

Jeb Bush
Governor

Department of Environmental Protection

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

Colleen M. Castille
Secretary

February 24, 2006

Mr. Ricardo Lima
V.P. and General Manager
Okeelanta Corporation
21250 U.S. Highway 27
South Bay, FL 33493

Re: Okeelanta Corporation – Okeelanta Sugar Mill and Refinery
Draft Air Permit No. 0990005-018-AC - Revised Boiler 16 Permit (\leq to 10% Annual Capacity Factor)
Draft Air Permit No. 0990005-019-AC - Railcar Unloading Expansion Project

Dear Mr. Lima:

You submitted applications requesting minor source air construction permits for the following projects: a revised permit for Boiler 16 to restrict the maximum annual capacity factor to 10%; and a permit to install a new railcar unloading operation at the existing transshipment facility. Both projects are located at the existing facility, which is approximately six miles south of South Bay on U.S. Highway 27 in Palm Beach County, Florida. Enclosed for each project are the "Technical Evaluation and Preliminary Determination" and "Draft Permit". Also enclosed are a single "Written Notice of Intent to Issue Air Permit" and a single "Public Notice of Intent to Issue Air Permit". Please note that these documents have combined the notice requirements for these projects. This will allow you to publish a single public notice that covers both projects.

The "Technical Evaluation and Preliminary Determination" summarizes the Permitting Authority's technical review of the application and provides the rationale for making the preliminary determination to issue a Draft Permit. The proposed "Draft Permit" includes the specific conditions that regulate the emissions units covered by the proposed project. The "Written Notice of Intent to Issue Air Permit" provides important information regarding: the Permitting Authority's intent to issue an air permit for the proposed project; the requirements for publishing a Public Notice of the Permitting Authority's intent to issue an air permit; the procedures for submitting comments on the Draft Permit; the process for filing a petition for an administrative hearing; and the availability of mediation. The "Public Notice of Intent to Issue Air Permit" is the actual notice that you must have published in the legal advertisement section of a newspaper of general circulation in the area affected by this project.

If you have any questions, please contact the Project Engineer, Jeff Koerner, at 850/921-9536.

Sincerely,

for
Trina Vielhauer, Chief
Bureau of Air Regulation

Enclosures

"More Protection, Less Process"

Printed on recycled paper.

WRITTEN NOTICE OF INTENT TO ISSUE AIR PERMITS

*In the Matter of an
Application for Air Permit by:*

Okeelanta Corporation
Okeelanta Sugar Mill and Refinery
21250 U.S. Highway 27
South Bay, FL 33493

Authorized Representative:

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

Facility ID No. 0990005
Project No. 0990005-018-AC
(Revised Boiler 16 Permit)
Project No. 0990005-019-AC
(Railcar Unloading Expansion Project)
Palm Beach County, Florida

Facility Location: Okeelanta Corporation operates the existing Okeelanta Sugar Mill and Refinery, which is located approximately six miles south of South Bay on U.S. Highway 27 in Palm Beach County, Florida. The facility address is 21250 U.S. Highway 27, South Bay, FL 33493.

Projects: The applicant proposes two air permit projects. Project No. 0990005-018-AC establishes an enforceable restriction on existing Boiler 16 such that the annual capacity factor will be no more than 10%. The boiler fires only natural gas and distillate oil. This reduces potential emissions of all pollutants below the PSD significant emission rates as follows: (10 tons/year of carbon monoxide; 19 tons/year of nitrogen oxides; 3 tons/year of particulate matter; 5 tons/year of sulfur dioxide; and 3 tons/year of volatile organic compounds. Therefore, the boiler is no longer subject to PSD preconstruction review. In addition, the revision substantially reduces the federal emissions standards and monitoring requirements of Subpart Db in 40 CFR 60.

Project No. 0990005-019-AC authorizes construction of a new railcar unloading operation in the existing transshipment facility. The trans-shipment facility handles, stores, and packages refined sugar. The proposed project will add packaging line "O" and two railcar unloading receivers. The trans-shipment facility has been permitted such that total potential particulate matter emissions from all emissions units (12 tons/year) are below the PSD significant emission rate of 15 tons per year of PM₁₀. Therefore, the project is not subject to PSD preconstruction review.

Details of the projects are provided in the in the application and the enclosed "Technical Evaluation and Preliminary Determination".

Permitting Authority: Applications for air construction permits are subject to review in accordance with the provisions of Chapter 403, Florida Statutes (F.S.) and Chapters 62-4, 62-210, and 62-212 of the Florida Administrative Code (F.A.C.). The proposed projects are not exempt from air permitting requirements and air permits are required to perform the proposed work. The Bureau of Air Regulation is the Permitting Authority responsible for making a permit determination for these projects. The Permitting Authority's physical address is: 111 South Magnolia Drive, Suite #4, Tallahassee, Florida. The Permitting Authority's mailing address is: 2600 Blair Stone Road, MS #5505, Tallahassee, Florida 32399-2400.

