

Jeb Bush  
Governor

# Department of Environmental Protection

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

David B. Struhs  
Secretary

September 13, 2001

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Mr. Donald Antenore  
Vice President, Mfg.  
Tropicana Products, Inc.  
PO Box 338  
Bradenton, Florida 34206

Re: DEP File No. 0810007-009-AC  
Duct Burner Replacement

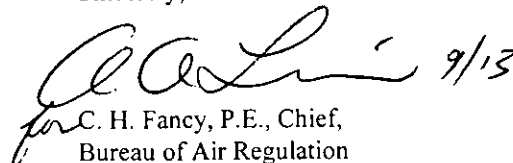
Dear Mr. Antenore:

Enclosed is one copy of the draft air construction permit to Tropicana Products, Inc. to allow the installation of replacement duct burners for the existing cogeneration system, at its existing citrus juice processing plant located at 1001 13th Avenue, Bradenton, Manatee 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. Failure to publish the notice and provide proof of publication may result in the denial of the permit.

Please submit any written comments you wish to have considered concerning the Department's proposed action to A. A. Linero, P.E., Administrator, New Source Review Section at the above letterhead address. If you have any other questions, please contact Joseph Kahn, P.E., at 850/921-9509 or Mr. Linero at 850/488-0114.

Sincerely,

 9/13  
C. H. Fancy, P.E., Chief,  
Bureau of Air Regulation

CHF/jk

Enclosures

"More Protection, Less Process"

Printed on recycled paper.

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<p>■ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</p> <p>■ Print your name and address on the reverse so that we can return the card to you.</p> <p>■ Attach this card to the back of the mailpiece, or on the front if space permits.</p>	<p>A. Received by (Please Print Clearly) <u>Earl F. Albright</u> Date of Delivery _____</p> <p>C. Signature <u>Earl F. Albright</u> <input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes <input type="checkbox"/> No If YES, print delivery address below: _____</p>
<p>1. Article Addressed to:</p> <p>Mr. Donald Antenore Vice President, Mfg. Tropicana Products, Inc. P.O. Box 338 Bradenton, FL 34206</p>	<p>3. Service Type</p> <p><input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail</p> <p><input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise</p> <p><input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p>
<p>2. Article Number (Copy from service label)</p> <p>7000 0600 0026 4129 9013</p>	<p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>

PS Form 3811, July 1999

Domestic Return Receipt

102595-99-M-1789

U.S. Postal Service

CERTIFIED MAIL RECEIPT

(Domestic Mail Only; No Insurance Coverage Provided)

Mr. Donald Antenore

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)

Tropicana Products, Inc.

Street, Apt. No. or PO Box No.

P.O. Box 338

City, State, ZIP+4

Bradenton, FL 34206

PS Form 3800, February 2000

See Reverse for Instructions

In the Matter of an  
Application for Permit by:

Donald Antenore, Vice President, Mfg.  
Tropicana Products, Inc.  
PO Box 338  
Bradenton, Florida 34206

DEP File No. 0810007-009-AC  
Duct Burner Replacement  
Manatee 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, Tropicana Products, Inc., applied on August 13, 2001, to the Department for an air construction permit for its existing citrus juice processing facility located at 1001 13th Avenue, Bradenton, Manatee County. The permit is to allow the installation of replacement duct burners for the existing cogeneration system.

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 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 of the Florida Statutes. 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), 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.

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.

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.

 P.E. 9/13  
for C. H. Fancy, P.E., Chief  
Bureau of Air Regulation

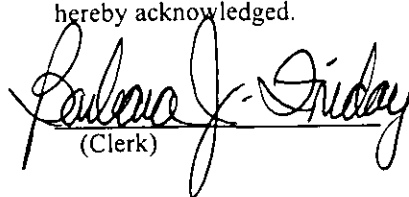
**CERTIFICATE OF SERVICE**

The undersigned duly designated deputy agency clerk hereby certifies that this Intent to Issue 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 9/14/01 to the person(s) listed:

Mr. Donald Antenore, Tropicana Products, Inc. \*  
Mr. Ken Kosky, P.E., Golder  
Mr. Bill Thomas, P.E., DEP SWD  
Mr. Marion Forthoffer, Manatee Co. EMD

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.

