


Memorandum

Florida Department of Environmental Protection

TO: Trina Vielhauer
THRU: Scott Sheplak
FROM: Ed Svec 
DATE: April 7, 2003
SUBJECT: Silver Springs Citrus, Inc.
Distillate Fuel Oil Usage

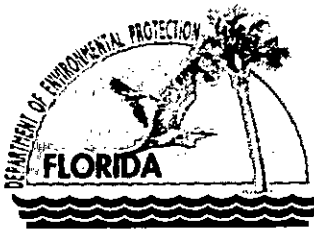
Attached for approval and signature is an intent to issue a construction permit to allow Silver Springs Citrus, Inc. to allow the use of very low sulfur distillate fuel oil in its existing process steam boiler #1 and citrus peel dryer. The facility currently fires natural gas, although #6 fuel oil is an allowable fuel for boiler #1. This project is not subject to PSD because the emissions increases associated with the fuel switch are not significant for PSD. Total emissions of pollutants from the fuel change authorized by this permit will not exceed the approximate annual emission rates in tons per year: PM/PM₁₀, 4.1; NO_x, 41.2; SO₂, 14.6; CO, 10.3; and VOC, 0.7.

I recommend your approval and signature.

April 7, 2003 is day 27 of the 90 day time clock.

Attachments

/es



Jeb Bush
Governor

Department of Environmental Protection

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

David B. Struhs
Secretary

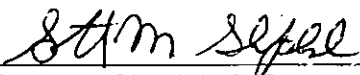
P.E. Certification Statement

Permittee:
Silver Springs Citrus, Inc.

Permit No.: 0690014-005-AC

Project type: Air Construction Permit for Distillate Fuel Oil Usage

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).

 04/15/03
Scott M. Sheplak, P.E. date
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

April 16, 2003

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Mr. John Rees
President
Silver Springs Citrus, Inc.
PO Box 155
Howey-in-the-Hills, Florida 34737

Re: DEP File No. 0690014-005-AC
Distillate Fuel Oil Usage

Dear Mr. Rees:

Enclosed is one copy of the draft air construction permit authorizing Silver Springs Citrus, Inc. to construct minor modifications to allow the use of very low sulfur distillate fuel oil in its existing process steam boiler #1 and citrus peel dryer, at its citrus juice processing plant located at 25411 Mare Avenue, Howey-in-the-Hills, Lake County. The Technical Evaluation and Determination, the Department's Intent to Issue Air Construction Permit and the Public Notice of Intent to Issue Air Construction Permit are also included.

The Public Notice of Intent to Issue Air Construction Permit must be published one time only, as soon as possible, in the legal advertisement section of a newspaper of general circulation in the area affected, pursuant to the requirements Chapter 50, Florida Statutes. Proof of publication, i.e., newspaper affidavit, must be provided to the Department's Bureau of Air Regulation office within seven days of publication pursuant to Rule 62-110.106(5), F.A.C. Failure to publish the notice and provide proof of publication may result in the denial of the permit pursuant to Rule 62-110.106(11), F.A.C.

Please submit any written comments you wish to have considered concerning the Department's proposed action to Scott M. Sheplak, P.E., Administrator, Title V Section at the above letterhead address. If you have any other questions, please contact Edward J. Svec at 850/921-8985.

Sincerely,

Trina Vielhauer, Chief
Bureau of Air Regulation

TV/es
Enclosures

"More Protection, Less Process"

Printed on recycled paper.

In the Matter of an
Application for Permit by:

Mr. John Rees, President
Silver Springs Citrus, Inc.
PO Box 155
Howey-in-the-Hills, Florida 34737

DEP File No. 0690014-005-AC
Distillate Fuel Oil Usage
Lake County

INTENT TO ISSUE AIR CONSTRUCTION PERMIT

The Department of Environmental Protection (Department) gives notice of its intent to issue an air construction permit (copy of Draft permit attached) for the proposed project, detailed in the application specified above and the enclosed Technical Evaluation and Preliminary Determination, for the reasons stated below.

