

Jeb Bush  
Governor

# Department of Environmental Protection

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

David B. Struhs  
Secretary

September 12, 2002

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Mr. Dave Baldwin  
Plant Manager.  
Louis Dreyfus Citrus, Inc.  
P.O. Box 1980  
Indiantown, Florida 34956

Re: DEP File No. 0850002-004-AC  
Four New 1,000 Horsepower Boilers

Dear Mr. Baldwin:

Enclosed is one copy of the draft air construction permit to Louis Dreyfus Citrus, Inc., to construct four new 1,000 horsepower process steam boilers, each with a physical capacity of 42.0 MMBtu per hour heat input and fired with natural gas, at the citrus juice processing plant located at 19100 Southwest Warfield Boulevard, Indiantown, Martin 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 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,

A. A. Linero, P.E.  
Bureau of Air Regulation

AAL/es  
Enclosures

"More Protection, Less Process"

Printed on recycled paper.

- 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. Dave Baldwin  
 Plant Manager  
 Louis Dreyfus Citrus, Inc.  
 P.O. Box 1980  
 Indiantown, Florida 34956

A. Received by (Please Print Clearly)

B. Date of Delivery

9-20-02

C. Signature

X *[Handwritten Signature]*

- Agent
- Addressee

D. Is delivery address different from item 1?

Yes

If YES, enter delivery address below:

No

3. Service Type

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

4. Restricted Delivery? (Extra Fee)

Yes

2. Article Number (Copy from service label)

7000 0600 0021 6524 3141

PS Form 3811, July 1999

Domestic Return Receipt

102595-00-M-0952

**U.S. Postal Service**  
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Mr. Dave Baldwin

Postage \$

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Return Receipt Fee  
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Total Postage & Fees \$

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Name (Please Print Clearly) (to be completed by mailer)

Mr. Dave Baldwin

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

P.O. Box 1980

City, State, ZIP+4

Indiantown, Florida 34956

PS Form 3800, July 1999

See Reverse for Instructions

7000 0600 0021 6524 3141

In the Matter of an  
Application for Permit by:

Mr. Dave Baldwin, Plant Manager  
Louis Dreyfus Citrus, Inc.  
P.O. Box 1980  
Indiantown, Florida 34956

DEP File No. 0850002-004-AC  
Four 1,000 Horsepower Boilers  
Martin 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, Louis Dreyfus Citrus, Inc., applied on August 6, 2002 to the Department for an air construction permit for its existing Indiantown citrus juice processing facility located at 19100 Southwest Warfield Boulevard, Indiantown, Martin County. The project is an air construction permit for four 1,000 horsepower Johnson boilers. These boilers will provide process steam, when not available from an adjacent co-generation power plant. The boilers will have a design heat input rate of 42 MMBtu per hour. The applicant states that the boilers will fire only natural gas. Total natural gas use will be limited to 600 million cubic feet per year at the request of the applicant, in order to avoid review under the Prevention of Significant Deterioration rules. The applicant did not seek any relaxation in currently enforceable conditions for its other existing emissions units.

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 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.



A. A. Linero, P.E.  
Bureau of Air Regulation

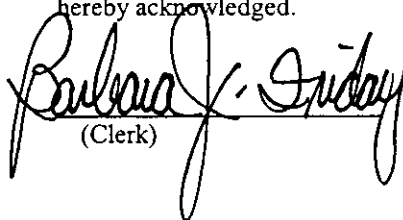
**CERTIFICATE OF SERVICE**

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 9/12/02 to the person(s) listed:

- Mr. Dave Baldwin, Plant Manager, Louis Dreyfus Citrus, Inc. \*
- Mr. Wayne Griffin, P.E., G2 Services Ltd.
- Mr. Tom Tittle, DEP SED

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.