Project Files: Complete project files are available for public inspection during the normal business hours of 8:00 a.m. to 5:00 p.m., Monday through Friday (except legal holidays), at address indicated above for the Permitting Authority. A complete project file includes the Draft Permit, the Technical Evaluation and Preliminary Determination, the application, and the information submitted by the applicant, exclusive of confidential records under Section 403.111, F.S. Interested persons may contact the Permitting Authority's project review engineer for additional information at the address or phone number listed above.

Notice of Intent to Issue Permits: The Permitting Authority gives notice of its intent to issue air permits to the applicant for the projects described above. The applicant has provided reasonable assurance that operation of proposed equipment will not adversely impact air quality and that the project will comply with all appropriate provisions of Chapters 62-4, 62-204, 62-210, 62-212, 62-296, and 62-297, F.A.C. The Permitting Authority will issue Final Permits in accordance with the conditions of the proposed Draft Permits unless a timely petition for an administrative hearing is filed under Sections 120.569 and 120.57, F.S. or unless public comment received in accordance with this notice results in a different decision or a significant change of terms or conditions.

Public Notice: Pursuant to Section 403.815, F.S. and Rules 62-110.106 and 62-210.350, F.A.C., you (the applicant) are required to publish at your own expense the enclosed "Public Notice of Intent to Issue Air Permits" (Public Notice). The Public Notice shall be published one time only as soon as possible in the legal advertisement section of a newspaper of general circulation in the area affected by this project. The newspaper used must meet the

WRITTEN NOTICE OF INTENT TO ISSUE AIR PERMITS

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 Permitting Authority at above address or phone number. Pursuant to Rule 62-110.106(5), F.A.C., the applicant shall provide proof of publication to the Permitting Authority at the above address within seven (7) days of publication. Failure to publish the notice and provide proof of publication may result in the denial of the permit pursuant to Rule 62-110.106(11), F.A.C.

Comments: The Permitting Authority will accept written comments concerning each proposed Draft Permit for a period of fourteen (14) days from the date of publication of the Public Notice. Written comments must be provided to the Permitting Authority at the above address. Any written comments filed will be made available for public inspection. If written comments received result in a significant change to a Draft Permit, the Permitting Authority shall revise the Draft Permit and require, if applicable, another Public Notice.

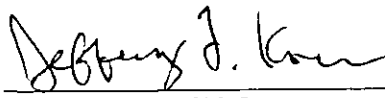
Petitions: A person whose substantial interests are affected by the proposed permitting decisions may petition for an administrative hearing in accordance with Sections 120.569 and 120.57, F.S. The petition must contain the information set forth below and must be filed with (received by) the Department's Agency Clerk in the Office of General Counsel of the Department of Environmental Protection, 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000. Petitions filed by the applicant or any of the parties listed below must be filed within fourteen (14) days of receipt of this Written Notice of Intent to Issue Air Permits. 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 attached Public Notice or within fourteen (14) days of receipt of this Written Notice of Intent to Issue Air Permits, whichever occurs first. Under Section 120.60(3), F.S., however, any person who asked the Permitting Authority 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 Permitting Authority'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 each 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 state; (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 the 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 Permitting Authority'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 Permitting Authority's final action may be different from the position taken by it in this Written Notice of Intent to Issue Air Permits. Persons whose substantial interests will be affected by any such final decision of the Permitting Authority on the application have the right to petition to become a party to the proceeding, in accordance with the requirements set forth above.

Mediation: Mediation is not available in this proceeding.

Executed in Tallahassee, Florida.

For 

Trina Vielhauer, Chief
Bureau of Air Regulation

WRITTEN NOTICE OF INTENT TO ISSUE AIR PERMITS

CERTIFICATE OF SERVICE

The undersigned duly designated deputy agency clerk hereby certifies that this "Written Notice of Intent to Issue Air Permits" package (including the Public Notice, the Technical Evaluation and Preliminary Determinations, and the Draft Permits) was sent by certified mail (*) and copies were mailed by U.S. Mail before the close of business on 2/27/06 to the persons listed below.

Ricardo Lima, Okeelanta Corporation*
Mathew Capone, Okeelanta Corporation
David Buff, Golder Associates Inc.
Ron Blackburn, SD Office
James Stormer, PBCHD

Clerk Stamp

FILING AND ACKNOWLEDGMENT FILED, on this date, pursuant to Section 120.52(7), Florida Statutes, with the designated agency clerk, receipt of which is hereby acknowledged.

Barbara J. Friday 2/27/06
(Clerk) (Date)

PUBLIC NOTICE OF INTENT TO ISSUE AIR PERMITS

Florida Department of Environmental Protection

Okeelanta Corporation – Okeelanta Sugar Mill and Refinery
Draft Air Permit No. 0990005-018-AC - Revised Boiler 16 Permit
Draft Air Permit No. 0990005-019-AC - Railcar Unloading Expansion Project

Palm Beach County, Florida

Applicant: The applicant's name and mailing address are: Okeelanta Corporation; 21250 U.S. Highway 27; South Bay, FL 33493. The applicant's authorized representative is Mr. Ricardo Lima, V.P and General Manager.