The applicant, Silver Springs Citrus, Inc., applied on March 10, 2003, to the Department for an air construction permit for its existing citrus juice processing facility located at 25411 Mare Avenue, Howey-in-the-Hills, Lake County. The permit is to authorize Silver Springs Citrus, Inc. to construct minor modifications to allow the use of very low sulfur distillate fuel oil in its existing process steam boiler #1 and citrus peel dryer.

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. The 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 based on the belief that reasonable assurances have been provided to indicate that operation of these emission units will not adversely impact air quality, and the emission units will comply with all appropriate provisions of Chapters 62-4, 62-204, 62-210, 62-212, 62-296, and 62-297, F.A.C.

Pursuant to Section 403.815, F.S., and Rule 62-110.106(7)(a)1., F.A.C., you (the applicant) are required to publish at your own expense the enclosed Public Notice of Intent to Issue Air Construction Permit. The notice shall be published one time only in the legal advertisement section of a newspaper of general circulation in the area affected. Rule 62-110.106(7)(b), F.A.C., requires that the applicant cause the notice to be published as soon as possible after notification by the Department of its intended action. 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 Department at the address or telephone number listed below. The applicant shall provide proof of publication to the Department's Bureau of Air Regulation, at 2600 Blair Stone Road, Mail Station #5505, Tallahassee, Florida 32399-2400 (Telephone: 850/488-0114; Fax 850/ 922-6979). You must provide proof of publication within 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 permit. Failure to publish the notice and provide proof of publication may result in the denial of the permit pursuant to Rules 62-110.106(9) & (11), F.A.C.

The Department will issue the final permit with the attached conditions 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 fourteen (14) days from the date of publication of Public Notice of Intent to Issue Air Construction Permit. Written comments should be provided to the Department's Bureau of Air Regulation at 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 revise the proposed permit and require, if applicable, another Public Notice.

The Department will issue the permit 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. 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 proceeding (hearing) under 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 at 3900

Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida, 32399-3000. Petitions filed by the permit applicant or any of the parties listed below must be filed within 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 fourteen days of publication of the public notice or within 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 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, 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; (f) A statement of the specific 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 precisely the action petitioner wishes the agency to take with respect to the agency's proposed action.

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. 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.

Mediation is not available in this proceeding.

In addition to the above, a person subject to regulation has a right to apply 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. 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, 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 EPA 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.



Trina Vielhauer, Chief
Bureau of Air Regulation

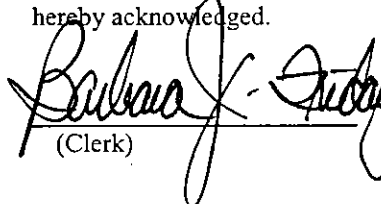
CERTIFICATE OF SERVICE

The undersigned duly designated deputy agency clerk hereby certifies that this Intent to Issue Air Construction Permit (including the Public Notice of Intent to Issue Air Construction Permit, Technical Evaluation and Preliminary Determination, and the Draft permit) was sent by certified mail (*) and copies were mailed by U.S. Mail before the close of business on 4/16/03 to the person(s) listed:

John Rees, Silver Springs Citrus, Inc. *
John B. Koogler, Ph.D., P.E., Koogler & Associates
Len Kozlov, P.E., DEP CD

Clerk Stamp

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

 Friday 4/16/03
(Clerk) (Date)

PUBLIC NOTICE OF INTENT TO ISSUE AIR CONSTRUCTION PERMIT

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION

DEP File No. 0690014-005-AC

Silver Springs Citrus, Inc.
Lake County

The Department of Environmental Protection (Department) gives notice of its intent to issue an air construction permit to Silver Springs Citrus, Inc. for its existing citrus juice processing facility located at 25411 Mare Avenue, Howey-in-the-Hills, Lake County. The permit is to authorize Silver Springs Citrus, Inc. to construct minor modifications to allow the use of very low sulfur distillate fuel oil in its existing process steam boiler #1 and citrus peel dryer. The applicant's mailing address is: PO Box 155, Howey-in-the-Hills, Florida 34737. This project is not subject to the requirements for PSD. An air quality impact analysis was not required.

Total emissions of pollutants from the fuel change authorized by this permit will not exceed the following approximate annual emission rates in tons per year: PM/PM₁₀, 4.1; NO_x, 41.2; SO₂, 14.6; CO, 10.3; and VOC, 0.7.

