

Memorandum

Florida Department of Environmental Protection

TO: Clair Fancy, Chief, BAR
THROUGH: Al Linero, Administrator - New Source Review Section *aal*
FROM: Jeff Koerner, New Source Review Section *JK*
DATE: January 24, 2001
SUBJECT: Okeelanta Corporation
Temporary Simultaneous Operation of Mill Boiler No. 16 with Cogeneration Boilers

Attached is the intent to issue permit and public notice package for the above referenced project. A detailed description of the PSD applicability determination is provided in the attached Technical Evaluation and Preliminary Determination. A brief summary of the project is provided in my attached certification. Day #74 is April 5, 2001. I recommend your approval of the attached Draft Permit for this project.

CHF/AAL/jfk

Attachments



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

Okeelanta Corporation
21250 U.S. Highway 27
South Bay, FL 33493

Air Permit No.	099-0005-007-AC
ARMS ID No.	0990005
SIC Nos.	2061, 2062

PROJECT DESCRIPTION

Okeelanta Power L.P. operates a biomass cogeneration plant located near Highway 27, approximately 6 miles south of South Bay in Palm Beach County, Florida. Okeelanta Corporation operates a sugar mill with refinery at an adjacent location. For the purposes of the Department's Prevention of Significant Deterioration (PSD) and Title V operating permit programs, the two plants are considered to be a single facility. Mill Boiler No. 16 is an existing oil-fired boiler currently permitted as a standby unit for one or more of the cogeneration boilers. Boiler No. 16 was originally permitted under the PSD requirements in 1991. The applicant requests temporary simultaneous operation of existing Boiler No. 16 with the existing three cogeneration boilers to rapidly process sugarcane damaged by a recent freeze. The request was consistent with that described during a pre-application meeting held in Tallahassee on January 16, 2001.

The Draft Permit authorizes temporary simultaneous operation of Boiler No. 16 with the three existing cogeneration boilers through March 31, 2001, providing:

- Okeelanta Power L.P.'s cogeneration boilers supply steam to the Okeelanta Corporation's sugar mill and refinery to the maximum extent possible before operating Boiler No. 16;
- Except where different from this construction permit, Boiler No. 16 complies with all existing permit conditions and requirements;
- Boiler No. 16 fires no more than 885,000 gallons of distillate oil during the temporary period of operation; and
- Any distillate oil added during the temporary period shall contain no more than 0.30% sulfur by weight.

These conditions limit the potential emissions below the PSD Significant Emissions Rates listed in Table 62-212.400-2, F.A.C.; therefore, the project is not subject to PSD requirements. The Department is approving the simultaneous use of an existing (permitted) boiler with BACT-level controls during a maximum temporary period of approximately two months.

CERTIFICATION

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).

Jeffery J. Koerner

Jeffery F. Koerner, P.E.
Registration Number: 49441

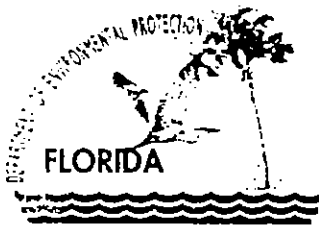
01/24/01

Date

Department of Environmental Protection
Division of Air Resources Management
Bureau of Air Regulation, New Source Review Section

"More Protection, Less Process"

Printed on recycled paper.



Department of Environmental Protection

Jeb Bush
Governor

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

David B. Struhs
Secretary

P.E. CERTIFICATION STATEMENT

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- Except where different from this construction permit, Boiler No. 16 complies with all existing permit conditions and requirements;
- Boiler No. 16 fires no more than 885,000 gallons of distillate oil during the temporary period of operation, and
- Any distillate oil added during the temporary period shall contain no more than 0.30% sulfur by weight.

These conditions limit the potential emissions below the PSD Significant Emissions Rates listed in Table 62-212.400-2, F.A.C.; therefore, the project is not subject to PSD requirements. The Department is approving the simultaneous use of an existing (permitted) boiler with BACT-level controls during a maximum temporary period of approximately two months.

CERTIFICATION

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)

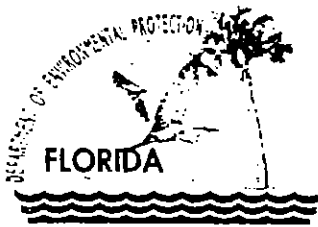
Jeffery J. Koerner

Jeffery F. Koerner, P.E.
Registration Number: 49441

01/24/01

Date

Department of Environmental Protection
Division of Air Resources Management
Bureau of Air Regulation, New Source Review Section



Jeb Bush
Governor

Department of Environmental Protection

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

David B. Struhs
Secretary

January 25, 2001

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Okeelanta Corporation
21250 U.S. Highway 27
South Bay, FL 33493

Authorized Representative:

Ricardo A. Lima, V.P. and General Manager

Re: Project No. 0990005-007-AC
Temporary Simultaneous Operation of Mill Boiler No. 16

Dear Mr. Lima:

Enclosed is one copy of the Draft Permit for the Okeelanta Corporation sugar mill located approximately 6 miles south of South Bay in Palm Beach County, Florida. The Technical Evaluation and Preliminary 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 Jeff Koerner at 850/414-7268.