Facility Location: Okeelanta Corporation operates the existing Okeelanta Sugar Mill and Refinery, which is located approximately six miles south of South Bay on U.S. Highway 27 in Palm Beach County, Florida.

Projects: The applicant proposes two air permit projects. Project No. 0990005-018-AC establishes an enforceable restriction on existing Boiler 16 such that the annual capacity factor will be no more than 10%. The boiler fires only natural gas and distillate oil. This reduces potential emissions of all pollutants well below the PSD significant emission rates (10 tons/year of carbon monoxide; 19 tons/year of nitrogen oxides; 3 tons/year of particulate matter; 5 tons/year of sulfur dioxide; and 3 tons/year of volatile organic compounds). Therefore, the boiler is no longer subject to PSD preconstruction review. In addition, the revision substantially reduces the federal emissions standards and monitoring requirements of Subpart Db in 40 CFR 60.

Project No. 0990005-019-AC authorizes construction of a new railcar unloading operation in the existing transshipment facility. The trans-shipment facility handles, stores, and packages refined sugar. The proposed project will add packaging line "0" and two railcar unloading receivers. The trans-shipment facility has been permitted such that total potential particulate matter emissions from all emissions units (12 tons/year) are below the PSD significant emission rate of 15 tons per year of PM₁₀. Therefore, the project is not subject to PSD preconstruction review.

Permitting Authority: Applications for air construction permits are subject to review in accordance with the provisions of Chapter 403, Florida Statutes (F.S.) and Chapters 62-4, 62-210, and 62-212 of the Florida Administrative Code (F.A.C.). The proposed projects are not exempt from air permitting requirements and air permits are required to perform the proposed work. The Bureau of Air Regulation is the Permitting Authority responsible for making a permit determination for these projects. The Permitting Authority's physical address is: 111 South Magnolia Drive, Suite #4, Tallahassee, Florida. The Permitting Authority's mailing address is: 2600 Blair Stone Road, MS #5505, Tallahassee, Florida 32399-2400. The Permitting Authority's telephone number is 850/488-0114.

Project Files: Complete project files are available for public inspection during the normal business hours of 8:00 a.m. to 5:00 p.m., Monday through Friday (except legal holidays), at address indicated above for the Permitting Authority. A complete project file includes the Draft Permit, the Technical Evaluation and Preliminary Determination, the application, and the information submitted by the applicant, exclusive of confidential records under Section 403.111, F.S. Interested persons may contact the Permitting Authority's project review engineer for additional information at the address or phone number listed above.

Notice of Intent to Issue Air Permits: The Permitting Authority gives notice of its intent to issue air permits to the applicant for the project described above. The applicant has provided reasonable assurance that operation of proposed equipment will not adversely impact air quality and that the project will comply with all appropriate provisions of Chapters 62-4, 62-204, 62-210, 62-212, 62-296, and 62-297, F.A.C. The Permitting Authority will issue Final Permits in accordance with the conditions of the proposed Draft Permits unless a timely petition for an administrative hearing is filed under Sections 120.569 and 120.57, F.S. or unless public comment received in accordance with this notice results in a different decision or a significant change of terms or conditions.

Comments: The Permitting Authority will accept written comments concerning the proposed Draft Permits for a period of fourteen (14) days from the date of publication of this Public Notice. Written comments must be provided to the Permitting Authority at the above address. Any written comments filed will be made available for public inspection. If written comments received result in a significant change to the Draft Permit, the Permitting Authority shall revise the Draft Permit and require, if applicable, another Public Notice.

Petitions: A person whose substantial interests are affected by the proposed permitting decisions may petition for an administrative hearing in accordance with Sections 120.569 and 120.57, F.S. The petition must contain the

(Public Notice to be Published in the Newspaper)

PUBLIC NOTICE OF INTENT TO ISSUE AIR PERMITS

information set forth below and must be filed with (received by) the Department's Agency Clerk in the Office of General Counsel of the Department of Environmental Protection at 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000. 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 this Public Notice or receipt of a written notice, whichever occurs first. Under Section 120.60(3), F.S., however, any person who asked the Permitting Authority 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 Permitting Authority'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 rights will be affected by the agency determination; (c) A statement of how and when the 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 state; (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 the 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 Permitting Authority'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 Permitting Authority's final action may be different from the position taken by it in this Public Notice of Intent to Issue Air Permits. Persons whose substantial interests will be affected by any such final decision of the Permitting Authority on the application have the right to petition to become a party to the proceeding, in accordance with the requirements set forth above.

Mediation: Mediation is not available for this proceeding.