The Department will issue the final permit with the attached conditions 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 fourteen (14) days from the date of publication of this Public Notice of Intent to Issue Air Construction Permit. Written comments should be provided to the Department's Bureau of Air Regulation at 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 revise the proposed permit and require, if applicable, another Public Notice.

The Department will issue the permit with the attached conditions 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. 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) under 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 at 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida, 32399-3000. Petitions filed by the permit applicant or any of the parties listed below must be filed within 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) of the Florida Statutes must be filed within fourteen days of publication of the public notice or within 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 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 of the 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

NOTICE TO BE PUBLISHED IN THE NEWSPAPER

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 of the specific 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 precisely the action petitioner wishes the agency to take with respect to the agency's proposed action.

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. 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:

Dept. of Environmental Protection
Bureau of Air Regulation
Suite 4, 111 S. Magnolia Drive
Tallahassee, Florida, 32301
Telephone: 850/488-0114
Fax: 850/922-6979

Dept. of Environmental Protection
Central District
Suite 232, 3319 Maguire Boulevard
Orlando, Florida 32803-3767
Telephone: 407/894-7555

The complete project file includes the application, technical evaluation, draft permit, and the information submitted by the responsible official, exclusive of confidential records under Section 403.111, F.S. Interested persons may contact the Administrator, Title V Section, or the Department's reviewing engineer for this project, Edward J. Svec, at the Bureau of Air Regulation in Tallahassee, Florida, or call 850/488-0114, for additional information. Written comments directed to the Department's reviewing engineer should be sent to the following mailing address: Dept. of Environmental Protection, Bureau of Air Regulation, Mail Station #5505, Tallahassee, Florida, 32399-2400.

NOTICE TO BE PUBLISHED IN THE NEWSPAPER

1 APPLICANT NAME AND ADDRESS

Silver Springs Citrus, Inc.
PO Box 155
Howey-in-the-Hills, Florida 34737

Authorized Representative: John Rees, President

2 FACILITY DESCRIPTION, PROJECT DETAILS AND RULE APPLICABILITY

The facility is an existing citrus juice processing facility. The project is the construction of minor modifications to allow the use of very low sulfur distillate fuel oil (0.05% sulfur by weight) in the existing process steam boiler #1 and citrus peel dryer. Boiler #1 is currently permitted to burn natural gas and No. 6 residual fuel oil, and the peel dryer is currently permitted to burn natural gas. The facility has been burning exclusively natural gas in the last several years. The applicant has requested authorization to fire distillate fuel oil as an additional fuel, primarily because of the current high price of natural gas relative to fuel oils. According to the applicant, the emissions units were originally constructed to burn distillate fuel oil (No. 2 fuel oil). The applicant has stated that the minor modifications required to burn distillate fuel oil are related to cleaning the distillate fuel burners and replacing deteriorated wear parts such as nozzle tips. The applicant did not seek any relaxation in currently enforceable conditions limiting heat input or process throughput through these emissions units. The applicant has stated that this permit request will not debottleneck the facility's emissions units.

Emissions units addressed by this permit are 001, the citrus peel dryer, and 007, process steam boiler #1.

The emissions increases associated with this project were estimated as follows in tons per year:

| Pollutant | Actual Emissions ¹ | Potential Emissions ² | Net Increase | PSD Significance | Subject to PSD? |
|----------------------|--------------------------------------|---|---------------------|-------------------------|------------------------|
| PM/ PM ₁₀ | 0.69 | 4.1 | 3.41 | 25/15 | No |
| SO ₂ | 0.05 | 14.6 | 14.55 | 40 | No |
| NO _x | 9.02 | 41.2 | 32.18 | 40 | No |
| CO | 7.57 | 10.3 | 2.43 | 100 | No |
| VOC | 0.50 | 0.7 | 0.20 | 40 | No |

¹ Actual emissions were estimated by the applicant for the 2000 and 2001 calendar years from natural gas usage and AP-42 emission factors.

² Potential emissions were estimated by the Department using AP-42 emission factors (tables 1.3-1 and 1.3-3), assuming a higher heat content of 136 million Btu/1000 gallons, given the heat input limitations of this permit.