 9/14/01  
(Clerk) (Date)

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

STATE OF FLORIDA  
DEPARTMENT OF ENVIRONMENTAL PROTECTION

DEP File No. 0810007-009-AC

Tropicana Products, Inc.  
Manatee County

The Department of Environmental Protection (Department) gives notice of its intent to issue an air construction permit to Tropicana Products, Inc. for its existing citrus juice processing facility located at 1001 13th Avenue, Bradenton, Manatee County. The applicant's mailing address is: PO Box 338, Bradenton, Florida 34206. The permit is to allow the installation of replacement duct burners for the existing cogeneration system. This project is not subject to the requirements of the Prevention of Significant Deterioration program. An air quality impact analysis was not required.

Except for particulate matter, there will be no increase in potential emissions of pollutants from this project. The increase in potential emissions of particulate matter is estimated to be approximately three tons per year.

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 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 of the Florida Statutes. 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), 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.

**NOTICE TO BE PUBLISHED IN THE NEWSPAPER**

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

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  
Southwest District  
3804 Coconut Palm Drive  
Tampa, Florida 33619-8218  
Telephone: 813/744-6100

The complete project file includes the application, technical evaluations, 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, New Source Review Section, or the Department's reviewing engineer for this project, Joseph Kahn, P.E., 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**

Tropicana Products, Inc.  
PO Box 338  
Bradenton, Florida 34206

Authorized Representative: Donald Antenore, Vice President, Mfg.

**2 FACILITY DESCRIPTION, PROJECT DETAILS AND RULE APPLICABILITY**

The facility is an existing citrus juice processing facility. The project is the installation of replacement duct burners and associated controls, for emissions unit 016, the gas turbine and duct burner system. Replacement of the duct burners is required because the existing burners have worn from exposure to the hot turbine exhaust. The associated burner control system must be replaced with the duct burners so that the burners and the control system are matched. The replacement system is manufactured by Forney Corporation. The existing duct burners are fired with natural gas, as will the replacement system. Maximum and average heat input of the replacement system will be the same as the existing system, which was permitted by construction permit, and is currently permitted by the valid Title V operating permit for the facility. The applicant has requested no change in the conditions of the Title V permit applicable to the duct burners, with the exception of a slight increase in allowable emissions of particulate matter, as noted below.

Except for particulate matter, there is no increase in annual potential emissions associated with this project. Potential emissions of PM/PM<sub>10</sub> are estimated to increase about three TPY. The increase in potential emissions of PM/PM<sub>10</sub> are a result of a difference between the estimated emission rate for PM/PM<sub>10</sub> provided by the manufacturer of the replacement duct burners and the emissions previously estimated using AP-42 emission factors. Even without considering the past operation of the existing duct burners, total potential emissions are below PSD significance levels, as noted in the following paragraph.

The potential emissions associated with this project were estimated as follows in tons per year. Short term emissions are based on the currently permitted maximum hourly heat input rate of 104 mmBtu/hr, while annual emissions are based on the currently permitted average (30-day rolling average) heat input rate of 91 mmBtu/hr. Except for SO<sub>2</sub>, emissions are based on emission factors provided by the duct burner manufacturer. SO<sub>2</sub> emissions are based on the sulfur content typical of pipeline natural gas. In considering whether the project's emissions are above the PSD significance criteria, no offsetting emissions from operation of the existing duct burners were assumed in this estimate.

Pollutant	Factor (lb/mmBtu)	Emission Rate (lb/hr)	Emission Rate (TPY)	PSD Significance	Subject to PSD?
PM/PM <sub>10</sub>	0.01	1.04	4.0	25/15	No
SO <sub>2</sub>	--	0.29	0.6	40	No
NOx	0.10	10.4	39.9	40	No
CO	0.14	14.6	55.8	100	No
VOC	0.04	4.16	15.9	40	No

Note that the emission rates shown above are the same as currently permitted emission limits, with the exception of PM/PM<sub>10</sub>, where the current permit limits are 0.25 lb/hr and 0.95 TPY.

The conditions of the permit for this project shall revise and supplement conditions limiting PM/PM<sub>10</sub> emissions from the duct burners imposed by previous permitting actions, particularly the current valid Title V permit, number 0810007-003-AV. Except for the conditions of the permit for this project, no other conditions of previous permitting actions shall be changed by this permitting action. Note that the

current Title V permit generally refers to the duct burners as the heat recovery steam generator. It is clear from the permitting notes and conditions of that permit that those references are to a duct burner system.