**TECHNICAL EVALUATION
&
PRELIMINARY DETERMINATION**

PROJECT

Draft Air Construction Permit No. 0990005-018-AC
Boiler 16 – Restricted Annual Capacity
Supersedes Permit No. PSD-FL-169A (Project No. 0990005-009-AC)

COUNTY

Palm Beach County, Florida

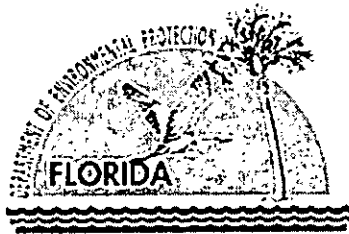
APPLICANT

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

ARMS Facility ID No. 0990005

**PERMITTING
AUTHORITY**

Florida Department of Environmental Protection
Division of Air Resource Management
Bureau of Air Regulation
Air Permitting North Program



February 23, 2006

{Filename: TEPD - 0990005-018-AC}

TECHNICAL EVALUATION AND PRELIMINARY DETERMINATION

1. GENERAL PROJECT INFORMATION

Facility Description and Location

The existing facility consists of two plants. Okeelanta Corporation operates an existing sugar mill (SIC No. 2061) that produces raw sugar from sugarcane and a sugar refinery (SIC No. 2062) that produces refined sugar from raw sugar. New Hope Power operates an existing cogeneration plant (SIC No. 4911) that fires biomass to produce steam for the mill and generate electricity for sale to the power grid. The facility is located approximately six miles south of South Bay on U.S. 27 in Palm Beach County, Florida. The UTM coordinates are Zone 17, 524.9 km East, and 2940.1 km North. This is an area that is in attainment (or designated as unclassifiable) for all air pollutants subject to a National Ambient Air Quality Standard (NAAQS). The location is approximately 92 km from the nearest Class I area, the Everglades National Park.

Regulatory Categories

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

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

Title V: The facility is a Title V major source of air pollution in accordance with Chapter 62-213, F.A.C.

PSD: The facility is a PSD-major facility in accordance with Chapter 62-212, F.A.C.

NSPS: The facility operates units subject to Subpart Db of the New Source Performance Standards (NSPS) in 40 CFR 60.

NESHAP: The facility operates units subject to Subpart DDDDD of the National Emissions Standards for Hazardous Air Pollutants (NESHAP) in 40 CFR 63.

Project Description

In October of 2001, the Department issued Permit No. PSD-FL-169A authorizing Okeelanta Corporation to modify the burner system of existing Boiler No. 16 (Emissions Unit No. 014) to accommodate natural gas as the primary fuel and distillate oil as an alternate fuel. Okeelanta Corporation installed low NOx burners with flue gas recirculation to reduce NOx emissions. In accordance with the PSD permit and NSPS Subpart Db, a NOx CEMS and opacity COMS were required.

This boiler is used to supply steam to the refinery in case the cogeneration boilers are unavailable. The unit has seen little use since the PSD permit was issued in October of 2001. In recent years, the plant has had to startup and run the boiler simply to conduct the RATAs to maintain the NOx CEMS. On 12/14/05, the Department received an application for a minor source air construction permit. The applicant requests a permit restriction to limit fuel consumption to an annual capacity factor of 10% or less, which is equivalent to a limit on the annual heat input rate of 184,836 MMBtu per year as established by the maximum heat input rate for the boiler when firing natural gas.

2. APPLICABLE REGULATIONS

State Regulations

This project is subject to the applicable environmental laws specified in Section 403 of the Florida Statutes (F.S.). The Florida Statutes authorize the Department of Environmental Protection to establish rules and regulations regarding air quality as part of the Florida Administrative Code (F.A.C.). This project is subject to the applicable rules and regulations defined in the following Chapters of the Florida Administrative Code.

<u>Chapter</u>	<u>Description</u>
62-4	Permitting Requirements
62-204	Ambient Air Quality Requirements, PSD Increments, and Federal Regulations Adopted by Reference
62-210	Permits Required, Public Notice, Reports, Stack Height Policy, Circumvention, Excess Emissions, and Forms
62-212	Preconstruction Review, PSD Review and BACT, and Non-attainment Area Review and LAER
62-213	Title V Air Operation Permits for Major Sources of Air Pollution
62-296	Emission Limiting Standards 62-296.406 – Fossil fuel steam generators < 250 MMBtu per hour of heat input
62-297	Test Methods and Procedures, Continuous Monitoring Specifications, and Alternate Sampling Procedures

TECHNICAL EVALUATION AND PRELIMINARY DETERMINATION

Federal Regulations

This project is also subject to the applicable federal provisions regarding air quality as established by the EPA in the following sections of the Code of Federal Regulations (CFR).