Sincerely,

C. H. Fancy, Chief
Bureau of Air Regulation

CHF/AL/jfk

Enclosures

In the Matter of an
Application for Permit by:

Okeelanta Corporation
21250 U.S. Highway 27
South Bay, FL 33493

Authorized Representative:

Ricardo A. Lima, V.P. and General Manager

Project No. 0990005-007-AC
Facility: Okeelanta Corporation
County: Palm Beach
Project: Mill Boiler No. 16, Temporary
Simultaneous Operation

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, Okeelanta Corporation, applied on January 22, 2001 to the Department for an air construction permit for the existing sugar mill located approximately 6 miles south of South Bay in Palm Beach County, Florida. The Draft Permit authorizes temporary operation of existing Boiler No. 16 (existing BACT-level controls) simultaneously with the existing biomass boilers for approximately a two-month period to allow rapid processing of sugarcane damaged by recent severe freezes. 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 install the proposed equipment.

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 14 (fourteen) 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 (14) 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 (14) days of publication of the public notice or within fourteen (14) days of receipt of this notice of intent, whichever occurs first. Under section 120.60(3), F.S., however, any person who asked the Department for notice of agency action may file a petition within fourteen (14) days of receipt of that notice, regardless of the date of publication. A petitioner 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.


C. H. Fancy, Chief
Bureau of Air Regulation

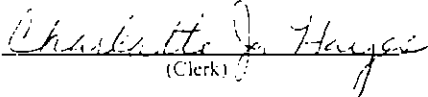
CERTIFICATE OF SERVICE

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 1/26/01 to the person(s) listed:

- Mr. Ricardo A. Lima, Okeelanta Corporation*
- Mr. Matthew Capone, Okeelanta Corporation
- Mr. David Buff, Golder Associates Inc.
- Mr. Ron Blackburn, SD
- Mr. Jim Stormer, PBCHD

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


(Clerk) 1/26/01
(Date)

PUBLIC NOTICE OF INTENT TO ISSUE AIR CONSTRUCTION PERMIT

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION

DEP File No. 0990005-007-AC

Okeelanta Corporation
Existing Sugar Mill

Mill Boiler No. 16 - Temporary Simultaneous Operation

Palm Beach County

The Department of Environmental Protection (Department) gives notice of its intent to issue an air construction permit to the Okeelanta Corporation the existing sugar mill located approximately 6 miles south of South Bay in Palm Beach County, Florida. The applicant requests temporary operation of existing Boiler No. 16 simultaneously with the existing cogeneration plant boilers for approximately a two-month period to allow rapid processing of sugarcane damaged by recent severe freezes. The applicant's authorized representative is Ricardo A. Lima, the V.P. and General Manager. The mailing address is Okeelanta Corporation, 21250 U.S. Highway 27 South Bay, FL 33493.

Boiler No. 16 was previously permitted in 1991 with Best Available Control Technology (BACT) determinations for NOx and SO₂ emissions. The BACT-level controls were determined to be low-NOx burners with 40% flue gas re-circulation and the firing of low sulfur distillate oil. The potential emissions associated with this project are approximately: 12 tons per year of CO, 11 tons per year of NOx, 3 tons per year of PM, 2 tons per year of PM₁₀, 32 tons per year of SO₂, and 6 tons per year of VOC. Because the emissions increases do not exceed the Significant Emission Rates listed in Table 62-212.400-2, F.A.C., the project is not subject to the Prevention of Significant Deterioration requirements of Rule 62-212.400, F.A.C. A new determination of the Best Available Control Technology (BACT) and an air quality impact analyses were 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 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 (14) 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 (14) days of publication of the public notice or within fourteen (14) days of receipt of this notice of intent, whichever occurs first. Under section 120.60(3), F.S., however, any person who asked the Department for notice of agency action may file a petition within fourteen (14) days of receipt of that notice, regardless of the date of publication. A petitioner shall mail a copy of the petition to the

NOTICE TO BE PUBLISHED IN THE NEWSPAPER

1. APPLICATION INFORMATION

1.1 Applicant Name and Address

Okeelanta Corporation
21250 U.S. Highway 27
South Bay, FL 33493

Authorized Representative

Mr. Ricardo A. Lima, V.P. and General Manager

1.2 Processing Schedule

01/22/01 Department received application complete

01/23/01 Department received verbal comments from the Palm Beach County Health Department.