The proposed project is subject to preconstruction review requirements under the provisions of Chapter 403, F.S., and Chapters 62-4, 62-204, 62-210, 62-212, 62-296 and 62-297, F.A.C. The existing facility is located in an area designated, in accordance with Rule 62-204.340, F.A.C., as attainment or unclassifiable for the criteria pollutants ozone, PM₁₀, carbon monoxide, SO₂, nitrogen dioxide and lead. This facility is classified as a Major or Title V Source of air pollution because emissions of at least one regulated air pollutant exceeds 100 tons per year (TPY). The Department has previously found that citrus juice processing facilities, such as this facility, have potential emissions of VOC exceeding 250 TPY.

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

As a result of this project neither emissions unit will become subject to regulation under the New Source Performance Standards of 40 CFR 60. Emissions unit 007 is subject to a determination of Best Available Control Technology (BACT) pursuant to Rule 62-296.406, F.A.C. The current Title V permit for the facility shows that this emissions unit previously received such a BACT determination which authorizes the use of natural gas, propane or No. 6 fuel oil, with a sulfur content not to exceed 1.5% by weight. The applicant's requested fuel is consistent with the previous BACT determination.

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

3 SOURCE IMPACT ANALYSIS

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

4 EXCESS EMISSIONS

This permit does not change any authorization for excess emissions provided by other Department permits pursuant to Rule 62-210.700 F.A.C.

5 LIMITS AND COMPLIANCE REQUIREMENTS

The permit limits the sulfur content of the distillate fuel oil and limits the heat input to the emissions units from all permitted fuels. The limits and compliance requirements are detailed in Section III of the permit. Briefly, each delivery of distillate fuel oil shall be analyzed for sulfur content and heat content. A vendor's certification may be used in lieu of the owner or operator sampling and analyzing each fuel delivery. Heat input on a rolling consecutive 12-month basis shall be determined from fuel analyses and records of fuel consumption required by this permit and previous air construction permits and the current Title V permit.

6 PRELIMINARY DETERMINATION

Based on the foregoing technical evaluation of the application and additional information submitted by the applicant and other available information, the Department has made a preliminary determination that the proposed project will comply with all applicable state and federal air pollution regulations. The Department's preliminary determination is to issue the draft permit to allow the use of very low sulfur distillate fuel oil for these emissions units, subject to the terms and conditions of the draft permit.

7 FINAL DETERMINATION

^DRAFT (This section will be revised when a final permit is issued for this project.)

DETAILS OF THIS ANALYSIS MAY BE OBTAINED BY CONTACTING:

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



Jeb Bush
Governor

Department of Environmental Protection

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

David B. Struhs
Secretary

PERMITTEE

Silver Springs Citrus, Inc.
PO Box 155
Howey-in-the-Hills, Florida 34737

| | |
|-------------------|---------------------------|
| Permit No. | 0690014-005-AC |
| Project | Distillate Fuel Oil Usage |
| SIC No. | 2033, 2037, 2048 |
| Expires: | ^DRAFT |

Authorized Representative:

John Rees, President

PROJECT AND LOCATION

This permit authorizes Silver Springs Citrus, Inc. to construct minor modifications to allow the use of very low sulfur distillate fuel oil in its existing process steam boiler #1 and citrus peel dryer.

This facility is located at 25411 Mare Avenue, Howey-in-the-Hills, Lake County. The UTM coordinates are: Zone 17; 423.7 km E and 3176.5 km N.

STATEMENT OF BASIS

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

APPENDICES

The attached appendix is a part of this permit:

Appendix GC General Permit Conditions

Howard L. Rhodes, Director
Division of Air Resource
Management

AIR CONSTRUCTION PERMIT
SECTION I. FACILITY INFORMATION

FACILITY AND PROJECT DESCRIPTION

The facility is an existing citrus juice processing facility. The project is the construction of minor modifications to allow the use of very low sulfur distillate fuel oil in the existing process steam boiler #1 and citrus peel dryer. The annual potential emissions associated with this project are approximately: PM/PM₁₀, 4.1; NO_x, 41.2; SO₂, 14.6; CO, 10.3; and VOC, 0.7 tons per year. The facility information, project scope, emissions and rule applicability are described in detail in the Department's Technical Evaluation and Determination.