<u>Title 40, CFR</u>	<u>Description</u>
Part 60	Subpart A - General Provisions for NSPS Sources NSPS Subpart Db - Industrial, Commercial and Institutional Steam Generating Units Applicable Appendices
Part 63	Subpart A - General Provisions for NESHAP Sources NESHAP Subpart DDDDD for Industrial Boilers

General PSD Applicability

The Department regulates major air pollution sources in accordance with Florida's Prevention of Significant Deterioration (PSD) program, as approved by the EPA in Florida's State Implementation Plan and defined in Rule 62-212.400, F.A.C. A PSD review is required in areas currently in attainment with the state and federal Ambient Air Quality Standards (AAQS) or areas designated as "unclassifiable" for a given pollutant. A new facility is considered "major" with respect to PSD if it 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 PSD 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 and evaluate the air quality impacts. 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.

PSD Applicability for Project

The purpose of this project is to limit the annual capacity factor of existing Boiler 16 to less than 10%. The following table shows the previous potential emissions, the potential emissions for the requested project, and a comparison of the potential emissions with the PSD significant emission rates.

Table 1A. PSD Applicability

Pollutant	2004 Actual Emissions ^a (Tons Per Year)	Current Permit Potential Emissions ^b (Tons Per Year)	New Project Potential Emissions ^b (Tons Per Year)	PSD Significant Emissions Rate (Tons Per Year)	Subject To PSD?
CO	0.08	96	10.2	100	No
NOx	0.05	96	18.5	40	No
PM/PM10 ^c	0.001	22	2.7	25/15	No
SO2	0.0005	35	5.3	40	No
VOC	0.02	28	2.8	40	No

- a. Actual emissions based on 2004 Annual Operating Report.
- b. Potential emissions are based on permitted capacity and enforceable restrictions.
- c. All particulate matter is emitted is assumed to be PM10.

3. DEPARTMENT REVIEW

Minor Source Preconstruction Review – State Requirements

Description of Boiler

The existing unit is a Babcock and Wilcox Model No. FM 120-97 package boiler with a maximum steam production rate of 150,000 pounds per hour (24-hour average). The design heat release rate for this unit is greater than 70,000 BTU/hour-ft³. The boiler fires natural gas or distillate oil ($\leq 0.05\%$ sulfur by weight). The maximum heat input rate is 211 MMBtu per hour when firing natural gas, which is approximately 0.207 million cubic feet of gas per hour based on a heat content of 1020 MMBtu per million SCF. The maximum heat input rate is 202 MMBtu per hour when firing distillate oil, which is approximately 1485 gallons per hour based on a heat content of 136 MMBtu per thousand gallons. The efficient combustion of clean fuels minimizes emissions of CO, PM/PM₁₀, SO₂, and VOC. Emissions of NO_x are reduced with low NO_x burners and flue gas recirculation (approximately 15%). Exhaust gases exit a 75' tall stack that is 5.0' in diameter at 393° F with a volumetric flow rate of 118,600 acfm.

Carbon Monoxide (CO) Emissions

The modified boiler was designed to achieve CO standards of 0.10 lb/MMBtu (natural gas) and 0.11 lb/MMBtu (distillate oil) based on compliance by EPA Method 10 testing. Tests conducted in 2003 and 2004 show CO emission rates of approximately 0.01 lb/MMBtu, which is approximately 10% of the current CO emission standards. Restricted to an annual capacity factor of 10%, actual CO emissions will likely be less than 1 ton per year. Therefore, the Department will not impose a CO limit or testing requirement based on the efficient combustion design of this unit.

NO_x Emissions

The boiler was modified to include low-NO_x burners and approximately 15% flue gas recirculation to reduce NO_x emissions. The boiler was designed to achieve a 24-hour NO_x standard of 0.10 lb/MMBtu (natural gas) and 0.20 lb/MMBtu (distillate oil) based on compliance by CEMS. If applicable, the NSPS Subpart Db standard would be 0.20 lb/MMBtu for these fuels based on compliance by CEMS. For this project, the applicant requests a NO_x limit of 0.20 lb/MMBtu based on testing conducted in accordance with EPA Method 7E. Based on the restricted operation, the Department will establish a NO_x limit of 0.20 lb/MMBtu based on testing conducted in accordance with EPA Method 7E.

Particulate Matter (PM/PM₁₀) Emissions

For purposes of Rule 62-296.406, F.A.C., the Department determines BACT to be the firing of natural gas or distillate oil containing no more than 0.05% sulfur by weight. When firing natural gas, the expected maximum PM/PM₁₀ emissions are 0.002 lb/MMBtu (0.4 lb/hour). When firing distillate oil, the maximum expected PM/PM₁₀ emissions are 0.03 lb/MMBtu (6.1 lb/hour). The emission rate when firing distillate oil was verified by a 2001 emissions performance test. No stack testing is required. In accordance with Rule 62-296.406, F.A.C., visible emissions from the boiler stack shall not exceed 20% opacity, except for one 6-minute period per hour that does not exceed 27% opacity.

Sulfur Dioxide (SO₂) Emissions

For purposes of Rule 62-296.406, F.A.C., the Department determines BACT to be the firing of natural gas or distillate oil containing no more than 0.05% sulfur by weight. The fuel specifications of this permit effectively limit the potential SO₂ emissions. When firing natural gas, the expected maximum SO₂ emissions are 0.001 lb/MMBtu (0.2 lb/hour). When firing very low sulfur distillate oil, the expected maximum SO₂ emissions are 0.06 lb/MMBtu (12.1 lb/hour). No stack testing is required.