1.3 Facility Description and Location

Okeelanta Corporation operates a sugar mill and refinery located near Highway 27, approximately 6 miles south of South Bay in Palm Beach County, Florida. Okeelanta Power L.P. operates a biomass cogeneration plant at an adjacent location. For the purposes of the Department's Prevention of Significant Deterioration (PSD) and Title V operating permit programs, the two plants are considered to be a single facility. The plant is located near the city of South Bay in western Palm Beach County, an area that is in attainment (or designated as "maintenance" or "unclassifiable") for all air pollutants subject to a National Ambient Air Quality Standard (NAAQS). The UTM coordinates are Zone 17, 524.9 km E, 2940.1 km N.

1.4 Standard Industrial Classification Code (SIC)

Sugar Mill: 2061 (Sugar Processing) and 2062 (Sugar Refining)

Cogeneration Plant: 4911 (Electrical Generation)

1.5 Regulatory Categories

HAPs: Based on available data, the facility is believed to be a major source of hazardous air pollutants (Title III).

Acid Rain: Based on the initial Title V application, the facility is not subject to the acid rain provisions of the Clean Air Act (Title IV).

Title V Major Source: The facility is a Title V major source of air pollution because potential emissions of at least one regulated pollutant exceed 100 tons per year. Regulated pollutants include pollutants such as carbon monoxide (CO), nitrogen oxides (NO_x), particulate matter (PM/PM₁₀), sulfur dioxide (SO₂), and volatile organic compounds (VOC).

PSD Major Source: The facility is located in an area that is in attainment with, or designated as unclassifiable for, each pollutant subject to a National Ambient Air Quality Standard. It is classified as a fossil fuel-fired steam electric plant, which is one of the industries listed as one of the 28 PSD Major Facility Categories identified in Table 62-212.400-1, F.A.C. Emissions from the facility are greater than 100 tons per year for at least one regulated pollutant. Therefore, the facility is "major" with respect to Rule 62-212.400, F.A.C. for the Prevention of Significant Deterioration (PSD) of Air Quality. Therefore, each new project requires a PSD applicability review.

NSPS Sources: The existing units remain subject to the New Source Performance Standards in 40 CFR 60 for the fossil fuel fired steam generating units (Subpart Da and Db) and fuel storage tanks (Subpart Kb).

2. PROPOSED PROJECT

The applicant, Okeelanta Corporation, proposes to temporarily operate existing sugar mill Boiler No. 16 simultaneously with the existing three biomass boilers at the collocated cogeneration plant. The additional steam is needed to rapidly process sugarcane damaged in recent freezes. Specifically, the applicant requests:

- Simultaneous operation from issuance through March 31, 2001.
- Simultaneous operation for up to 35 days during this period equivalent to 885,000 gallons of distillate oil.
- Boiler No. 16 will continue to operate in compliance with all other conditions of existing Air Permit Nos. PSD-FL-169, PSD-FL-196, and 0990005-003-AV.

3. EMISSIONS

Sugar mill Boiler No. 16 is a Babcock and Wilcox Model No. FM 120-97 package process steam boiler with low-NOx burners and 40% flue gas re-circulation. Fired with 205 mmBTU per hour of heat input from distillate oil, the boiler has a maximum short-term steam production rate of 150,000 pounds per hour. Exhaust gases exit the 5 feet diameter, 75 feet tall stack with a volumetric flow rate of 88,200 acfm and a temperature of 410° F. Stack opacity, NOx emissions, steam production rate, steam temperature, and steam pressure are recorded by continuous monitoring systems. Boiler No. 16 had no operation during the requested period for the last two years. Based on the proposed 885,000 gallons of distillate oil, the estimated potential emissions resulting from this project would be:

Table 3 Summary of Project Emissions

Pollutant	Project Emissions, Tons Per Year			
	Past Actual	Future Potential	Net Increase	PSD Significant Emission Rate
Be	0	0.0002	0.0002	0.0004
CO	0	12.4	12.4	100
Hg	0	0.0002	0.0002	0.2
NOx	0	11.2	11.2	40
Pb	0	0.0006	0.0006	0.6
PM	0	3.4	3.4	25
PM10	0	1.7	1.7	15
SAM	0	1.6	1.6	7
SO2	0	31.6	31.6	40
VOC	0	5.6	5.6	40

Notes:

1. Emission factors for CO, NOx, PM/PM10, SO2, and VOC are based on Permit No. PSD-FL-169.
2. SAM emissions are based on AP-42, Section 1.3, and the ratio of the MW of SAM to the MW of gaseous sulfate (98/80).
3. Emission factors for Be, Hg, and Pb were based on AP-42, Section 1.3.
4. Project emissions were based on firing 885,000 gallons for the requested period (approximately 100,000 pounds of steam per hour for 24 hours per day and for up to 35 days).

