. Scott Sheplak, P.E., Administrator, Title V Section

RE: SOUTHERN GARDENS CITRUS PROCESSING CORP. (SGCPC)  
PERMIT NO. 0510015-007-AC; PSD-FL-299  
ADDITION OF THREE JUICE EXTRACTORS

Dear Mr. Sheplak:

SGCPC has received the Department's letter dated September 4, 2001, regarding the above referenced air construction permit. The letter requests that the first six pages of the Department's permit application be submitted to support the August 7, 2001, request for permit amendment. The requested application pages are attached, complete with professional engineer and responsible official signatures.

Please continue processing the request as quickly as possible. Please call or e-mail me if you have any questions concerning this information.

Sincerely,

GOLDER ASSOCIATES INC.

A handwritten signature in black ink that reads 'David A. Buff'.

A circular professional seal for David A. Buff, P.E., Q.E.P. The seal contains the text 'David A. Buff, P.E., Q.E.P.', 'Principal Engineer', and 'Florida P.E. #19011'. The word 'SEAL' is printed at the bottom of the seal.

David A. Buff, P.E., Q.E.P.  
Principal Engineer  
Florida P.E. #19011  
SEAL

DB/jkw

Attachments

cc: Derek Pridgen  
Olga Rodriguez  
Lisa Gefen

P:\Projects\2001\0137582 Southern Gardens\44. I\NL092001.doc



# Department of Environmental Protection

## Division of Air Resources Management

### APPLICATION FOR AIR PERMIT - TITLE V SOURCE

See Instructions for Form No. 62-210.900(1)

#### I. APPLICATION INFORMATION

**Identification of Facility**

1. Facility Owner/Company Name: <b>Southern Gardens Citrus Processing Corp.</b>	
2. Site Name: <b>Southern Gardens Citrus Processing Corp.</b>	
3. Facility Identification Number: <b>0510015</b> [   ] Unknown	
4. Facility Location: Street Address or Other Locator: <b>755 C.R. 833; P.O. Box 130</b> City: <b>Clewiston</b> County: <b>Hendry</b> Zip Code: <b>33440</b>	
5. Relocatable Facility? [   ] Yes      [ <b>X</b> ] No	6. Existing Permitted Facility? [ <b>X</b> ] Yes      [   ] No

**Application Contact**

1. Name and Title of Application Contact: <b>Derek Pridgen, Environmental Engineer</b>	
2. Application Contact Mailing Address: Organization/Firm: <b>Southern Gardens Citrus Processing</b> Street Address: <b>755 CR 833; P.O. Box 130</b> City: <b>Clewiston</b> State: <b>FL</b> Zip Code: <b>33440</b>	
3. Application Contact Telephone Numbers: Telephone:      ( <b>863</b> ) <b>983 - 3030</b> Fax:      ( <b>863</b> ) <b>983 - 3060</b>	

**Application Processing Information (DEP Use)**

1. Date of Receipt of Application:	
2. Permit Number:	
3. PSD Number (if applicable):	
4. Siting Number (if applicable):	

**Purpose of Application**

**Air Operation Permit Application**

This Application for Air Permit is submitted to obtain: (Check one)


- Initial Title V air operation permit for an existing facility which is classified as a Title V source.
- Initial Title V air operation permit for a facility which, upon start up of one or more newly constructed or modified emissions units addressed in this application, would become classified as a Title V source.  
Current construction permit number: \_\_\_\_\_
- Title V air operation permit revision to address one or more newly constructed or modified emissions units addressed in this application.  
Current construction permit number: \_\_\_\_\_  
Operation permit number to be revised: \_\_\_\_\_
- Title V air operation permit revision or administrative correction to address one or more proposed new or modified emissions units and to be processed concurrently with the air construction permit application. (Also check Air Construction Permit Application below.)  
Operation permit number to be revised/corrected: \_\_\_\_\_
- Title V air operation permit revision for reasons other than construction or modification of an emissions unit. Give reason for the revision; e.g., to comply with a new applicable requirement or to request approval of an "Early Reductions" proposal.  
Operation permit number to be revised: \_\_\_\_\_  
Reason for revision: \_\_\_\_\_

**Air Construction Permit Application**

This Application for Air Permit is submitted to obtain: (Check one)

- Air construction permit to construct or modify one or more emissions units.
- Air construction permit to make federally enforceable an assumed restriction on the potential emissions of one or more existing, permitted emissions units.
- Air construction permit for one or more existing, but unpermitted, emissions units.

**Owner/Authorized Representative or Responsible Official**

1. Name and Title of Owner/Authorized Representative or Responsible Official: <b>Tristan Chapman, Vice President, General Manager</b>
2. Owner/Authorized Representative or Responsible Official Mailing Address: Organization/Firm: <b>Southern Gardens Citrus Processing Corp.</b> Street Address: <b>755 CR 833</b> City: <b>Clewiston</b> State: <b>FL</b> Zip Code: <b>33440</b>
3. Owner/Authorized Representative or Responsible Official Telephone Numbers: Telephone: <b>( 863 ) 983-3030</b> Fax: <b>( 863 ) 983-3060</b>
4. Owner/Authorized Representative or Responsible Official Statement: <i>I, the undersigned, am the owner or authorized representative*(check here [ ], if so) or the responsible official (check here [ ], if so) of the Title V source addressed in this application, whichever is applicable. I hereby certify, based on information and belief formed after reasonable inquiry, that the statements made in this application are true, accurate and complete and that, to the best of my knowledge, any estimates of emissions reported in this application are based upon reasonable techniques for calculating emissions. The air pollutant emissions units and air pollution control equipment described in this application will be operated and maintained so as to comply with all applicable standards for control of air pollutant emissions found in the statutes of the State of Florida and rules of the Department of Environmental Protection and revisions thereof. I understand that a permit, if granted by the Department, cannot be transferred without authorization from the Department, and I will promptly notify the Department upon sale or legal transfer of any permitted emissions unit.</i>   _____ Signature  9-25-01 _____ Date

\* Attach letter of authorization if not currently on file.