Volatile Organic Compounds (VOC)

When firing natural gas, the expected maximum VOC emissions are 0.03 lb/MMBtu (6.3 lb/hour). When firing distillate oil, the expected maximum VOC emissions are 0.03 lb/MMBtu (6.1 lb/hour). These low emissions levels are reinforced by the very low actual CO levels (0.01 lb/MMBtu) reported in compliance stack tests. Therefore, the Department will not impose a VOC limit or testing requirement based on the efficient combustion design of this unit.

TECHNICAL EVALUATION AND PRELIMINARY DETERMINATION

NSPS Subpart Db Provisions

§ 60.40b Applicability and Delegation of Authority

- (a) The affected facility to which this subpart applies is each steam generating unit that commences construction, modification, or reconstruction after June 19, 1984, and that has a heat input capacity from fuels combusted in the steam generating unit of greater than 29 MW (100 million Btu/hour).
- (g) In delegating implementation and enforcement authority to a State under section 111(c) of the Act, the following authorities shall be retained by the Administrator and not transferred to a State.
 - (1) §60.44b(f), (2) §60.44b(g), and (3) §60.49b(a)(4).

Comment: With a maximum capacity of 211 MMBtu per hour, Boiler 16 is an affected unit subject to Subpart Db.

§ 60.41b Definitions

“Annual capacity factor” means the ratio between the actual heat input to a steam generating unit from the fuels listed in §§60.42b(a), 60.43b(a), or 60.44b(a), as applicable, during a calendar year and the potential heat input to the steam generating unit had it been operated for 8,760 hours during a calendar year at the maximum steady state design heat input capacity. In the case of steam generating units that are rented or leased, the actual heat input shall be determined based on the combined heat input from all operations of the affected facility in a calendar year.

“Distillate oil” means fuel oils that contain 0.05 weight percent nitrogen or less and comply with the specifications for fuel oil numbers 1 and 2, as defined by the American Society of Testing and Materials in ASTM D396-78, Standard Specifications for Fuel Oils (incorporated by reference -see §60.17).

“Very low sulfur oil” means an oil that contains no more than 0.5 weight percent sulfur or that, when combusted without sulfur dioxide emission control, has a sulfur dioxide emission rate equal to or less than 215 ng/J (0.5 lb/million Btu) heat input.

“Conventional technology” means wet flue gas desulfurization (FGD) technology, dry FGD technology, atmospheric fluidized bed combustion technology, and oil hydro-desulfurization technology.

“Emerging technology” means any sulfur dioxide control system that is not defined as a conventional technology under this section, and for which the owner or operator of the facility has applied to the Administrator and received approval to operate as an emerging technology under §60.49b(a)(4).

§ 60.42b Standard for Sulfur Dioxide

- (j) Percent reduction requirements are not applicable to affected facilities combusting only very low sulfur oil. The owner or operator of an affected facility combusting very low sulfur oil shall demonstrate that the oil meets the definition of very low sulfur oil by: (2) maintaining fuel receipts as described in §60.49b(r).

§ 60.43b Standard for Particulate Matter

- (b) On and after the date on which the performance test is completed or required to be completed under 60.8 of this part, whichever date comes first, no owner or operator of an affected facility that combusts oil (or mixtures of oil with other fuels) and uses a conventional or emerging technology to reduce sulfur dioxide emissions shall cause to be discharged into the atmosphere from that affected facility any gases that contain particulate matter in excess of 43 ng/J (0.10 lb/million Btu) heat input.
- (f) On and after the date on which the initial performance test is completed or is required to be completed under 60.8 of this part, whichever date comes first, no owner or operator of an affected facility that combusts coal, oil, wood, or mixtures of these fuels with any other fuels shall cause to be discharged into the atmosphere any gases that exhibit greater than 20 percent opacity (6-minute average), except for one 6-minute period per hour of not more than 27 percent opacity.

Comment: As described in the above definitions (§60.41b), Boiler 16 does not use conventional or emerging technology to reduce sulfur dioxide emissions. In addition, §60.48b (a) states, “The owner or operator of an affected facility subject to the opacity standard under §60.43b shall install, calibrate, maintain, and operate a continuous monitoring system for measuring the opacity of emissions discharged to the atmosphere and record the output of the system.” The wording of this provision implies that some affected units will not be subject to an opacity standard (i.e., a boiler firing distillate oil or

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natural gas with an annual capacity factor of 10% or less). The Department determines that the opacity standard specified in §60.43b (f) does not apply because there is no underlying particulate matter standard for this limited-use boiler firing only natural gas and distillate oil.

§ 60.44b Standard for Nitrogen Oxides

(k) Affected facilities that meet the criteria described in paragraphs (j) (1), (2), and (3) of this section, and that have a heat input capacity of 73 MW (250 million Btu/hour) or less, are not subject to the nitrogen oxides emission limits under this section.

