



VIA AIRBORNE EXPRESS
April 22, 2003

RECEIVED

APR 23 2003

BUREAU OF AIR REGULATION

Edward J. Svec, P.E.
Bureau of Air Regulation
Florida Dept. of Environmental Protection
2600 Blair Stone Road
Tallahassee, FL 32399-2400

**RE: DEP FILE NO. 0810007-013AC
BIOGAS COMBUSTION**

Dear Mr. Svec:

Enclosed please find an affidavit of publication of the Notice of Intent to Issue Air Construction Permit to Tropicana Products, Inc., for the combustion of biogas by the Biogas Flare at the anaerobic reactor for a 12 consecutive month period at our Bradenton facility.

If you need anything further regarding this matter, please let me know.

Sincerely,

A handwritten signature in cursive script that reads "Douglas E. Foster" followed by a stylized flourish or initials.

Douglas E. Foster
Director, Corporate Environmental & Safety

jlb

Enclosure

BRADENTON HERALD

www.bradenton.com
P.O. Box 921
Bradenton, FL 34206-0921
102 Manatee Avenue West
Bradenton, FL 34205-8894
941/748-0411 ext. 7065

Bradenton Herald
Published Daily
Bradenton, Manatee, Florida

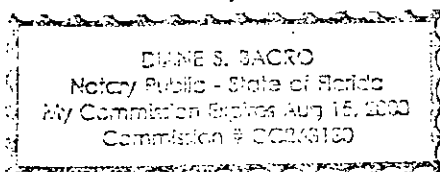
STATE OF FLORIDA COUNTY OF MANATEE;

Before the undersigned authority personally appeared Sandy Riley, who on oath says that she is a Legal Advertising Representative of the Bradenton Herald, a daily newspaper published at Bradenton in Manatee County, Florida; that the attached copy of the advertisement, being a Legal Advertisement in the matter of **PUBLIC NOTICE OF INTENT TO ISSUE AIR CONSTRUCTION PERMIT** in the Court, was published in said newspaper in the issues of, **4/17,'03**

Affiant further says that the said publication is a newspaper published at Bradenton, in said Manatee County, Florida, and that the said newspaper has heretofore been continuously published in said Manatee County, Florida, each day and has been entered as second-class mail matter at the post office in Bradenton, in said Manatee County, Florida for a period of 1 year next preceding the first publication of the attached copy of advertisement; and affiant further says that she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Sandy Riley
(Signature of Affiant)

Sworn to and subscribed before me this
17th Day of April, 2003



Diane S. Bacro

SEAL & Notary Public

Personally Known ☒ OR Produced Identification _____
Type of Identification Produced _____

PUBLIC NOTICE OF INTENT TO ISSUE AIR CONSTRUCTION PER- MIT

STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION

DEP File No. 0810007-
013-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: P.O. Box 338, Bradenton, Florida 34206. The project is to allow all of the biogas produced in a 12 consecutive month period to be burned by the Biogas Flare at the anaerobic reactor (Emissions Unit I.D.No.-022). The emissions cap associated with the combustion of the biogas will be accounted for at the flare and boiler, only.

Total emissions increase of sulfur dioxide from the combustion of all of the biogas produced in a 12 month period authorized by this permit will not exceed 26.52 tons per year. A determination of Best Available Control Technology was not required.

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

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 & 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 each petitioner received notice of the agency's action or proposed action;

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

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

(f) A statement of 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 permit. 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: Department of Environmental Protection, Bureau of Air Regulation, Suite 4, 111 S. Magnolia Dr.

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 Department's 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 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.

Tallahassee, FL 32301
Ph. 850/488-0114
Fax: 850/922-6979

Dept. of Environmental Protection
Southwest District
3804 Coconut Palm Dr.
Tampa, FL 33619-8218
Ph. 813/744-6100

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.
4/17/03