4. PSD APPLICABILITY REVIEW

4.1 PSD Applicability Requirements

The Department regulates major air pollution sources in accordance with Florida's Prevention of Significant Deterioration (PSD) program, as defined in Rule 62-212.400, F.A.C. and approved by EPA in the State Implementation Plan. A PSD review is only required in areas that are currently in attainment (or maintenance) with the National Ambient Air Quality Standard (AAQS) for a given pollutant or areas designated as "unclassifiable" for the pollutant. A new facility is considered "major" with respect to PSD if the facility emits or has the potential to emit:

- 250 tons per year or more of any regulated air pollutant, or
- 100 tons per year or more of any regulated air pollutant and the facility belongs to one of the 28 Major Facility Categories (Table 62-212.400-1, F.A.C), or
- 5 tons per year of lead.

For new projects at PSD-major sources, each regulated pollutant is reviewed for PSD applicability based on emissions thresholds known as the Significant Emission Rates listed in Table 62-212.400-2, F.A.C. Pollutant emissions from the project exceeding these rates are considered "significant" and the applicant must employ the Best Available Control Technology (BACT) to minimize emissions of each such pollutant. Although a facility may be "major" with respect to PSD for only one regulated pollutant, it may be required to install BACT controls for several "significant" regulated pollutants. In addition, projects subject to the PSD requirements are required to perform air quality modeling for each significant pollutant.

4.2 Available Information

In addition to the information submitted by the applicant, the Department also relied on the following information to make its determination:

- Applications for Permit Nos. PSD-FL-169 and PSD-FL-196;
- Rule 62-212.400(3), F.A.C. regarding temporary emissions;
- Rule 62-212.400(5), F.A.C. regarding Best Available Control Technology (BACT) requirements;
- Annual operating data available in the ARMS database;
- Previously submitted Title V fee reports; and
- Verbal comments received from the Palm Beach County Health Department on 01/23/01.

4.3 Brief Summary of Permitting History

- In July of 1991, Boiler No. 16 received original Permit No. PSD-FL-169 (AC50-191876) that allowed operation from March through October for up to 175 days (4200 hours)
- In February of 1993, this PSD permit was revised to allow restricted operation of Boiler No. 16 during November through February as a standby unit for one or more of the existing sugar mill boilers, replacing an equivalent amount of heat input from fuel oil for a down mill boiler. It could not replace a functional mill boiler.
- In March of 1993, the PSD permit expiration date was extended from March 1, 1993 to December 31, 1993.
- In September of 1993, Permit No. PSD-FL-196 (AC50-219413) was issued for three biomass boilers at the new cogeneration plant. This permit prevents operation of Boiler No. 16 unless one or more of the cogeneration boilers are shut down or in the process of immediately shutting down. The oil-fired mill boiler was intended to be a standby boiler for the cogeneration plant. (The latest modification of this permit was PSD-FL-196L issued in November of 2000.)

TECHNICAL EVALUATION, PSD APPLICABILITY AND PRELIMINARY DETERMINATION

- In March of 1994, the PSD permit expiration date was extended from December 31, 1993 to October 30, 1994 (AC50-245400).
- In July of 1996, air construction Permit No. 0990005-002-AC was issued for the sugar refinery, which referenced operation of Boiler No. 16 to provide process steam.
- In October of 2000, Title V air operation Permit No. 0990005-003-AV was issued for the facility.

4.5 PSD Applicability for the Proposed Project

Based on the permitting history, Boiler No. 16 is not currently permitted for simultaneous operation with the cogeneration boilers. The applicant requests temporary simultaneous operation of this boiler for a narrowly defined period to provide rapid processing of a damaged sugarcane crop caused by severe area freezes. In 1991, Boiler No. 16 was permitted with a BACT determination requiring low-NOx burners with flue gas recirculation and the firing of low sulfur distillate oil (< 0.30% sulfur by weight, annual basis). Information provided by the applicant (see Table 3) shows that the project, constrained to the temporary period of requested simultaneous operation, will not result in emissions increases that exceed the PSD significant emission rates defined in Table 62-212.400-2, F.A.C.