Comments: These sub-paragraphs in paragraph (j) state:

- (1) Combust, alone or in combination, only natural gas, distillate oil, or residual oil with a nitrogen content of 0.30 weight percent or less;
- (2) Have a combined annual capacity factor of 10 percent or less for natural gas, distillate oil, and residual oil with a nitrogen content of 0.30 weight percent or less; and
- (3) Are subject to a Federally enforceable requirement limiting operation of the affected facility to the firing of natural gas, distillate oil, and/or residual oil with a nitrogen content of 0.30 weight percent or less and limiting operation of the affected facility to a combined annual capacity factor of 10 percent or less for natural gas, distillate oil, and residual oil and a nitrogen content of 0.30 weight percent or less.

The boiler is authorized to fire only natural gas and distillate oil and the annual capacity factor will be restricted to no more than 10%. Therefore, the unit is not subject to any NO_x standard of NSPS Subpart Db.

§ 60.45b Compliance and Performance Test Methods and Procedures for Sulfur Dioxide

(j) The owner or operator of an affected facility that combusts very low sulfur oil is not subject to the compliance and performance testing requirements of this section if the owner or operator obtains fuel receipts as described in §60.49b(r).

§ 60.46b Compliance and Performance Test Methods and Procedures for Particulate Matter and Nitrogen Oxides

Comment: There are no applicable standards for particulate matter or nitrogen oxides.

§ 60.47b Emission Monitoring for Sulfur Dioxide

(f) The owner or operator of an affected facility that combusts very low sulfur oil is not subject to the emission monitoring requirements of this section if the owner or operator obtains fuel receipts as described in §60.49b(r).

§ 60.48b Emissions Monitoring for Particulate Matter and Nitrogen Oxides

(i) The owner or operator of an affected facility described in §§60.44b(j) or 60.44b(k) is not required to install or operate a continuous monitoring system for measuring nitrogen oxides emissions.

Comment: There are no applicable standards for particulate matter or nitrogen oxides. Therefore, continuous monitoring is not required. At the time of issuance for the draft permit, the Department was uncertain as to whether EPA Region 4 was in agreement with the Department's interpretation that the opacity standard did not apply because there was no underlying particulate matter standard. Therefore, if the §60.43b opacity standard does apply, the permittee proposes the following alternate sampling procedure for this limited use boiler in lieu of a COMS.

When Boiler 16 fires distillate oil, the permittee shall use the following procedures in lieu of a continuous opacity monitoring system to determine compliance with the opacity standard:

- a. The permittee shall conduct a 12-minute opacity observation once the boiler has achieved normal operation following a cold boiler startup on distillate oil.
- b. The permittee shall conduct a 12-minute opacity observation at least once per daylight shift during the period of highest distillate oil firing.
- c. All observation shall be conducted in accordance with EPA Method 9 and by individuals certified as a visible emissions observer by the State of Florida.
- d. The permittee shall notify the Compliance Authority within one working day of observing visible emissions exceeding the opacity standard. If the boiler is unable to regularly comply with the opacity standard based on these manual

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observations, the permittee shall install, operate, and maintain a continuous opacity monitoring system (COMS) to determine continuous compliance with the opacity standard.

- e. The permittee shall maintain a log of the opacity observations and the oil firing rate during the observations.
- f. If distillate oil is fired during a calendar quarter, the permittee shall submit a copy of the observation log to the Compliance Authority within 30 days following the calendar quarter.
- g. Along with the Annual Operating Report, the permittee shall identify the quantities of natural gas and distillate oil fired and the annual capacity factor based on annual heat input rates from these fuels. If the annual capacity factor is greater than 10%, the permittee shall install, operate, and maintain a continuous opacity monitoring system (COMS) to determine compliance with the opacity standard.

§ 60.49b Reporting and Recordkeeping Requirements

- (a) The owner or operator of each affected facility shall submit notification of the date of initial startup, as provided by §60.7. This notification shall include:
 - (1) The design heat input capacity of the affected facility and identification of the fuels to be combusted in the affected facility.
 - (2) If applicable, a copy of any Federally enforceable requirement that limits the annual capacity factor for any fuel or mixture of fuels under §§60.42b(d)(1), 60.43b(a)(2), (a)(3)(iii), (c)(2)(ii), (d)(2)(iii), 60.44b(c), (d), (e), (i), (j), (k), 60.45b(d), (g), 60.46b(h), or 60.48b(i).
 - (3) The annual capacity factor at which the owner or operator anticipates operating the facility based on all fuels fired and based on each individual fuel fired.

Comment: The permittee has previously complied with the above initial requirement.