**Professional Engineer Certification**

1. Professional Engineer Name: <b>David A. Buff</b> Registration Number: <b>19011</b>
2. Professional Engineer Mailing Address: Organization/Firm: <b>Golder Associates Inc.</b> Street Address: <b>6241 NW 23rd Street, Suite 500</b> City: <b>Gainesville</b> State: <b>FL</b> Zip Code: <b>32653-1500</b>
3. Professional Engineer Telephone Numbers: Telephone: <b>( 352 ) 336-5600</b> Fax: <b>( 352 ) 336-6603</b>



4. Professional Engineer Statement:

*I, the undersigned, hereby certify, except as particularly noted herein\*, that:*

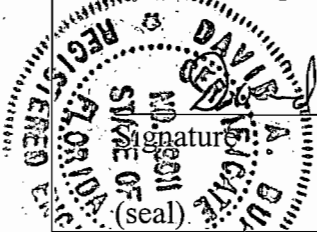
*(1) To the best of my knowledge, there is reasonable assurance that the air pollutant emissions unit(s) and the air pollution control equipment described in this Application for Air Permit, when properly operated and maintained, will comply with all applicable standards for control of air pollutant emissions found in the Florida Statutes and rules of the Department of Environmental Protection; and*

*(2) To the best of my knowledge, any emission estimates reported or relied on in this application are true, accurate, and complete and are either based upon reasonable techniques available for calculating emissions or, for emission estimates of hazardous air pollutants not regulated for an emissions unit addressed in this application, based solely upon the materials, information and calculations submitted with this application.*

*If the purpose of this application is to obtain a Title V source air operation permit (check here [  ], if so), I further certify that each emissions unit described in this Application for Air Permit, when properly operated and maintained, will comply with the applicable requirements identified in this application to which the unit is subject, except those emissions units for which a compliance schedule is submitted with this application.*

*If the purpose of this application is to obtain an air construction permit for one or more proposed new or modified emissions units (check here [], if so), I further certify that the engineering features of each such emissions unit described in this application have been designed or examined by me or individuals under my direct supervision and found to be in conformity with sound engineering principles applicable to the control of emissions of the air pollutants characterized in this application.*

*If the purpose of this application is to obtain an initial air operation permit or operation permit revision for one or more newly constructed or modified emissions units (check here [  ], if so), I further certify that, with the exception of any changes detailed as part of this application, each such emissions unit has been constructed or modified in substantial accordance with the information given in the corresponding application for air construction permit and with all provisions contained in such permit.*



*a. Buff*

9/20/01  
Date

\* Attach any exception to certification statement.

**Scope of Application**

<b>Emissions Unit ID</b>	<b>Description of Emissions Unit</b>	<b>Permit Type</b>	<b>Processing Fee</b>
003	Citrus Feed Mill(Peel Dryer/Waste Heat Evaporator)	AC1A	
004, 005, 009	Citrus Pellet Coolers	AC1A	
006	7 VOC Storage Tanks	AC1A	

**Application Processing Fee**

Check one: [ ] Attached - Amount: \$: \_\_\_\_\_ [ X ] Not Applicable

**Construction/Modification Information**

1. Description of Proposed Project or Alterations:

2. Projected or Actual Date of Commencement of Construction:

3. Projected Date of Completion of Construction:

**Application Comment**

**This application is for a revision to the PSD permit for the addition of three (3) extractors (Permit No. 0510015-007-AC/PSD-FL-299).**

**Golder Associates Inc.**

6241 NW 23rd Street, Suite 500  
Gainesville, FL 32653-1500  
Telephone (352) 336-5600  
Fax (352) 336-6603

August 7, 2001



0137582  
RECEIVED

AUG - 9 2001

Bureau of Air Monitoring  
& Mobile Sources

Florida Department of Environmental Protection  
New Source Review Section  
2600 Blair Stone Road  
Tallahassee, FL

Attention : Mr. Joe Kahn, P.E.

RE: SOUTHERN GARDENS CITRUS PROCESSING CORP. (SGCPC)  
PERMIT NO. 0510015-007-AC; PSD-FL-299  
ADDITION OF THREE JUICE EXTRACTORS

*0510015-010-AC*

Dear Mr. Kahn:

As recently discussed with you, the purpose of this letter is to request several revisions to Final Permit No. 0510015-007-AC/PSD-FL-299 issued to SGCPC on December 4, 2000. Some of the changes are based on experience this past season while operating under the PSD permit. The requested changes are as follows.

**SECTION II. FACILITY-WIDE SPECIFIC CONDITIONS**

**Page 9 of 12**

28. At the present time, SGCPC uses the material balance method of oil recovery. This method requires using the measured oil in the incoming fruit, divided into the sum of the oil remaining in the juice, cold press oil recovered, d-limonene recovered, and oil remaining in the dried pellets, expressed as a percentage.