 9/12/02  
(Clerk) (Date)

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

STATE OF FLORIDA  
DEPARTMENT OF ENVIRONMENTAL PROTECTION

DEP File No. 0850002-004-AC

Louis Dreyfus Citrus, Inc.  
Martin County

The Department of Environmental Protection (Department) gives notice of its intent to issue an air construction permit to Louis Dreyfus Citrus, Inc., for its existing Indiantown citrus juice processing facility located at 19100 Southwest Warfield Boulevard, Indiantown, Martin County. The applicant's mailing address is: P.O. Box 1980, Indiantown, Florida 34956. The project is an air construction permit for four 1,000 horsepower Johnson boilers. These boilers will provide process steam, when not available from an adjacent co-generation power plant. The boilers will have a design heat input rate of 42 MMBtu per hour. The applicant states that the boilers will fire only natural gas. Total natural gas use will be limited to 600 million cubic feet per year at the request of the applicant, in order to avoid review under the Prevention of Significant Deterioration rules. The project is subject to a determination of Best Available Control Technology for small boilers under Rule 62-296.402, F.A.C., whose details are contained in the Preliminary Determination and Technical Evaluation for the project. The applicant did not seek any relaxation in currently enforceable conditions for its other existing emissions units. This project is not subject to the requirements for PSD. An air quality impact analysis was not required.

Total emissions of pollutants from the changes authorized by this permit will not exceed the following approximate annual emission rates in tons per year: PM, 2.28; SO<sub>2</sub>, 0.18; NO<sub>x</sub>, 30.0; CO, 25.2; VOC, 1.65.

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), 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 of the Florida Administrative Code (F.A.C.).

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, 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  
Southeast District  
400 North Congress Avenue  
West Palm Beach, Florida 33401  
Telephone: 561/681-6600

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, Title V Section, or the Department's reviewing engineer for this project, Edward J. Svec, Engineer IV, 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

# TECHNICAL EVALUATION AND PRELIMINARY DETERMINATION

## 1 APPLICANT NAME AND ADDRESS

Louis Dreyfus Citrus, Inc.  
Post Office Box 1980  
Indiantown, Florida 34956

Authorized Representative: Dave Baldwin, Plant Manager

## 2 FACILITY DESCRIPTION, PROJECT DETAILS AND RULE APPLICABILITY

The Louis Dreyfus Citrus Indiantown facility, located in Indiantown, Martin County, is an existing citrus juice processing facility. The project is an air construction permit for four 1,000 horsepower Johnson boilers. These boilers will provide process steam, when not available from an adjacent co-generation power plant. The boilers will have a design heat input rate of 42 MMBtu per hour. The applicant states that the boilers will fire only natural gas. Total natural gas use will be limited to 600 million cubic feet per year at the request of the applicant, in order to avoid review under the Prevention of Significant Deterioration rules. The applicant did not seek any relaxation in currently enforceable conditions for its other existing emissions units.

The emissions units addressed by this permit are 1,000 Horsepower Boiler #1, Emissions Unit I.D. -009, 1,000 Horsepower Boiler #2, Emissions Unit I.D. -010, and 1,000 Horsepower Boiler #3, Emissions Unit I.D. -011, and 1,000 Horsepower Boiler #4, Emissions Unit I.D. -012.

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

Pollutant	Net Increase <sup>1</sup>	PSD Significance	Subject to PSD?
PM/ PM <sub>10</sub>	2.28	25/15	No
SO <sub>2</sub>	0.18	40	No
NO <sub>x</sub>	30.0	40	No
CO	25.2	100	No
VOC	1.65	40	No

<sup>1</sup> Potential emissions (shown as net increase) were estimated by the Department from allowable natural gas usage and AP-42 emission factors (tables 1.4-1 and 1.4-2 for natural gas), given a design heat input capacity of 42.0 mmBtu/hour, and 600 million cubic feet natural gas per year.

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 exceed 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 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, F.A.C., Prevention of Significant Deterioration (PSD). The net increase in emissions of PM/PM<sub>10</sub>, NO<sub>x</sub>, SO<sub>2</sub>, CO and VOC do not exceed the PSD significance levels of Table 212.400-2 of Chapter 62-212, F.A.C. Therefore the project is not subject to PSD requirements of Rule 62-212.400, F.A.C., for these pollutants.

The new process steam boilers are subject to regulation under the New Source Performance Standards of 40 CFR 60, Subpart Dc, Standards of Performance for Small Industrial-Commercial-Institutional Steam Generating Units. These emissions units are also subject to a determination of Best Available Control



Technology (BACT) pursuant to Rule 62-296.406, F.A.C. The applicant requested that BACT be determined to be the use of natural gas, only. BACT for small boilers is typically the use of natural gas and low, by weight, sulfur fuel oil, so the applicant's request is consistent with the Department's previous BACT determinations. The Department's determination for this project is that BACT shall be the use of natural gas as the only fuel. Natural gas use will be further limited to not exceed 600 million cubic feet per year.