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, PM<sub>10</sub>, carbon monoxide, SO<sub>2</sub>, 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). At this facility potential emissions of PM/PM<sub>10</sub>, NO<sub>x</sub>, SO<sub>2</sub>, CO and VOC exceed 100 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, the facility is also an existing Major Facility with respect to Rule 62-212.400, Prevention of Significant Deterioration (PSD). Except for PM/PM<sub>10</sub>, there is no increase in emissions of any criteria pollutant as a result of this project. As noted above, the increase in potential emissions of PM/PM<sub>10</sub> are less than the PSD significance criteria. Therefore the project is not subject to PSD requirements of Rule 62-212.400, F.A.C.

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

The emissions unit is subject to the requirements of the current valid Title V permit that are not changed by this permitting action. It is also subject to the requirements of the state rules as indicated in this permit. The emissions unit is subject to requirements under the New Source Performance Standards, 40 CFR 60, but those requirements are not changed by this permitting action. The emissions unit is not subject to any NESHAP requirements of 40 CFR 61 or 63.

### **3 COMPLIANCE**

The regular compliance requirements of the existing valid Title V permit are not changed by this permitting action. The conditions of this permit specify revised emission limitations for PM/PM<sub>10</sub> as a result of this project. This permit also specifies initial emission testing requirements for the duct burners for PM/PM<sub>10</sub>, NO<sub>x</sub>, CO and VOC to confirm the emission factors used to derive the emission rates for the duct burners.

### **4 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 construction of this project, subject to the terms and conditions of the draft permit.

### **5 FINAL DETERMINATION**

^ DRAFT. This section will be revised at issuance of the final permit for this project.

#### **DETAILS OF THIS ANALYSIS MAY BE OBTAINED BY CONTACTING:**

Joseph Kahn, P.E.  
Department of Environmental Protection, Bureau of Air Regulation  
Mail Station #5510, 2600 Blair Stone Road  
Tallahassee, Florida 32399-2400  
Telephone: 850/488-0114

**PERMITTEE**

Tropicana Products, Inc.  
PO Box 338  
Bradenton, Florida 34206

<b>Permit No.</b>	0810007-009-AC
<b>Project</b>	Duct Burner Replacement
<b>SIC No.</b>	2033, 2037, 2048
<b>Expires:</b>	DRAFT (to be 12/31/02)

**Authorized Representative:**

Donald Antenore, Vice President, Mfg.

**PROJECT AND LOCATION**

This permit authorizes Tropicana Products, Inc. to install replacement duct burners and associated controls, for emissions unit 016, the gas turbine and duct burner system.

This facility is located at 1001 13th Avenue, Bradenton, Manatee County. The UTM coordinates are: Zone 17; 561.4 km E and 3056.5 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

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Howard L. Rhodes, Director  
Division of Air Resources  
Management

**AIR CONSTRUCTION PERMIT**  
**SECTION I. FACILITY INFORMATION**

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**FACILITY AND PROJECT DESCRIPTION**

The facility is an existing citrus juice processing facility. The project is the installation of replacement duct burners and associated controls, for emissions unit 016, the gas turbine and duct burner system. The burner control system must be replaced with the duct burners so that the burners and the control system are matched. The replacement system is manufactured by Forney Corporation. The existing duct burners are fired with natural gas, as will the replacement system. Maximum and average heat input of the replacement system will be the same as the existing system, which was permitted by construction permit, and is currently permitted by the valid Title V operating permit for the facility. The applicant has requested no change in the conditions of the Title V permit applicable to the duct burners, with the exception of a slight increase in allowable emissions of particulate matter, as noted below.

Except for particulate matter, there is no increase in annual potential emissions associated with this project. Potential emissions of PM/PM<sub>10</sub> are estimated to increase about three TPY. The increase in potential emissions of PM/PM<sub>10</sub> are a result of a difference between the estimated emission rate for PM/PM<sub>10</sub> provided by the manufacturer of the replacement duct burners and the emissions previously estimated using AP-42 emission factors. Even without considering the past operation of the existing duct burners, total potential emissions are below PSD significance levels. The annual potential emissions associated with this project in tons per year are approximately: PM/PM<sub>10</sub>, 4.0; NO<sub>x</sub>, 39.9; SO<sub>2</sub>, 0.6; CO, 55.8; and VOC, 15.9. 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**

August 13, 2001	Received permit application (no application fee required)
August 13, 2001	Application complete
^ DRAFT	Distributed Notice of Intent to Issue and supporting documents
^ DRAFT	Notice of Intent published in ^