SGCPC proposes to modify this requirement by allowing the option of not including the oil remaining in the dry pellets. SGCPC has found this measurement to be burdensome at present. By eliminating this oil recovery, SGCPC would be recording and reporting lower oil recovery than is actually occurring. SGCPC acknowledges that this change will in no way alter the requirement to demonstrate a minimum recovery of 50 percent of the oil from citrus fruits processed, as stated in Condition 28. However, SGCPC would retain the option to include the oil in the pellets in the future, if so desired.

SGCPC also requests that oil recovered in "oil phase essence" be allowed to be included in the total oil recovery calculations. This recovered oil is measured on a daily basis by the plant, similar to the cold press oil and the d-limonene.

Proposed revised wording for Condition 28 is provided below.

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 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 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. **In either of these methods, the owner or operator may choose to exclude from the oil recovery calculation the oil remaining in the dried pellets.**

Measurement of 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 the 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.]

### **SECTION III – Subsection A – Pellet Coolers**

#### **Page 10 of 12**

Pellet Cooler No. 3 is normally operated at the facility, with Coolers No. 1 and 2 serving only as standby units. Historically, Cooler Nos. 1 and 2 have been operated very little.

Condition 4 requires that each of the emissions units (Cooler Nos. 1, 2 and 3) be tested for particulate matter initially and prior to renewal of the operating permit. Due to the expense and disruption to operations that would result from having to test Cooler Nos. 1 and 2, it is requested that particulate testing be required for Cooler Nos. 1 and 2 only if operating hours in a year exceed 400 hours. If the 400-hour threshold was exceeded, SGPC would arrange for testing within operational 60 days.

It is noted that measured PM emissions from Cooler No. 3 have been less than 1.0 lb/hr of PM. All the coolers at SGPC have passive cyclone collectors as control devices. Therefore, it is anticipated that PM emissions from the coolers will always be well below the emission limit of 5.0 lb/hr.

### **SECTION III – Subsection B – Citrus feed mill peel dryer/waste heat evaporator**

#### **Page 11 of 12**

SGPC requests that the maximum pressed peel input rate to the dryer being expressed in terms of tons of bone dry peel (BDP) instead of wet peel. In the application for the extractors addition, all air emissions from the peel dryer were based on tons of BDP processed through the dryer (refer to September 2000 application; Attachment SG-EU1-G8 and Table 2-4). This is the same unit of measure used by the Florida Citrus Processors Association in developing VOC emission factors for the citrus industry. The expression of the input rate on a dry basis eliminates one of the parameters (i.e., moisture content of pressed peel) that must be measured on a daily basis in order to determine pressed peel input rate. Dry peel input can be measured by measuring the dried pellet production and


the moisture content of the dried pellets. Thus, measuring peel input on a dry basis is more accurate than a wet peel basis.

Based on this information and the fact that the peel dryer air emission rates in the extractors application were based on bone dry peel input rates, it is requested that the peel dryer process rate limitation be revised to 18.5 tons per hour of BDP.

Thank you for consideration of these requested revisions to the final permit. Please call or e-mail me if you have any questions concerning this information.

Sincerely,

GOLDER ASSOCIATES INC.

  
David A. Buff, P.E., Q.E.P.  
Principal Engineer  
Florida P.E. #19011  
DB/jkw

Attachments

cc: Derek Pridgen  
Olga Rodriguez  
Lisa Gefen

P:\Projects\2001\0137582 Southern Gardens\4\4.1\080701.doc

The Clewiston News

Published Weekly

Clewiston, Florida

AFFIDAVIT OF PUBLICATION

State of Florida
County of Hendry

Before the undersigned authority, personally appeared Debra Miller, who on oath says she is the Editor of the Clewiston News, a weekly newspaper published at Clewiston in Hendry County, Florida, that the attached copy of advertisement being a

Public Notice in the matter of Intent to Issue An Air Construction Permit/PSD Permit Amendment

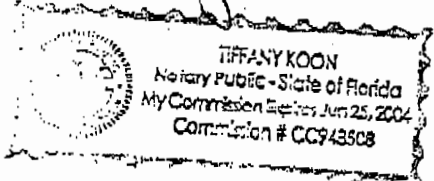
in the court, was published in said newspaper in the issue(s) of April 3, 2002

Affiant further says that the said Clewiston News is a newspaper published at Clewiston, in said Hendry County, continuously published in said Hendry County, Florida, each week, and has been entered as periodicals matter at the post office in Clewiston, in said Hendry County, Florida, for a period of one year next preceding the first publication says that she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Debra Miller

Sworn to and subscribed before me this 4th day of April 2002

Tiffany Koon
Notary Public



RECEIVED

APR 11 2002

DEP - South District

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-R-239(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 785 County Road 833, Clewiston, Hendry County. The applicant's name and address are: Mr. Trisha Chapman, Vice President and General Manager, Southern Gardens Citrus Processing Corp., Post Office Box 120, Clewiston, Florida 33440.

The subject of the permit (letter) is to change some federally enforceable permit conditions established in Air Construction Permit/PSD Permit No. 0510015-007-AC/PSD-FL-239, 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 permit (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 permit (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 #95, Tallahassee, Florida 32399-3000 (Telephone: 850/488-9730; Fax: 850/487-4938). Petitions filed 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 passed the 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 address the petition within the appropriate time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under Section 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 name of 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 28-106.201, 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, etc.

Permitting Authority:
Department of Environmental Protection
Bureau of Air Regulation
111 South Magnolia Drive, Suite 4
Tallahassee, Florida 32301
Telephone: 850/488-1344
Fax: 850/922-6379

Alfred District Office:
Department of Environmental Protection
South District Office
2295 Victoria Avenue, Suite 364
Fort Myers, Florida 33902-2549
Telephone: 941/332-6913
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. Shuplak, P.E., at the above address, or call 850/921-9632, for additional information.