The rationale for the Department's BACT determination is that sulfur in fuel is a primary air pollution concern, since most of the fuel sulfur becomes sulfur dioxide, and particulate matter emissions from fuel burning are related to the sulfur content. Reducing the allowable sulfur content of the fuels burned will reduce the emissions of sulfur dioxide and particulate matter. Natural gas has the lowest sulfur content of the typically available fuels. Burning of natural gas results in relatively lower emissions of other criteria pollutants as compared with firing fuel oil, with the exception of nitrogen oxides, which are higher. Thus, for the majority of pollutants, including particulate matter and sulfur dioxide, the use of natural gas is the best alternative.

The applicant stated 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 not required for this project because it is not subject to the requirements of PSD.

### **4 EXCESS EMISSIONS**

Excess emissions for this emissions unit are specified in Section II of the permit. This permitting action does not change any authorization for excess emissions provided by other Department permits for other emissions units

### **5 LIMITS AND COMPLIANCE REQUIREMENTS**

The permit limits the heat input to the emissions units from all permitted fuels and limits the total fuel consumed per year. Specific emission limits were imposed to keep the potential emissions below the PSD significance criteria. The fuel consumption limits and the compliance requirements are detailed in Section III of the permit.

### **6 PRELIMINARY DETERMINATION**

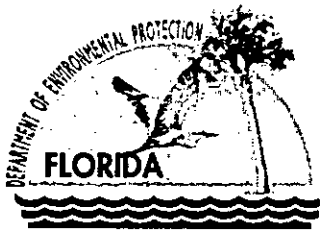
Based on the foregoing technical evaluation of the application and other available information, the Department has made a preliminary determination that the proposed project will comply with all applicable state and federal air pollution regulations. The Department's preliminary determination is to issue the draft permit to allow the construction of 1,000 Horsepower Boiler #1 (Emissions Unit I.D.-009), 1,000 Horsepower Boiler #2 (Emissions Unit I.D.-010), 1,000 Horsepower Boiler #3 (Emissions Unit I.D.-011), and 1,000 Horsepower Boiler #4 (Emissions Unit I.D.-012), 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



# Department of Environmental Protection

Jeb Bush  
Governor

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

David B. Struhs  
Secretary

## PERMITTEE

Louis Dreyfus Citrus, Inc.  
Post Office Box 1980  
Indiantown, Florida 34956

<b>Permit No.</b>	0850002-004-AC
<b>Project</b>	Four 1,000 Horsepower Boilers
<b>SIC No.</b>	20, 2033
<b>Expires:</b>	^DRAFT

## Authorized Representative:

Dave Baldwin, Plant Manager

## PROJECT AND LOCATION

This permit authorizes Louis Dreyfus Citrus, Inc., Louis Dreyfus Citrus Indiantown Facility, to install four 1,000 horsepower boilers. The new boilers will each have a physical capacity of 42.0 MMBtu/hour and will fire natural gas, only.

The Louis Dreyfus Citrus Indiantown Facility is located at 19100 Southwest Warfield Boulevard, Indiantown, Martin County. The UTM coordinates are: Zone 17; 548.4 km E and 2991.5 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

## DRAFT

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Howard L. Rhodes, Director  
Division of Air Resource  
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 for the installation of four 1,000 horsepower Johnson boilers. These boilers will provide process steam, when not available from an adjacent co-generation power plant. The boilers will have a design heat input rate of 42 MMBtu per hour. The applicant states that the boilers will fire only natural gas. Total natural gas use will be limited to 600 million cubic feet per year at the request of the applicant, in order to avoid review under the Prevention of Significant Deterioration rules. The applicant did not seek any relaxation in currently enforceable conditions for its other existing emissions units.

The emissions units addressed by this permit are 1,000 Horsepower Boiler #1, Emissions Unit I.D. – 009, 1,000 Horsepower Boiler #2, Emissions Unit I.D. –010, 1,000 Horsepower Boiler #3, Emissions Unit I.D. –011, and 1,000 Horsepower Boiler #4, Emissions Unit I.D. –012.