**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**

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

**ADMINISTRATIVE**

1. Regulating Agencies: All documents related to applications for permits to construct, operate or modify an emissions unit should be submitted to the Bureau of Air Regulation (BAR), Florida Department of Environmental Protection at Mail Station #5505, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, phone number 850/488-0114, unless otherwise directed by the Department. All documents related to reports, tests, minor modifications and notifications shall be submitted to the Department's Southwest District office at 3804 Coconut Palm Drive, Tampa, Florida 33619-8218, and phone number 813-744-6100. [See also condition 8 for specific requirements related to apply for a modification to the Title V operation permit.]
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 of the Florida Statutes. [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. and Florida Administrative Code Chapters 62-4, 62-110, 62-204, 62-210, 62-212, 62-213, 62-296, 62-297 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 ~~December 31, 2002~~ <sup>^DRAFT</sup>. 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.]

## AIR CONSTRUCTION PERMIT

### SECTION II. FACILITY-WIDE SPECIFIC CONDITIONS

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

[Note: To provide for sufficient time to process the revision to the Title V operation permit, the owner or operator is encouraged to make application at least 180 days prior to expiration date of this permit.]

#### 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 Southwest District office. The notification shall include pertinent information as to the cause of the problem, and what steps are being taken to correct the problem and to prevent its recurrence, and where applicable, the owner's intent toward reconstruction of destroyed facilities. Such notification does not release the permittee from any liability for failure to comply with Department rules. [Rule 62-4.130, F.A.C.]
10. Circumvention: No person shall circumvent any air pollution control device or allow the emission of air pollutants without the applicable air pollution control device operating properly. [Rule 62-210.650, F.A.C.]
11. Excess Emissions: This permit does not change any authorization for excess emissions provided by other Department permits for all emissions units at this facility addressed by this permit. [Rules 62-4.070(3) and 62-210.700, 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.

**AIR CONSTRUCTION PERMIT**  
**SECTION II. FACILITY-WIDE SPECIFIC CONDITIONS**

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**REPORTING AND RECORD KEEPING REQUIREMENTS**

13. Duration of Record Keeping: Upon request, the permittee shall furnish all records and plans required under Department rules. During enforcement actions, the retention period for all records will be extended automatically unless otherwise stipulated by the Department. The permittee shall hold at the facility or other location designated by this permit records of all monitoring information (including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation) required by the permit, copies of all reports required by this permit, and records of all data used to complete the application for this permit. These materials shall be retained at least five years from the date of the sample, measurement, report, or application unless otherwise specified by Department rule. [Rules 62-4.160(14)(a)&(b) and 62-213.440(1)(b)2.b., F.A.C.]
14. Excess Emissions Report: In case of excess emissions resulting from malfunction, the owner or operator shall notify the Department's Southwest 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 Southwest 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 unit after installation of the replacement duct burner system. 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
016	Gas Turbine and Duct Burners

[Note: This emissions unit is a cogeneration system that consists of a GE LM 5000 combustion turbine with a heat recovery steam generator equipped with duct burners, both fired with natural gas. The capacity of the system is not changed by this permitting action. The duct burners have a maximum design heat input capacity of 104 mmBtu/hr, and are limited to an average heat input of 91 mmBtu/hr on a 30 day rolling average basis by the existing valid Title V operation permit number 0810007-003-AV.

The following conditions specify the operational limitations that are new or have changed as a result of this project. The conditions of this permit specify revised emission limitations for PM/PM<sub>10</sub> as a result of this project. This permit also specifies initial emission testing requirements for the duct burners for PM/PM<sub>10</sub>, NO<sub>x</sub>, CO and VOC to demonstrate compliance with applicable emission limits and to confirm the emission factors used to derive the emission rates for the duct burners. This emissions unit is subject to the requirements of the currently valid Title V permit that are not changed by this permit, and to the requirements of the state rules as indicated in this permit. As specified in the currently valid Title V permit, this emissions unit is also subject to regulation under the New Source Performance Standards of 40 CFR 60, Subpart Db (duct burners) and Subpart GG (combustion turbine), and those requirements have not been changed by this permit.]

#### STATE RULE REQUIREMENTS

##### OPERATIONAL REQUIREMENTS

1. Notification of Construction: The owner or operator shall, within 14 days of the final issuance of this permit, provide a proposed construction schedule to the Air Compliance Section of the Department's Southwest District office. The owner or operator shall also provide written notice of the start of the construction activities, if different from the scheduled starting date, and shall provide written notice of commencement of operation, within five days of such commencement. [Rule 62-4.070(3), F.A.C.]