**Golder Associates Inc.**

6241 NW 23rd Street, Suite 500  
Gainesville, FL 32653-1500  
Telephone (352) 336-5600  
Fax (352) 336-6603



March 7, 2002

0137582

Florida Department of Environmental Protection  
New Source Review Section  
2600 Blair Stone Road  
Tallahassee, FL 32399-2400

Attention: Mr. Scott Sheplak, P.E.

RE: SOUTHERN GARDENS CITRUS PROCESSING CORP.  
DRAFT PERMIT NO. 0510015-010-AC; PSD-FL-299(A)  
ADDITION OF THREE JUICE EXTRACTORS

Dear Mr. Sheplak:

On December 11, 2001, the Department issued a draft air construction permit No. 0510015-010-AC/PSD-FL-299(a) to revised the prevention of significant deterioration (PSD) permit for three juice extractors at Southern Gardens Citrus Processing Corporation (SGCPC). Upon review of the draft, we are submitting several comments and requested changes. The comments are as follows.

**ITEM 1(a)**

This item addresses changes to Specific Condition II.28 of the PSD permit. SGCPC is in agreement with the changes proposed by the Department. However, SGCPC has identified an additional issue with this condition. This condition states in part that:

Measurement of recovery shall be made each operational day and averaged over the days of facility operation during each month. The monthly averages shall be used to calculate the consecutive 12-month oil recovery.

The problem that SGCPC has identified is that this methodology does not correctly account for limited operation during certain months. Each month used to calculate the 12-month average is given equal weight, regardless of the level of operation or amount of fruit processed in that month. This would be particularly significant in months in which the processing season started or ended, or months with very little operation. For example, a facility may start processing at the end of October, a few days before the end of the calendar month. The oil recovery during this month may be particularly low, and much less than 50 percent, because all systems at the facility were not yet up and running efficiently. However, by the permit wording, this month would count equally with all other months in the consecutive 12-month period.

A review of the citrus industry legislative language from which this condition was derived [FLL 403.08725(4)(a)1] reveals differences between the legislation and the PSD permit. The legislative language is as follows:

Measurement of recovery of oil shall be made each operational day and averaged over the days of facility operation during each **calendar year**.

There is no mention of monthly oil recovery or a 12-month average based on the monthly averages.



In order to remedy the problem with potential erroneous 12-month average oil recovery and to be consistent with the legislation, we suggest that the wording of Specific Condition 28 be revised as follows:

Measurement of recovery shall be made each operational day and averaged over the days of facility operation during each consecutive 12-month period. [Delete the next sentence]

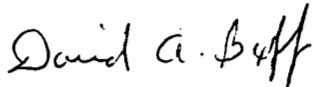
**Item C.**

This item addresses Section III, Subsection B, Specific Condition 2. SGCPC withdraws its request to revise this permit condition. We therefore request that the wording of this condition remain unchanged from the original PSD permit.

Thank you for consideration of these requested revisions to the final permit. Please call or e-mail me if you have any questions concerning this information.

Sincerely,

GOLDER ASSOCIATES INC.



David A. Buff, P.E., Q.E.P.  
Principal Engineer  
Florida P.E. #19011

DB/jkw

Attachments

cc: Derek Pridgen  
Olga Rodriguez  
Lisa Gefen

P:\Projects\2001\0137582 Southern Gardens\4\4.1\L030702.doc

# The Clewiston News

Published Weekly

Clewiston, Florida

## AFFIDAVIT OF PUBLICATION

State of Florida  
County of Hendry

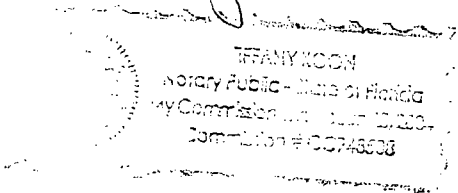
Before the undersigned authority, personally appeared Debra Miller, who on oath says she is the Editor of the Clewiston News, a weekly newspaper published at Clewiston in Hendry County, Florida, that the attached copy of advertisement being a Public Notice in the matter of Intent to Issue An Air Construction Permit/PSD Permit Amendment in the \_\_\_\_\_ court, was published in said newspaper in the issue(s) of April 3, 2002

Affiant further says that the said Clewiston News is a newspaper published at Clewiston, in said Hendry County, continuously published in said Hendry County, Florida, each week, and has been entered as periodicals matter at the post office in Clewiston, in said Hendry County, Florida, for a period of one year next preceding the first publication says that she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Debra Miller

Sworn to and subscribed before me this 4th day of April 2002

Tiffany Koon  
Notary Public



RECEIVED

APR 4 2002

D.E.P. - South District

### 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 notice, 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 Section 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 upon 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. Shaplak, P.E., at the above address, or 850/921-9532, for additional information.