The annual potential emissions associated with this project in tons per year are approximately: PM, 2.28; SO<sub>2</sub>, 0.18; NO<sub>x</sub>, 30.0; CO, 25.2; VOC, 1.65. 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 6, 2002	Received permit application (no application fee required)
August 6, 2002	Application complete
^DRAFT	Distributed Notice of Intent to Issue and supporting documents
^DRAFT	Notice of Intent published in ^DRAFT

**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. All documents related to reports, tests, minor modifications and notifications shall be submitted to the Department's Southeast District office at 400 North Congress Avenue, West Palm Beach, Florida 33401, and phone number 561/681-6600.
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 (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., and Florida Administrative Code (F.A.C.) Chapters 62-4, 62-110, 62-204, 62-212, 62-213, 62-296, 62-297 and the Code of Federal Regulations Title 40, Part 60, adopted by reference in the 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 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

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

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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 Southeast 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 Southeast 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 other emissions units. The following excess emissions provisions of state rule apply to these emissions unit (emissions units 009, 010, 011 and 012) as specified below.
  - (a) Excess emissions resulting from start-up and shutdown are permitted providing (1) best operational practices to minimize emissions are adhered to and (2) the duration of excess emissions shall be minimized, but in no case exceed two hours in any 24 hour period.
  - (b) Excess emissions resulting from malfunction of this emissions unit shall be permitted providing (1) best operational practices to minimize emissions are adhered to and (2) the duration of excess emissions shall be minimized, but in no case exceed two hours in any 24 hour period unless specifically authorized by the Department for longer duration.
  - (c) Excess emissions which are caused entirely or in part by poor maintenance, poor operation, or any other equipment or process failure which may reasonably be prevented during start-up, shutdown, or malfunction shall be prohibited.

[Rules 62-210.700(1), (4) and (5), F.A.C.]

## AIR CONSTRUCTION PERMIT

### SECTION II. FACILITY-WIDE SPECIFIC CONDITIONS

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#### 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 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 Southeast 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 Southeast 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**

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The following specific conditions apply to the following emissions units after construction.

EMISSIONS UNIT NO.	EMISSIONS UNIT DESCRIPTION
009	1,000 Horsepower Boiler #1
011	1,000 Horsepower Boiler #2
011	1,000 Horsepower Boiler #3
012	1,000 Horsepower Boiler #4

[Note: These emissions units are process steam boilers that are installed to serve as a source of steam to meet citrus processing needs. Each boiler is limited to a physical capacity of 42.0 MMBtu/hour, and will fire natural gas, only. These emissions units are subject to the requirements of the state rules as indicated in this permit. These emissions units are subject to a determination of Best Available Control Technology pursuant to Rule 62-296.406, F.A.C. The fuel authorized by this permit is consistent with that BACT determination. These emissions units are also subject to regulation under the New Source Performance Standards of 40 CFR 60, Subpart Dc, Standards of Performance for Small Industrial-Commercial-Institutional Steam Generating Units.]

**STATE AND FEDERAL RULE REQUIREMENTS**

**OPERATIONAL REQUIREMENTS**

1. **Hours of Operation:** Each emissions unit may operate up to 8,760 hours/year. [Rules 62-4.070(3) and 62-210.200, F.A.C., and limitation on potential to emit]
2. **Methods of Operation - Fuels.**  
The permittee is authorized to burn only the following fuels in each of the boilers:
  - a. Primary fuel: Natural gas.
  - b. Standby fuel: No standby fuel is authorized. [Rules 62-210.200(PTE), 62-4.160(2), and 62-213.440(1), F.A.C.; and, Applicant request dated August 2, 2002]
3. **Capacity:** The maximum total natural gas usage in all of the boilers shall not exceed 600 MMcf in any 12 consecutive month period. [Rules 62-4.070(3), 62-210.200 and 62-296.406, F.A.C.; and, Applicant request dated August 2, 2002]
4. **Visible Emissions Limited:** Visible emissions from each emissions unit shall not exceed 20 percent opacity except for one two-minute period per hour during which opacity shall not exceed 40 percent. [Rule 62-296.406(1), F.A.C.]