REVIEWING AND PROCESS SCHEDULE

| | |
|----------------|--|
| March 10, 2003 | Received permit application (no application fee required) |
| March 10, 2003 | Application complete |
| | Distributed Notice of Intent to Issue and supporting documents |
| | Notice of Intent published in XXXX |

RELEVANT DOCUMENTS

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

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

AIR CONSTRUCTION PERMIT
SECTION II. FACILITY-WIDE SPECIFIC CONDITIONS

The following specific conditions apply to all emissions units at this facility addressed by this permit. These conditions shall revise and supplement conditions imposed by previous permitting actions. Except for the conditions of this subsection, no other conditions of previous permitting actions shall be changed by this permit.

ADMINISTRATIVE

1. Regulating Agencies: All documents related to applications for permits to construct, operate or modify an emissions unit should be submitted to the Bureau of Air Regulation (BAR), Florida Department of Environmental Protection at Mail Station #5505, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, phone number 850/488-0114. All documents related to reports, tests, minor modifications and notifications shall be submitted to the Department's Central District office at 3319 Maguire Blvd., Suite 232, Orlando, Florida 32803-3767, and phone number 407/894-7555.
2. General Conditions: The owner and operator is subject to and shall operate under the attached General Permit Conditions G.1 through G.15 listed in Appendix GC of this permit. General Permit Conditions are binding and enforceable pursuant to Chapter 403, F.S. [Rule 62-4.160, F.A.C.]
3. Terminology: The terms used in this permit have specific meanings as defined in the corresponding chapters of the Florida Administrative Code.
4. Applicable Regulations, Forms and Application Procedures: Unless otherwise indicated in this permit, the construction and operation of the subject emissions unit shall be in accordance with the capacities and specifications stated in the application. The facility is subject to all applicable provisions of Chapter 403, F.S.; Chapters 62-4, 62-110, 62-204, 62-212, 62-213, 62-296, 62-297, F.A.C.; and, the Code of Federal Regulations Title 40, Part 60, adopted by reference in the Florida Administrative Code (F.A.C.) regulations. The permittee shall use the applicable forms listed in Rule 62-210.900, F.A.C. and follow the application procedures in Chapter 62-4, F.A.C. Issuance of this permit does not relieve the facility owner or operator from compliance with any applicable federal, state, or local permitting or regulations. [Rules 62-204.800, 62-210.300 and 62-210.900, F.A.C.]
5. New or Additional Conditions: Pursuant to Rule 62-4.080, F.A.C., for good cause shown and after notice and an administrative hearing, if requested, the Department may require the permittee to conform to new or additional conditions. The Department shall allow the permittee a reasonable time to conform to the new or additional conditions, and on application of the permittee, the Department may grant additional time. [Rule 62-4.080, F.A.C.]
6. Expiration: This air construction permit shall expire on ^DRAFT. The permittee, for good cause, may request that this construction permit be extended. Such a request shall be submitted to the Department's Bureau of Air Regulation prior to 60 days before the expiration of the permit. [Rules 62-210.300(1), 62-4.070(4), 62-4.080, and 62-4.210, F.A.C.]
7. Modifications: No emissions unit or facility subject to this permit shall be constructed or modified without obtaining an air construction permit from the Department. Such permit must be obtained prior to the beginning of construction or modification. [Rules 62-210.300(1) and 62-212.300(1)(a), F.A.C.]
8. Title V Operation Permit Required: This permit authorizes construction and/or installation of the permitted emissions unit and initial operation to determine compliance with Department rules. A

AIR CONSTRUCTION PERMIT
SECTION II. FACILITY-WIDE SPECIFIC CONDITIONS

revision to the Title V operation permit is required for regular operation of the permitted emissions unit. The owner or operator shall apply for a Title V operation permit at least ninety days prior to expiration of this permit, but no later than 180 days after commencing operation. To apply for a Title V operation permit, the applicant shall submit the appropriate application form, compliance test results, and such additional information as the Department may by law require. The application shall be submitted to the Department's Central District office. [Rules 62-4.030, 62-4.050, 62-4.220, and Chapter 62-213, F.A.C.]