Based on the temporary nature of this request and the predicted potential emissions, the Department determines that PSD does not apply to this project. A construction permit is required to authorize the temporary operation and will include the following conditions:

1. Applicable Requirements: Except where the conditions of this construction permit differ, the permittee shall comply with all other valid requirements.
2. Limited Authorization for Temporary Period: This permit authorizes simultaneous operation of Boiler No. 16 with the three cogeneration boilers from the date of permit issuance through March 31, 2001. This authorization expires at the end of March 31, 2001 and shall not be extended.
3. Restrictions: For the specified temporary period, Boiler No. 16 may operate simultaneously with all three existing cogeneration boilers, providing:
 - a. Okeelanta Power L.P.'s cogeneration boilers supply steam to the Okeelanta Corporation's sugar mill and refinery to the maximum extent possible before operating Boiler No. 16;
 - b. Boiler No. 16 complies with all existing permit conditions and requirements;
 - c. Boiler No. 16 fires no more than 885,000 gallons of distillate oil during the temporary period of operation. Compliance with this condition shall be demonstrated by recording the fuel consumption rate for each week of operation during the temporary period of operation. The total fuel consumption for the temporary period shall be reported to the Department's South District Office and the Palm Beach County Health Department by April 15, 2001.
 - d. Any distillate oil added during the temporary period shall contain no more than 0.30% sulfur by weight.
 - e. In addition to the other applicable standards, NOx emissions shall not exceed 11.15 tons during the temporary period. Total NOx emissions for the temporary period based on CEMS data shall be reported to the Department's South District Office and the Palm Beach County Health Department by April 15, 2001.
 - f. Total actual annual emissions from Boiler No. 16 and the cogeneration plant shall not exceed the levels specified in the Palm Beach County special exception to zoning requirements, Petition No. 92-14. Emissions for the temporary period shall be calculated based on the best available data and reported to the Palm Beach County Health Department by April 15, 2001.

TECHNICAL EVALUATION, PSD APPLICABILITY AND PRELIMINARY DETERMINATION

4. Emissions Compliance Demonstrations: During the specified temporary period, the permittee shall demonstrate compliance with the existing emissions standards for Boiler No. 16 in accordance with the following conditions.
- Compliance with the visible emissions standards shall be demonstrated by conducting a DEP Method 9 test within 15 days of startup as well as data collected from the continuous opacity monitoring system (COMS). Compliance with the visible emissions standards shall also serve as surrogate standards for particulate matter. Unless the Department has good reason to believe the particulate matter emissions standard is being exceeded, a particulate matter test is not required during the specified temporary period.
 - Compliance with the NO_x emissions standards shall be demonstrated by data collected from the NO_x continuous emissions monitor (CEMS).
 - In accordance with the original construction permit, no tests are required for CO and VOC emissions.
 - Compliance with the fuel oil sulfur limit shall be demonstrated by taking a sample, analyzing the sample for fuel sulfur, and reporting the results to the Departments' South District Office and the Palm Beach County Health Department before initial startup. Sampling the fuel oil sulfur content shall be conducted in accordance with ASTM D4057-88, Standard Practice for Manual Sampling of Petroleum and Petroleum Products, and one of the following test methods for sulfur in petroleum products: ASTM D129-91, ASTM D1552-90, ASTM D2622-94, or ASTM D4294-90. A more recent version of these methods may be used. A certified fuel sulfur analysis from the fuel vendor shall be obtained for each subsequent fuel delivery. At the request of the Department's South District Office or the Palm Beach County Health Department, the permittee shall perform additional sampling and analysis for the fuel sulfur content.

{Note: Although annual particulate matter testing is required by the PSD permit, it will not be required to be performed *during* this temporary period of operation. The last test performed in 1998 indicated particulate matter emissions that were less than half of the allowable emissions. CO and VOC emissions tests are not required unless specifically requested by the Department.}

Subject to these conditions, the Department will authorize simultaneous operation of the existing Boiler No. 16 (with existing BACT-level controls) simultaneously with the cogeneration plant boilers for approximately a two-month period to allow rapid processing of sugarcane damaged by recent severe freezes.

5. AIR QUALITY ANALYSIS

The Department notes the following rule in Chapter 62-212, F.A.C. for the Prevention of Significant Deterioration (PSD).

"Rule 62-212.400(3), F.A.C. Limited Exemptions and Special Provisions. The provisions of this subsection establish exemptions and exclusions from certain of the General Provisions of Rule 62-212.400(4), F.A.C., and PSD Review Requirements of Rule 62-212.400(5), F.A.C.

- (c) Temporary Emissions. A proposed facility or modification subject to the preconstruction review requirements of this rule shall be exempt from the requirements of Rules 62-212.400(5)(d), (e), (f), and (g), F.A.C., for a particular pollutant, provided:
- The duration of emissions of the facility or net emissions increase of the modification would not exceed two years;
 - The owner or operator of the facility or modification has provided the Department with reasonable assurance that the emissions of the facility or net emissions increase of the modification would not cause or contribute to a violation of any ambient air quality standard or have a significant impact on any Class I area or area where an applicable maximum allowable increase is known to be violated "

TECHNICAL EVALUATION, PSD APPLICABILITY AND PRELIMINARY DETERMINATION

If a specifically defined temporary project meets the above two provisions, this rule exempts the project from the requirements to perform an ambient impact analysis, an additional impact analysis, pre-construction monitoring, and post-construction monitoring. The remaining applicable portions of Rule 62-212.400(5), F.A.C., would require compliance with the Best Available Control Technology (BACT) requirements. Although the proposed project is not subject to the PSD requirements, this rule is presented to show that some temporary projects are exempt by rule from air quality modeling requirements.