*Pat's file*

**DEP ROUTING AND TRANSMITTAL SLIP**

TO: (NAME, OFFICE, LOCATION) 3. \_\_\_\_\_  
1. BRUCE MITCHELL - ARM 4. \_\_\_\_\_  
2. MAIL STATION 5505 5. \_\_\_\_\_

PLEASE PREPARE REPLY FOR:  
 SECRETARY'S SIGNATURE  
 DIV/DIST DIR SIGNATURE  
 MY SIGNATURE  
 YOUR SIGNATURE  
 DUE DATE: \_\_\_\_\_

ACTION/DISPOSITION:  
 DISCUSS WITH ME  
 COMMENTS/ADVISE  
 REVIEW AND RETURN  
 SET UP MEETING  
 FOR YOUR INFORMATION  
 HANDLE APPROPRIATELY  
 INITIAL AND FORWARD  
 SHARE WITH STAFF  
 FOR YOUR FILES

COMMENTS:

**RECEIVED**

**APR 17 2002**

**BUREAU OF AIR REGULATION**

FROM: Mara Nasca / SD DATE: 04/15/02 PHONE: SC 748-6975

# SOUTHERN GARDENS CITRUS

RECEIVED

FEB 18 2002

BUREAU OF AIR REGULATION

February 15, 2002

Department of Environmental Protection  
Attn: Department's Bureau of Air Regulation  
2600 Blair Stone Road, Mail Station # 5505  
Tallahassee, FL 32399-2400

Please find enclosed an affidavit concerning the Public Notice of Intent to Issue an Air Construction Permit for #0510015-010-AC and Draft PSD Permit Amendment No: PSD-FL 299(A).

If you have any questions regarding this matter I can be contacted at (863) 902-4109.

Sincerely,

SOUTHERN GARDENS CITRUS PROCESSING CORPORATION



Olga Rodriguez  
Environmental

cc: B. Mitchell  
R. Blackburn, SD  
B. Worley, EPA

**AFFIDAVIT OF PUBLICATION**

State of Florida  
 County of Hendry

Before the undersigned authority, personally appeared Debra Miller, who on oath says she is the Editor of the Clewiston News, a weekly newspaper published at Clewiston in Hendry County, Florida, that the attached copy of advertisement being a Public Notice in the matter of Intent to Issue Air Construction Permit

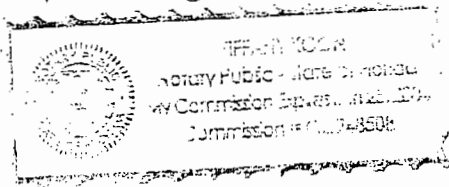
\_\_\_\_\_ in the \_\_\_\_\_ court, was published in said newspaper in the issue(s) of February 6, 2002

Affiant further says that the said Clewiston News is a newspaper published at Clewiston, in said Hendry County, continuously published in said Hendry County, Florida, each week, and has been entered as periodicals matter at the post office in Clewiston, in said Hendry County, Florida, for a period of one year next preceding the first publication says that she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Debra Miller

Sworn to and subscribed before me this 11th day of Feb 2002

Siffany Koon  
 Notary Public



**PUBLIC NOTICE OF INTENT TO ISSUE AIR CONSTRUCTION PERMIT**

STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

Southern Gardens Citrus Processing Corporation  
 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 Corporation located at 1820 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 Corporation, Post Office Box 130, Clewiston, Florida 33440.

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 Department will issue the Final Air Construction Permit/PSD Permit Amendment (letter) in accordance with the conditions of the 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 permit (letter) issuance action for a period of fourteen (14) days from the date of publication of this Notice. Written comments should be provided to the Department's Bureau of Air Regulation, 2800 Blair Stone Road, Mail Station #5505, Tallahassee, FL 32399-2400. Any written comments filed shall be made available for public inspection. If written comments received result in a significant change in the proposed agency action, the Department shall issue a Revised Draft Air Construction Permit/PSD Permit Amendment (letter), and require, if applicable, another Public Notice.

The Department will issue the permit (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 Section 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 permit applicant or any of the parties listed below must be filed within fourteen (14) days of publication of the public notice, or within fourteen (14) 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 fourteen (14) 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 proposed action;
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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.

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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 Draft Permit (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.

**U.S. Postal Service**  
**CERTIFIED MAIL RECEIPT**  
*(Domestic Mail Only; No Insurance Coverage Provided)*

**OFFICIAL USE**

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Restricted Delivery Fee (Endorsement Required)	
<b>Total Postage &amp; Fees</b>	<b>\$</b>

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Sent To  
 Tristan Chapman  
 Street, Apt. No.,  
 or P.O. Box 130  
 City, State, ZIP+4  
 Clewiston, FL 33440  
 PS Form 3800, January 2001 See Reverse for Instructions

**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  
 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

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

3. Service Type

- Certified Mail  Express Mail  
 Registered  Return Receipt for Merchandise  
 Insured Mail  C.O.D.

4. Restricted Delivery? (Extra Fee)  Yes

2

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UNITED STATES POSTAL SERVICE



First-Class Mail  
Postage & Fees Paid  
USPS  
Permit No. G-10

• Sender: Please print your name, address, and ZIP+4 in this box •

Dept. of Environmental Protection  
Division of Air Resources Mgt.  
Bureau of Air Regulation, NSR  
2600 Blair Stone Rd., MS 5505  
Tallahassee, FL 32399-2400

BUREAU OF AIR REGULATION

APR 01 2002

RECEIVED



Table 1. Summary of Permitted Peel Dryer Capacities, Florida Citrus Industry (October 2001)