OPERATIONAL REQUIREMENTS

9. Plant Operation - Problems: If temporarily unable to comply with any of the conditions of the permit due to breakdown of equipment or destruction by hazard of fire, wind or by other cause, the permittee shall immediately notify the Department's Central District office. The notification shall include pertinent information as to the cause of the problem, and what steps are being taken to correct the problem and to prevent its recurrence, and where applicable, the owner's intent toward reconstruction of destroyed facilities. Such notification does not release the permittee from any liability for failure to comply with Department rules. [Rule 62-4.130, F.A.C.]
10. Circumvention: No person shall circumvent any air pollution control device or allow the emission of air pollutants without the applicable air pollution control device operating properly. [Rule 62-210.650, F.A.C.]
11. Excess Emissions: This permit does not change any authorization for excess emissions provided by other Department permits. [Rule 62-210.700(5), F.A.C.]

COMPLIANCE MONITORING AND TESTING REQUIREMENTS

12. Determination of Process Variables: [Rule 62-297.310(5), F.A.C.]
 - (a) Required Equipment. The owner or operator of an emissions unit for which compliance tests are required shall install, operate, and maintain equipment or instruments necessary to determine process variables, such as process weight input or heat input, when such data are needed in conjunction with emissions data to determine the compliance of the emissions unit with applicable emission limiting standards.
 - (b) Accuracy of Equipment. Equipment or instruments used to directly or indirectly determine process variables, including devices such as belt scales, weight hoppers, flow meters, and tank scales, shall be calibrated and adjusted to indicate the true value of the parameter being measured with sufficient accuracy to allow the applicable process variable to be determined within 10% of its true value.

REPORTING AND RECORD KEEPING REQUIREMENTS

13. Duration of Record Keeping: Upon request, the permittee shall furnish all records and plans required under Department rules. During enforcement actions, the retention period for all records will be extended automatically unless otherwise stipulated by the Department. The permittee shall hold at the facility or other location designated by this permit records of all monitoring information (including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation) required by the permit, copies of all reports required by this permit, and records of all data used to complete the application for this permit. These materials shall

AIR CONSTRUCTION PERMIT

SECTION II. FACILITY-WIDE SPECIFIC CONDITIONS

be retained at least five years from the date of the sample, measurement, report, or application unless otherwise specified by Department rule. [Rules 62-4.160(14)(a)&(b) and 62-213.440(1)(b)2.b., F.A.C.]

14. Excess Emissions Report: In case of excess emissions resulting from malfunction, the owner or operator shall notify the Department's Central District office within one working day of: the nature, extent, and duration of the excess emissions; the cause of the excess emissions; and the actions taken to correct the problem. In addition, the Department may request a written summary report of the incident. A full written report on the malfunctions shall be submitted in a quarterly report if requested by the Department. [Rules 62-4.130 and 62-210.700(6), F.A.C.]
15. Annual Operating Report for Air Pollutant Emitting Facility: The Annual Operating Report for Air Pollutant Emitting Facility shall be completed each year and shall be submitted to the Department's Central District office and, if applicable, the appropriate local program by March 1 of the following year. [Rule 62-210.370(3), F.A.C.]

AIR CONSTRUCTION PERMIT

SECTION III. EMISSIONS UNITS SPECIFIC CONDITIONS

The following specific conditions apply to the following emissions units after construction. These conditions shall revise and supplement conditions imposed by previous permitting actions. Except for the conditions of this section, no other conditions of previous permitting actions shall be changed by this permit.

| EMISSIONS UNIT NO. | EMISSIONS UNIT DESCRIPTION |
|--------------------|----------------------------|
| 001 | Citrus peel dryer |
| 007 | Process steam boiler #1 |

[Note: These emissions units are subject to the requirements of the state rules as indicated in this permit. Emissions unit 007 is subject to a determination of Best Available Control Technology pursuant to Rule 62-296.406, F.A.C., and such a BACT determination was previously made. The fuel authorized by this permit is consistent with that BACT determination.]