##### EMISSION LIMITATIONS AND PERFORMANCE STANDARDS

2. Particulate Matter Emissions Limited: The maximum allowable particulate matter emission rate from the duct burners of this emissions unit, as shown in condition D.6 of Title V operation permit 0810007-003-AV, is revised by this permit, to be limited to 1.04 pounds per hour and 4.0 tons per year. [Rule 62-4.070(3), F.A.C., and applicant information]

**AIR CONSTRUCTION PERMIT**  
**SECTION III. EMISSIONS UNITS SPECIFIC CONDITIONS**

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**COMPLIANCE MONITORING, TESTING, REPORTING AND RECORD KEEPING REQUIREMENTS**

[Note: The regular compliance requirements of the existing valid Title V operation permit 0810007-003-AV are not changed by this permitting action.]

3. Initial Emission Tests Required: The owner or operator shall perform initial emission tests of the duct burners of this emissions unit to demonstrate compliance with the emission limits of Title V operation permit 0810007-003-AV and condition 2 of this section of this permit, for PM/PM<sub>10</sub>, NO<sub>x</sub>, CO and VOC. The owner or operator shall report emissions in units of pounds per hour and pounds per million Btu for all pollutants, and units of ppmvd corrected to 15% O<sub>2</sub> for CO and NO<sub>x</sub>. The owner or operator shall also compare the emissions results in units of pounds per million Btu to the emission factors used to support the application for this construction permit (see the note below). If the emission results for any pollutant exceed the emission factors, the owner or operator shall immediately submit an application for revision of this permit, as needed to maintain annual emissions to the levels limited by Title V operation permit 0810007-003-AV and condition 2 of this section of this permit. The owner or operator shall also, with the emission test report, include the heat input to the duct burners for the test period.

The owner or operator shall, prior to the initial test, if requested by the Department's Southwest District office, provide a test protocol and meet with compliance staff to agree on the test methodology and the measurement of heat input rates during the test. The test reports shall be submitted to the Air Compliance Section of the Department's Southwest District office within 45 days of such testing.

[Note: The emission factors used to support the application for this construction permit are, in units of lb/mmBtu: PM/PM<sub>10</sub>, 0.10; NO<sub>x</sub>, 0.10; CO, 0.14; and VOC, 0.04.]

[Rule 62-4.070(3), F.A.C., and avoidance of PSD applicability]

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

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- 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.

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

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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.


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


## Memorandum

## Florida Department of Environmental Protection

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TO: Clair Fancy

THRU: Al Linero 

FROM: Joe Kahn 

DATE: September 13, 2001

SUBJECT: Tropicana Products, Inc.  
0810007-009-AC  
Replacement Duct Burners

Attached for approval and signature is an intent to issue a construction permit to allow Tropicana Products, Inc. to install replacement duct burners for the existing cogeneration system at its Bradenton facility. The replacement system is needed because the existing duct burners have worn from exposure to the hot turbine exhaust.

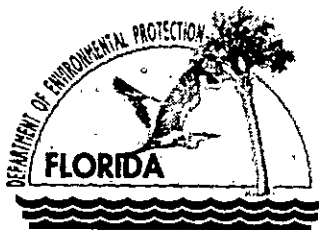
This project is not subject to PSD because the associated emissions increases are not significant for PSD. Except for PM, there is no increase in potential emissions. The increase in potential emissions for PM is estimated to be about three TPY.

I recommend your approval and signature.

September 13, 2001 is day 31 of the 90 day timeclock.

Attachments

/jk



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

Tropicana Products, Inc., Bradenton  
Replacement Duct Burners

DEP File No.: 0810007-009-AC  
Facility ID No.: 0810007

**Project:** Air Construction Permit

**I HEREBY CERTIFY** that the engineering features described in the above referenced application and related additional information submittals, if any, 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).

This review was conducted by me.

(Seal)

Joseph Kahn, P.E.  
Registration # 45268

9/13/01  
Date

Permitting Authority:

Florida Department of Environmental Protection  
Division of Air Resources Management  
Bureau of Air Regulation  
New Source Review Section  
Mail Station #5505  
2600 Blair Stone Road  
Tallahassee, Florida 32399-2400

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