6. PRELIMINARY DETERMINATION

The Department makes a preliminary determination that the proposed project will comply with all applicable state and federal air pollution regulations as conditioned by the Draft Permit. This determination is based on a technical review of the available information, reasonable assurances provided by the applicant, and the conditions specified in the Draft Permit. The Department notes that the determinations and conclusions made in this evaluation are specific to this project and do not establish any precedents for the sugar industry or any other industry. These determinations must be made on a case-by-case basis considering each unique set of circumstances. Jeff Koerner is the project engineer responsible for reviewing the application and drafting the permit. Additional details of this analysis may be obtained by contacting the project engineer at 850/488-0114 or the Department's Bureau of Air Regulation at Mail Station #5505, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400.

DRAFT PERMIT

PERMITTEE

Okeelanta Corporation
21250 U.S. Highway 27
South Bay, FL 33493

Authorized Representative:

Ricardo A. Lima, V.P. and General Manager

Permit No.	0990005-007-AC
Project:	Boiler No. 16, Temporary Simultaneous Operations
SIC No.	2061, 2062
Expires:	March 31, 2001

PROJECT AND LOCATION

The facility is located near Highway 27, approximately 6 miles south of South Bay in Palm Beach County, Florida. It includes an existing cogeneration plant and an existing sugar mill with refinery. Mill Boiler No. 16 is an existing (permitted) oil-fired boiler currently used as a standby unit for one or more of the cogeneration boilers. This permit authorizes temporary operation of Boiler No. 16 (existing BACT-level controls) simultaneously with the three cogeneration plant boilers for a two-month period to allow rapid processing of sugarcane damaged by recent severe freezes.

The UTM coordinates are Zone 17, 524.9 East, and 2940.1 North.

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 appendices are a part of this permit:

- Appendix A - Terminology
- Appendix GC - General Permit Conditions

(DRAFT)

Howard L. Rhodes, Director
Division of Air Resources Management

**AIR CONSTRUCTION PERMIT (DRAFT)
SECTION I. FACILITY INFORMATION**

FACILITY DESCRIPTION

Okeelanta Power L.P. operates a biomass cogeneration plant located near Highway 27, approximately 6 miles south of South Bay in Palm Beach County, Florida. Okeelanta Corporation operates a sugar mill with refinery at an adjacent location. For the purposes of the Department's Prevention of Significant Deterioration (PSD) and Title V operating permit programs, the two plants are considered to be a single facility.

PROJECT DESCRIPTION

The project is the temporary simultaneous operation of existing Boiler No. 16 with the existing three cogeneration plant boilers to quicken processing of sugarcane damaged by a recent freeze. Currently, Boiler No. 16 is permitted as a standby unit for one or more of the cogeneration boilers. This permit authorizes temporary simultaneous operation that would result in actual emissions less than the PSD significant emission rates. The potential emissions associated with this project are approximately: 12 tons per year of CO, 11 tons per year of NOx, 3 tons per year of PM, 2 tons per year of PM10, 32 tons per year of SO2, and 6 tons per year of VOC. A detailed description of the project is presented in the Department's "Technical Evaluation and Preliminary Determination." This permit addresses the following emissions unit:

EU No.	Emissions Unit Description
016	Mill Boiler No. 16: Oil-fired boiler with a maximum hourly steam production rate of 150,000 lb/hour

REGULATORY CLASSIFICATION

Title III: The facility is a major source of hazardous air pollutants (HAPs).

Title IV: The facility is not subject to the Title IV acid rain provisions of the Clean Air Act.

Title V: Because potential emissions of at least one regulated air pollutant exceeds 100 tons per year, the facility is a Title V major source of air pollution in accordance with Chapter 62-213, F.A.C.

PSD: The facility operates units classified as "fossil fuel steam electric plants with more than 250 mmBTU per hour of heat input". Because potential emissions are greater than 100 tons per year for at least one regulated air pollutant, the facility is also a major source of air pollution in accordance with Rule 62-212.400, F.A.C., the Prevention of Significant Deterioration (PSD) of Air Quality. Projects resulting in net emissions increases greater than the Significant Emissions Rates specified in Table 62-212.400-2, F.A.C. are subject to the PSD requirements of that rule.