OPERATIONAL REQUIREMENTS

1. Additional Permitted Fuel; Heat Input Limited: In addition to fuels that are permitted by previous air construction and current operation permits, these emission units may be fired with distillate fuel oil with a maximum sulfur content of 0.05 percent, by weight. Heat input from all permitted fuels for emissions unit 001 shall be limited to 376,680 million Btu in any consecutive 12-month period, based on the higher heating value of the fuels. Heat input from all permitted fuels for emissions unit 007 shall be limited to 184,320 million Btu in any consecutive 12-month period, based on the higher heating value of the fuels. [Rules 62-4.070(3), 62-210.200 and 62-296.406, F.A.C., BACT for small boilers and limitation on potential to emit]

[Note: If only distillate fuel oil is fired, the heat input limitations above will limit distillate fuel oil consumption in emissions unit 001 to approximately 2,690,570 gallons per year, and in emissions unit 007 to approximately 1,316,570 gallons per year, based on an average HHV of 140 mmBtu/1000 gallons.]

COMPLIANCE MONITORING AND TESTING REQUIREMENTS

2. Fuel Sulfur Content Tests: The owner or operator shall determine the sulfur content of each delivery of distillate fuel oil received for these emissions units using ASTM D4057-88, Standard Practice for Manual Sampling of Petroleum and Petroleum Products, and one of the following test methods for sulfur in petroleum products: ASTM D129-91, ASTM D1552-90, ASTM D2622-94, or ASTM D4294-90. A more recent version of these methods may be used. The owner or operator may comply with this requirement by receiving records from the fuel supplier that indicate the sulfur content of the distillate fuel oil delivered complies with the sulfur limit of specific condition 1 of this section. [Rules 62-4.070(3) and 62-297.440, F.A.C.]
3. Fuel Heat Content Tests: The owner or operator shall determine the heat content (higher heating value) of each delivery of distillate fuel oil received for these emissions units using ASTM D4057-88 and one of the following test methods for heat content: ASTM D240-87, ASTM D2015-91, or ASTM D2382-88. A more recent version of these methods may be used. The owner or operator may comply with this requirement by receiving records from the fuel supplier that indicate the heat content of the distillate fuel oil delivered. [Rule 62-4.070(3), F.A.C.]

AIR CONSTRUCTION PERMIT
SECTION III. EMISSIONS UNITS SPECIFIC CONDITIONS

REPORTING AND RECORD KEEPING REQUIREMENTS

4. Fuel Sulfur Content Records: The owner or operator shall maintain records of sulfur content and heat content of each delivery of distillate fuel oil received for these emissions units, made pursuant to the requirements of specific conditions 2 and 3 of this section. [Rule 62-4.070(3), F.A.C.]
5. Distillate Fuel Oil Consumption Records: In addition to fuel consumption records required by previous air construction and current operation permits, the owner or operator shall make and maintain monthly records of distillate fuel oil consumption for these emissions units. From the monthly records of consumption of all permitted fuels, the owner or operator shall make records of the consecutive 12-month heat input to these emissions units to demonstrate compliance with the heat input limits of specific condition 1 of this section. All of these records shall be completed within ten days of the end of each month. [Rule 62-4.070(3), F.A.C.]

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

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

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

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

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

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

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

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. John Rees
 President
 Silver Springs Citrus, Inc.
 P.O. Box 155
 Howey-in-the-Hills, Florida
 34737

COMPLETE THIS SECTION ON DELIVERY

A. Signature

x *Maxine Merritt* ☐ Agent ☐ Addressee

B. Received by (Printed Name)

MAXINE MERRITT

C. Date of Delivery

*4-18-03*D. Is delivery address different from item 1? ☐ YesIf 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

(Transfer from service label)

7000 2870 0000 7028 0870

PS Form 3811, August 2001

Domestic Return Receipt

102595-02-M-1540

U.S. Postal Service

CERTIFIED MAIL RECEIPT

(Domestic Mail Only; No Insurance Coverage Provided)

Mr. John Rees, President

Postage

\$

Certified Fee

Return Receipt Fee
(Endorsement Required)Restricted Delivery Fee
(Endorsement Required)

Total Postage & Fees

\$

Postmark
Here

Sent To

Mr. John Rees, President

Street, Apt. No.; or PO Box No.

P.O. Box 155

City, State, ZIP+4

Silver Springs, Florida 34737

PS Form 3800, May 2000

See Reverse for Instructions