Facility	Formerly Named	City	County	Title V Permit No.	Number of Peel Dryers	Capacity Limitation
A. Duda & Sons/Citrus Belle		Labelle	Hendry	0150004-001-AV	1	12.3 TPH BDP/ 35 TPH wet peel/ 7.5 million boxes*
Cargill Citro Pure	Cargill Citro-America	Frostproof	Polk	1050019-003-AV	1	51.0 TPH pressed peel (daily avg)
Cargill Citro Pure	Indian River Foods	Ft. Pierce	St. Lucie	1110018-003-AV	1	140,000 TPY *
Cargill Citro Pure	SunPure	Avon Park	Highlands	0550035-005-AV	1	N/A: "Normal operating capacity, approximately 14 TPH."
Citrus Service		Brooksville	Hernando	0530004-003-AV	1	10 TPH wet peel (daily avg)
Citrus World		Lake Wales	Polk	1050002-003-AV	3	40/ 80/ 88.6 TPH pressed peel (daily avg)
Citrusuco North America	Alcoma Packing	Lake Wales	Polk	1050001-001-AV	2	50 TPH each dryer (daily avg); 285,700 TPY* pressed peel for both dryers
Cutrale Citrus Juices		Auburndale	Polk	1050023-002-AV	2	55/ 55 TPH (daily avg)
Cutrale Citrus Juices		Lessburg	Lake	0690002-003-AV	1	457,272 TPY*
Florida Global Citrus	SFE Citrus Porcessors	Auburndale	Polk	1050037-001-AV	1	62 TPH pressed peel
Florida Select Citrus		Groveland	Lake	0690001-001-AV	1	95,795 TPY wet peel*+; 19.55 TPH under PM standards
Goldem Gem Growers		Umatilla	Lake	069005-001-AV	1	237,888 TPY wet peel*; 47.2 TPH under PM standards
Holly Hill		Davenport	Polk	1050061-001-AV	1	28.4 TPH wet peel (daily avg)
Louis Dreyfus Citrus	Caulkins Indiantown	Indiantown	Martin	085000-003-AV	2	27/ 39 TPH; 4,500 hr/yr combined operation
Louis Dreyfus Citrus	Winter Garden Citrus	Winter Garden	Orange	0950053-002-AV	2	185,490 TPY*+ (cobined operation)
Met Life Insurance Company	Fla. Juice Partner/ US Beverage	Lakeland	Polk	1050015-005-AV	1	36.0 TPH wet peel (daily avg)
Ocean Spray Cranberry		Vero Beach	Indian River	0610021-007-AV	#1 #2 #1+#2	95,256 TPY wet peel*; 27.0 TPH under PM standards 127,008 TPY wet peel*; 36.0 TPH under PM standards 127,008 TPY wet peel* (combined input)
Pasco Processing	Orange- Co.	Bartow	Polk	1050045-004-AV	2	45.0/ 22.5 TPH pressed peel; cannot operate simultaneously
Peace River Citrus		Arcadia	Desoto	0270003-005-AV	1	32.5 TPH (monthly avg)
Silver Springs Citrus		Howey-in-the-Hi Lake		0690014-002-AV	1	122,285 TPY wet peel*; 21.23 TPH udner PM standards
Southern Gardens Citrus		Clewiston	Hendry	0510015-009-AV	1	47.0 TPH wet peel (daily avg)
SunPac Foods		Winter Haven	Polk	1050106-001-AV	1	25 TPH pressed peel (daily avg)
Tropicana		Ft. Pierce	St. Lucie	1110004-002-AV	2	50 TPH pressed peel each dryer (daily avg)
Tropicana		Bradenton	Manatee	0810007-003-AV	3	50 TPH each- pressed peel

Footnotes:  
\* per 12 consecutive months  
+ PSD avoidance limit



**U.S. Postal Service  
 CERTIFIED MAIL RECEIPT  
 (Domestic Mail Only; No Insurance Coverage Provided)**

2557 1236 0200 0250 0007

Mr. Tristan Chapman

Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
<b>Total Postage &amp; Fees</b>	<b>\$</b>

Postmark  
Here

**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  
 Clearwater, Florida 33440

Table 1. Summary of Permitted Peel Dryer Capacities, Florida Citrus Industry (October 2001)

Facility	Formerly Named	City	County	Title V Permit No.	Number of Peel Dryers	Capacity Limitation
A. Duda & Sons/Citrus Belle		Labelle	Hendry	0150004-001-AV	1	12.3 TPH BDP/ 35 TPH wet peel/ 7.5 million boxes*
Cargill Citro Pure	Cargill Citro-America	Frostproof	Polk	1050019-003-AV	1	51.0 TPH pressed peel (daily avg)
Cargill Citro Pure	Indian River Foods	Ft. Pierce	St. Lucie	1110018-003-AV	1	140,000 TPY *
Cargill Citro Pure	SunPure	Avon Park	Highlands	0550035-005-AV	1	N/A:"Normal operating capacity, approximately 14 TPH."
Citrus Service		Brooksville	Hernando	0530004-003-AV	1	10 TPH wet peel (daily avg)
Citrus World		Lake Wales	Polk	1050002-003-AV	3	40/ 80/ 88.6 TPH pressed peel (daily avg)
Citrusuco North America	Alcoma Packing	Lake Wales	Polk	1050001-001-AV	2	50 TPH each dryer (daily avg); 285,700 TPY* pressed peel for both dryers
Cutrale Citrus Juices		Auburndale	Polk	1050023-002-AV	2	55/ 55 TPH (daily avg)
Cutrale Citrus Juices		Lessburg	Lake	0690002-003-AV	1	457,272 TPY*
Florida Global Citrus	SFE Citrus Porcessors	Auburndale	Polk	1050037-001-AV	1	62 TPH pressed peel
Florida Select Citrus		Groveland	Lake	0690001-001-AV	1	95,795 TPY wet peel*+; 19.55 TPH under PM standards
Goldem Gem Growers		Umatilla	Lake	069005-001-AV	1	237,888 TPY wet peel*; 47.2 TPH under PM standards
Holly Hill		Davenport	Polk	1050061-001-AV	1	28.4 TPH wet peel (daily avg)
Louis Dreyfus Citrus	Caulkins Indiantown	Indiantown	Martin	085000-003-AV	2	27/ 39 TPH; 4,500 hr/yr combined operation
Louis Dreyfus Citrus	Winter Garden Citrus	Winter Garden	Orange	0950053-002-AV	2	185,490 TPY*+ (cobined operation)
Met Life Insurance Company	Fla. Juice Partner/ US Beverage	Lakeland	Polk	1050015-005-AV	1	36.0 TPH wet peel (daily avg)
Ocean Spray Cranberry		Vero Beach	Indian River	0610021-007-AV	#1 #2 #1+#2	95,256 TPY wet peel*; 27.0 TPH under PM standards 127,008 TPY wet peel*; 36.0 TPH under PM standards 127,008 TPY wet peel* (combined input)
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Southern Gardens Citrus		Clewiston	Hendry	0510015-009-AV	1	47.0 TPH wet peel (daily avg)
SunPac Foods		Winter Haven	Polk	1050106-001-AV	1	25 TPH pressed peel (daily avg)
Tropicana		Ft. Pierce	St. Lucie	1110004-002-AV	2	50 TPH pressed peel each dryer (daily avg)
Tropicana		Bradenton	Manatee	0810007-003-AV	3	50 TPH each- pressed peel