NSPS: The facility operates several emissions units subject to a New Source Performance Standard (NSPS) of 40 CFR 60. Boiler No. 16 is subject to NSPS Subpart Db for boilers.

RELEVANT DOCUMENTS

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

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

AIR CONSTRUCTION PERMIT (DRAFT)
SECTION II. ADMINISTRATIVE REQUIREMENTS

1. Permitting Authorities: All documents related to applications for permits to construct or modify this emissions unit shall 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. Copies shall also be submitted to each Compliance Authority.
2. Compliance Authorities: All documents related to reports, tests, and notifications shall be submitted to the Air Pollution Control Section of the Palm Beach County Health Department at P.O. Box 29 in West Palm Beach, Florida 33402-0029. Copies of all documents shall also be submitted to the South District Office, Florida Department of Environmental Protection at 2295 Victoria Avenue, Suite 364 in Fort Myers, Florida 33902-2549.
3. Definitions: The terms used in this permit have specific meanings as defined in the applicable chapters of the Florida Administrative Code and specifically, Rule 62-210.200, F.A.C. General terminology and rule citations are provided in *Appendix A* of this permit.
4. General Conditions: The owner and operator are subject to and shall operate under the attached General Conditions listed in *Appendix GC* of this permit. General conditions are binding and enforceable pursuant to Chapter 403 of the Florida Statutes. [Rule 62-4.160, F.A.C.]
5. 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, of the Florida Statutes (F.S.); Chapters 62-4, 62-110, 62-204, 62-210, 62-212, 62-213, 62-296, and 62-297 of the Florida Administrative Code (F.A.C.); and Title 40, Part 60 of the Code of Federal Regulations (CFR) adopted by reference in Chapter 62-204.800, 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.]
6. 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.]
7. Expiration: This air construction permit shall expire on March 31, 2001. It shall not be extended for any reason. [Rules 62-210.300(1), 62-4.080, and 62-4.210, F.A.C.; Applicant Request]
8. 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 (DRAFT)
SECTION III. EMISSIONS UNIT SPECIFIC CONDITIONS

EU-014 – MILL BOILER NO. 16

The specific conditions in this section address the following emissions unit.

ID	Emission Unit Description
014	<p>Mill Boiler No. 16 is a Babcock and Wilcox Model No. FM 120-97 package process steam boiler with low-NOx burners and 40% flue gas re-circulation. Fired with 205 mmBTU per hour of heat input from distillate oil, the boiler has a maximum short-term steam production rate of 150,000 pounds per hour. Exhaust gases exit the 5 feet diameter, 75 feet tall stack with a volumetric flow rate of 88,200 acfm and a temperature of 410° F. Opacity, NOx emissions, steam production rate, steam temperature, and steam pressure are recorded by continuous monitoring systems.</p> <p>SCC No. 1-02-005-01: External combustion boiler, distillate oil grades No. 1 and 2</p>

1. Applicable Requirements: Mill Boiler No. 16 is an existing (permitted) boiler that currently serves as a standby unit when one or more of the cogeneration boilers are off-line. This air construction permit authorizes temporary simultaneous operation of this unit with the existing three cogeneration plant boilers. Except where the conditions of this construction permit differ, the permittee shall comply with all other valid requirements, including:
 - a. The conditions, as amended, of air construction Permit No. PSD-FL-169 issued on July 30, 1991;
 - b. The NSPS requirements of 40 CFR 60 Subpart Db as incorporated by Rule 62-204.800, F.A.C. and specified in air construction Permit No. PSD-FL-169;
 - c. The applicable conditions of air construction Permit No. PSD-FL-196L (cogeneration plant) last revised on November 6, 2000; and
 - d. The conditions of Title V air operation Permit No. 0990005-003-AV issued on October 24, 2000.This air construction permit shall temporarily supplement the conditions of all existing valid air permits.
[Rule 62-210.300, F.A.C.; Permit Nos. PSD-FL-169, PSD-FL-196, and 0990005-003-AV]
2. Limited Authorization for Temporary Period: This permit authorizes simultaneous operation of Boiler No. 16 with the three cogeneration plant boilers from the date of permit issuance through March 31, 2001. This authorization expires at the end of March 31, 2001 and shall not be extended.
[Rule 62-210.300(1), F.A.C.]
3. Restrictions: For the specified temporary period, Boiler No. 16 may operate simultaneously with all three existing cogeneration boilers, providing:
 - a. Okeelanta Power L.P.'s cogeneration boilers supply steam to the Okeelanta Corporation's sugar mill and refinery to the maximum extent possible before operating Boiler No. 16.
 - b. Boiler No. 16 complies with all existing permit conditions and requirements.
 - c. Boiler No. 16 fires no more than 885,000 gallons of distillate oil during the specified temporary period of operation. Compliance with this condition shall be demonstrated by recording the fuel consumption rate for each week of operation during the temporary period of operation. The total fuel consumption for the temporary period shall be reported to the Department's South District Office and the Palm Beach County Health Department by April 15, 2001.
 - d. Any distillate oil added during the temporary period shall contain no more than 0.30% sulfur by weight.