**COMPLIANCE MONITORING AND TESTING REQUIREMENTS**

5. **Visible Emission Tests Required:** The owner or operator shall demonstrate compliance with the visible emissions limit for this emissions unit upon initial installation and annually using EPA Method 9, as described in 40 CFR 60 Appendix A. [Rules 62-4.070(3) and 62-297.310, F.A.C.]

**REPORTING AND RECORD KEEPING REQUIREMENTS**

6. **Natural Gas Consumption Records:** The owner or operator shall make and maintain monthly records of natural gas 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 fuel consumption to demonstrate compliance with the fuel consumption limits of specific condition 3 of



## AIR CONSTRUCTION PERMIT

### SECTION III. EMISSIONS UNITS SPECIFIC CONDITIONS

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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.]

7. Pursuant to 40 CFR 60.48c NSPS Subpart Dc (Standards of Performance for Small Industrial-Commercial-Institutional Steam Generating Units), the permittee is required to maintain daily records of the amount of natural gas combusted. Since none of the emission limits in Subpart Dc are applicable to this boiler when firing natural gas (the primary fuel for this boiler), it has been determined by the Department that keeping records for natural gas usage on a monthly rather than daily basis is adequate for the purpose of verifying the periods that only natural gas is burned in this unit. [Rule 62-296.810, F.A.C.; 40 CFR 60.48c(g) and (i)]

8. The permittee shall submit the following written notifications to the Air Compliance Section of the Southeast District Office of the Department:

a. A notification of the date construction (or reconstruction as defined under 60.15) of the boiler is commenced, postmarked no later than 30 days after such date. This requirement shall not apply in the case of mass-produced facilities which are purchased in completed form.

b. A notification of the anticipated date of initial startup of the boiler, postmarked not more than 60 days nor less than 30 days prior to such date.

c. A notification of the actual date of initial startup of the boiler, postmarked within 15 days after such date.

d. A notification of any physical or operational change to an existing facility which may increase the emission rate of any air pollutant to which a standard applies, unless that change is specifically exempted under an applicable subpart or in 60.14 (e). This notice shall be postmarked 60 days or as soon as practicable before the change is commenced and shall include information describing the precise nature of the change, present and proposed emission control systems, productive capacity of the facility before and after the change, and the expected completion date of the change. The Administrator may request additional relevant information subsequent to this notice. [Rule 62-204.800(7)(b)4., F.A.C.; 40 CFR 60.7(a) and 40 CFR 60.48c(a)]

**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.

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.]

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- 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.

# Memorandum

# Florida Department of Environmental Protection

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*asj* 9/11  
TO: Scott Sheplak  
FROM: Edward Svec *es*  
DATE: September 5, 2002  
SUBJECT: Louis Dreyfus Citrus, Inc.  
Four 1,000 Horsepower Boilers

Attached for approval and signature is an intent to issue an air construction permit for four new boilers at the Louis Dreyfus Citrus Indiantown Facility. These boilers will have a design heat input rate of 42.0 MMBtu per hour. The applicant states that the boilers will fire only natural gas. Total natural gas use will be limited to 600 million cubic feet per year at the request of the applicant, in order to avoid review under the Prevention of Significant Deterioration rules. The applicant did not seek any relaxation in currently enforceable conditions for its other existing emissions units.

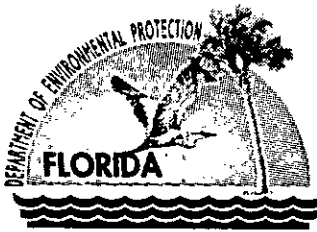
This project is not subject to PSD because the associated emissions increases are not significant for PSD. Total emissions of pollutants from this project will not exceed the approximate annual emission rates in tons per year: PM, 2.28; SO<sub>2</sub>, 0.16; NO<sub>x</sub>, 30.0; CO, 25.2; VOC, 1.65.

I recommend your approval and signature.

Today is day 28 of the 90 day timeclock.

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

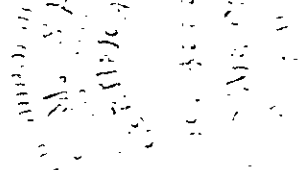
## P.E. Certification Statement

**Permittee:**  
Louis Dreyfus Citrus, Inc.  
Indiantown Facility

**Permit No.:** 0850002-004-AC

**Project type:** Air Construction Permit

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

  
Scott M. Sheplak      09/12/02  
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

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