Footnotes:  
\* per 12 consecutive months  
+ PSD avoidance limit

**U.S. Postal Service**  
**CERTIFIED MAIL RECEIPT**  
*(Domestic Mail Only; No Insurance Coverage Provided)*

7000 0520 0020 9371 1861

Mr. Tristan Chapman

Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
<b>Total Postage &amp; Fees</b>	<b>\$</b>

Postmark  
Here

**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

PS Form 3800, February 2000

See Reverse for Instructions

**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 1861

**COMPLETE THIS SECTION ON DELIVERY**

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

C. Signature

X *Andrea Saly*

Agent  
 Addressee

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

3. Service Type

Certified Mail  Express Mail  
 Registered  Return Receipt for Merchandise  
 Insured Mail  C.O.D.

4. Restricted Delivery? (Extra Fee)  Yes

UNITED STATES POSTAL SERVICE



First-Class Mail  
Postage & Fees Paid  
USPS  
Permit No. G-10

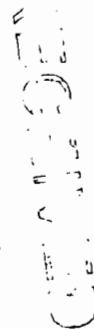
• Sender: Please print your name, address, and ZIP+4 in this box •

DEPARTMENT OF ENVIRONMENTAL PROTECTION  
DIVISION OF AIR RESOURCES MANAGEMENT  
BUREAU OF AIR REGULATION - TITLE V  
2600 BLAIR STONE ROAD  
TALLAHASSEE, FLORIDA 32399-2400

MS 5505

BUREAU OF AIR REGULATION

DEC 17 2001



**AFFIDAVIT OF PUBLICATION**

State of Florida  
County of Hendry

Before the undersigned authority, personally appeared Debra Miller, who on oath says she is the Editor of the Clewiston News, a weekly newspaper published at Clewiston in Hendry County, Florida, that the attached copy of advertisement being a Public Notice in the matter of Intent to Issue Air Construction Permit

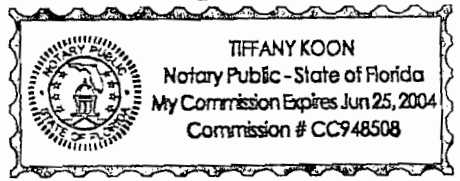
\_\_\_\_\_ in the \_\_\_\_\_ court, was published in said newspaper in the issue(s) of February 6, 2002

Affiant further says that the said Clewiston News is a newspaper published at Clewiston, in said Hendry County, continuously published in said Hendry County, Florida, each week, and has been entered as periodicals matter at the post office in Clewiston, in said Hendry County, Florida, for a period of one year next preceding the first publication says that she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Debra Miller

Sworn to and subscribed before me this 11th day of Feb 2002

Siffany Koon  
Notary Public



**PUBLIC NOTICE OF INTENT TO ISSUE AIR CONSTRUCTION PERMIT**  
STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION  
Draft Air Construction Permit No.: 0510015-010-AC  
Draft PSD Permit Amendment No.: PSD-FL-299(A)  
Southern Gardens Citrus Processing Corporation  
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 Corporation located at 1820 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 Corporation, Post Office Box 130, Clewiston, Florida 33440.

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 Department will issue the Final Air Construction Permit/PSD Permit Amendment (letter) in accordance with the conditions of the 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 permit (letter) issuance action for a period of fourteen (14) 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, FL 32399-2400. Any written comments filed shall be made available for public inspection. If written comments received result in a significant change in the proposed agency action, the Department shall issue a Revised Draft Air Construction Permit/PSD Permit Amendment (letter), and require, if applicable, another Public Notice.