SECTION IV.

APPENDIX A - TERMINOLOGY

ABBREVIATIONS AND ACRONYMS

- DEP - State of Florida, Department of Environmental Protection
- DARM - Division of Air Resource Management
- EPA - United States Environmental Protection Agency
- F.A.C. - Florida Administrative Code
- F.S. - Florida Statute
- UTM - Universal Transverse Mercator

RULE CITATIONS

The following examples illustrate the methods used in this permit to abbreviate and cite the references of rules, regulations, permit numbers, and identification numbers

Florida Administrative Code (F.A.C.) Rules:

Example: [Rule 62-213.205, F.A.C.]

- Where:*
- 62 - refers to Title 62 of the Florida Administrative Code (F.A.C.)
 - 62-213 - refers to Chapter 62-213, F.A.C.
 - 62-213.205 - refers to Rule 62-213.205, F.A.C.

Facility Identification (ID) Number:

Example: Facility ID No. 099-0001

- Where:*
- 099 - 3 digit number indicates that the facility is located in Palm Beach County
 - 0221 - 4 digit number assigned by state database identifies specific facility

New Permit Numbers:

Example: Permit No. 099-2222-001-AC or 099-2222-001-AV

- Where:*
- AC - identifies permit as an Air Construction Permit
 - AV - identifies permit as a Title V Major Source Air Operation Permit
 - 099 - 3 digit number indicates that the facility is located in Palm Beach County
 - 2222 - 4 digit number identifies a specific facility
 - 001 - 3 digit sequential number identifies a specific permit project

Old Permit Numbers:

Example: Permit No. AC50-123456 or AO50-123456

- Where:*
- AC - identifies permit as an Air Construction Permit
 - AO - identifies permit as an Air Operation Permit
 - 123456 - 6 digit sequential number identifies a specific permit project

SECTION IV.

APPENDIX GC - CONSTRUCTION PERMIT GENERAL CONDITIONS

- 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.

- 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

SECTION IV.

APPENDIX GC - CONSTRUCTION PERMIT GENERAL CONDITIONS

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 (not applicable to project);
 - (b) Determination of Prevention of Significant Deterioration (not applicable to project); and
 - (c) Compliance with New Source Performance Standards (not applicable to project).
- G.14 The permittee shall comply with the following:
 - (a) Upon request, the permittee shall furnish all records and plans required under Department rules. During enforcement actions, the retention period for all records will be extended automatically unless otherwise stipulated by the Department
 - (b) The permittee shall hold at the facility or other location designated by this permit records of all monitoring information (including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation) required by the permit, copies of all reports required by this permit, and records of all data used to complete the application or this permit. These materials shall be retained at least three years from the date of the sample, measurement, report, or application unless otherwise specified by Department rule.
 - (c) Records of monitoring information shall include:
 - 1. The date, exact place, and time of sampling or measurements,
 - 2. The person responsible for performing the sampling or measurements;
 - 3. The dates analyses were performed;
 - 4. The person responsible for performing the analyses;
 - 5. The analytical techniques or methods used; and
 - 6. The results of such analyses.
- G.15 When requested by the Department, the permittee shall within a reasonable time furnish any information required by law, which is needed to determine compliance with the permit. If the permittee becomes aware that relevant facts were not submitted or were incorrect in the permit application or in any report to the Department, such facts or information shall be corrected promptly.

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Mr. Ricardo A. Lima
 V.P. and Gen. Mgr.
 Okeelanta Corporation
 21250 U.S. Highway 27
 South Bay, FL 33493

2. Article Number (Copy from service label)
 7099 3400 0000 1449 4666

COMPLETE THIS SECTION ON DELIVERY

A. Received by (Please Print Clearly) **B. Date of Delivery**
B. McPHEE 01/29/04

C. Signature Agent
B. McPHEE 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

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

Article Sent To:
Mr. Ricardo Lima

Postage	\$	Postmark Here
Certified Fee		
Return Receipt Fee (Endorsement Required)		
Restricted Delivery Fee (Endorsement Required)		
Total Postage & Fees	\$	

Name (Please Print Clearly) (to be completed by mailer)
Mr. Ricardo Lima
 Street, Apt. No. or PO Box No.
21250 U.S. Highway 27
 City, State, ZIP+4
South Bay, FL 33493

PS Form 3800, July 1999 See Reverse for Instructions

9999 3400 0000 1449 4666