The Department will issue the permit (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 Section 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 permit applicant or any of the parties listed below must be filed within fourteen (14) days of publication of the public notice, or within fourteen (14) 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 fourteen (14) 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:

- The name and address of each agency affected and each agency's file or identification number, if known;
- 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;
- A statement of how and when petitioner received notice of the agency action or proposed action;
- A statement of all disputed issues of material fact. If there are none, the petition must so indicate;
- A concise statement of the ultimate facts alleged, including the specific facts the petitioner contends warrant reversal or modification of the agency's proposed action;
- A statement identifying the rules or statutes the petitioner contends require reversal or modification of the agency's proposed action; and
- A statement of the relief sought by the petitioner, stating the action petitioner wants the agency to take, with respect to the agency 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

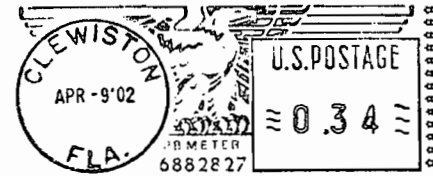
**Affected District Office:**  
Department of Environmental Protection  
South District Office  
2295 Victoria Avenue, Suite 364  
Fort Myers, Florida 33902-2549  
Telephone: (941)332-8975  
Fax: (941)332-6989

The complete project file includes the application, the Technical Evaluation and Preliminary Determination, the Draft Permit (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. Sheplek, P.E., at the above address, or call (850)921-9532, for additional information.

259194 - CN 2/8/02

# SOUTHERN GARDENS CITRUS

P.O. Box 130  
1820 County Road 833  
Clewiston, FL 33440



RECEIVED  
APR 11 2002  
DEP. - South District

Department of Environmental Protection  
Attn: Mr. Scott M. Sheplak  
South District Office  
P.O. Box 2549  
Ft. Myers, FL 33902-1254

33902+2549

The Clewiston News  
Published Weekly  
Clewiston, Florida

**AFFIDAVIT OF PUBLICATION**

State of Florida  
County of Hendry

Before the undersigned authority, personally appeared Debra Miller, who on oath says she is the Editor of the Clewiston News, a weekly newspaper published at Clewiston in Hendry County, Florida, that the attached copy of advertisement being a

Public Notice in the matter of Intent to Issue An Air Construction Permit/PSD Permit Amendment

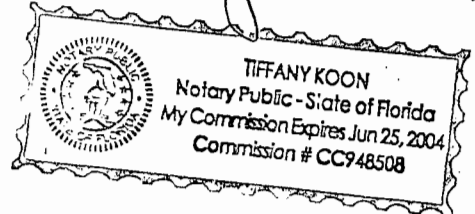
in the \_\_\_\_\_ court, was published in said newspaper in the issue(s) of April 3, 2002

Affiant further says that the said Clewiston News is a newspaper published at Clewiston, in said Hendry County, continuously published in said Hendry County, Florida, each week, and has been entered as periodicals matter at the post office in Clewiston, in said Hendry County, Florida, for a period of one year next preceding the first publication says that she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Debra Miller

Sworn to and subscribed before me this 4th day of April 2002

Tiffany Koon  
Notary Public



RECEIVED

APR 11 2002

D.E.P. - South District

**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 Section 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.

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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. Shaplak, P.E., at the above address, or call 850/921-9532, for additional information.

**AFFIDAVIT OF PUBLICATION**

State of Florida  
County of Hendry

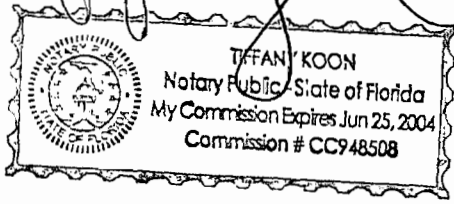
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Affiant further says that the said Clewiston News is a newspaper published at Clewiston, in said Hendry County, continuously published in said Hendry County, Florida, each week, and has been entered as periodicals matter at the post office in Clewiston, in said Hendry County, Florida, for a period of one year next preceding the first publication says that she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Debra Miller

Sworn to and subscribed before me this 12th day of April 2002

Tiffany Koon  
Notary Public



**RECEIVED**

APR 15 2002

BUREAU OF AIR REGULATION

**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.

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  - (d) A statement of all disputed issues of material fact. If there are none, the petition must so indicate;
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  - (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.
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**Permitting Authority:**  
Department of Environmental Protection  
Bureau of Air Regulation  
111 South Magnolia Drive, Suite 4  
Tallahassee, Florida 32301  
Telephone: 850/486-1344  
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. Shaplak, P.E., at the above address, or call 850/921-9532, for additional information.



U.S. Postal Service  
**CERTIFIED MAIL RECEIPT**  
 (Domestic Mail Only; No Insurance Coverage Provided)

7000 0520 0020 9371 2936

Mr. Tristan Chapman

Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
<b>Total Postage &amp; Fees</b>	<b>\$</b>

Postmark  
Here

**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

PS Form 3800, February 2000

See Reverse for Instructions

**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

**COMPLETE THIS SECTION ON DELIVERY**

A. Received by (Please Print Clearly)

B. Date of Delivery

5.13.02

C. Signature

*Tristan Chapman*

Agent

Addressee

D. Is delivery address different from item 1?  Yes

If YES, enter delivery address below:  No

3. Service Type

Certified Mail  Express Mail

Registered  Return Receipt for Merchandise

Insured Mail  C.O.D.

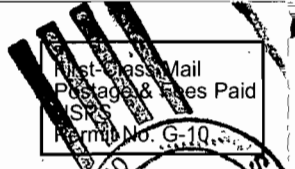
4. Restricted Delivery? (Extra Fee)

Yes

2 Article Number (Copy from service label)

7000 0520 0020 9371 2936

UNITED STATES POSTAL SERVICE



• Sender: Please print your name, address, and ZIP+4 in this space.

DEPARTMENT OF ENVIRONMENTAL PROTECTION  
DIVISION OF AIR RESOURCES MANAGEMENT  
BUREAU OF AIR REGULATION - TITLE V  
2600 BLAIR STONE ROAD  
TALLAHASSEE, FLORIDA 32399-2400

*M& 5505*

MAY 15 2002

RECEIVED