- (o) All records required under this section shall be maintained by the owner or operator of the affected facility for a period of 2 years following the date of such record.
- (p) The owner or operator of an affected facility described in §60.44b(j) or (k) shall maintain records of the following information for each steam generating unit operating day:
 - (1) Calendar date,
 - (2) The number of hours of operation, and
 - (3) A record of the hourly steam load.
- (q) The owner or operator of an affected facility described in §§60.44b(j) or 60.44b(k) shall submit to the Administrator on a quarterly basis:
 - (1) The annual capacity factor over the previous 12 months;
 - (2) The average fuel nitrogen content during the quarter, if residual oil was fired; and
 - (3) If the affected facility meets the criteria described in §60.44b(j), the results of any nitrogen oxides emission tests required during the quarter, the hours of operation during the quarter, and the hours of operation since the last nitrogen oxides emission test.
- (r) The owner or operator of an affected facility who elects to demonstrate that the affected facility combusts only very low sulfur oil under §60.42b(j)(2) shall obtain and maintain at the affected facility fuel receipts from the fuel supplier which certify that the oil meets the definition of distillate oil as defined in §60.41b. For the purposes of this section, the oil need not meet the fuel nitrogen content specification in the definition of distillate oil. Quarterly reports shall be submitted to the Administrator certifying that only very low sulfur oil meeting this definition was combusted in the affected facility during the preceding quarter.

NESHAP Subpart DDDDD Requirements

NESHAP Subpart DDDDD applies to industrial, commercial, and institutional boilers and process heaters located at major HAP sources. The federal regulation establishes maximum available control technology (MACT) standards for hydrogen chloride, mercury, and HAP metals (with particulate matter used as a surrogate). The compliance date for existing boilers is September 13, 2007. Boiler 16 is subject to this regulation as an existing, limited-use, liquid fuel boiler. Applicable

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requirements for this type of unit include only initial notification and record keeping requirements. NESHAP provisions will be identified in the Title V renewal permit currently being processed.

Draft Permit Requirements

The draft permit will include the following primary conditions:

- **Restricted Operation:** The hours of operation are not limited (8760 hours per year); however, the annual capacity factor for the combined firing of distillate oil and natural gas shall not exceed 10% during any calendar year. The heat input rate to the boiler shall not exceed 184,836 MMBtu per year (10% of the maximum permitted heat input rate). The annual heat input rate shall be determined from records of the higher heating value of each authorized fuel and the actual fuel consumption for the calendar year. *{Permitting Note: This restriction limits potential emissions below all PSD significant emission rates and allows the unit to avoid the continuous monitoring requirements of NSPS Subpart Db.}* [Applicant Request; § 60.41b (Definitions); § 60.44b (Nitrogen Oxides); Rule 62-210.200(PTE), F.A.C.]
- **Stack Opacity:** As determined by EPA Method 9 observations, visible emissions from the boiler stack shall not exceed 20% opacity, except for one 6-minute period per hour that does not exceed 27% opacity. [Rule 62-296.406(1), F.A.C.]
- **Nitrogen Oxides (NO_x) Emissions:** As determined by EPA Method 7E, NO_x emissions shall not exceed 0.20 lb/MMBtu (42.2 lb/hour) when firing natural gas. As determined by EPA Method 7E, NO_x emissions shall not exceed 0.20 lb/MMBtu (40.4 lb/hour) when firing distillate oil. [Design; Rule 62-4.070(3), F.A.C.; Rule 62-212.400(2)(g), F.A.C.]
- **Fuel Specification:** The boiler shall fire only natural gas or No. 2 distillate oil with a maximum sulfur content of 0.05% sulfur by weight. Emissions of carbon monoxide (CO), particulate matter (PM/PM₁₀), sulfur dioxide (SO₂), and volatile organic compounds (VOC) shall be minimized by the efficient combustion of these authorized fuels. *{Permitting Note: The expected maximum CO emissions are 0.11 lb/MMBtu (natural gas or distillate oil). The expected maximum PM/PM₁₀ emissions are 0.002 lb/MMBtu (natural gas) and 0.03 lb/MMBtu (distillate oil). The expected maximum SO₂ emissions are 0.001 lb/MMBtu (natural gas) and 0.06 lb/MMBtu (distillate oil). The expected maximum VOC emissions are 0.03 lb/MMBtu (natural gas or distillate oil).}* [Rule 62-4.070(3), F.A.C.; Rule 62-296.406(2) and (3)]
- **Compliance Tests:** Within 12 months of issuance of this permit, the permittee shall conduct performance tests to determine compliance with the opacity and NO_x emissions for each authorized fuel. Thereafter, the permittee shall conduct NO_x performance testing within 12 months before the expiration date of the Title V operation permit. NO_x emissions shall be reported in terms of "pounds per MMBtu of heat input" and "pounds per hour" using the appropriate F-factors for each fuel. [Rule 62-4.070(3), F.A.C.; Rule 62-297.310(7)(a)1, F.A.C.]
- **Fuel Sulfur Records:** Compliance with the distillate oil fuel sulfur limit shall be demonstrated by taking an initial sample, analyzing the sample for fuel sulfur, and reporting the results with the initial emissions compliance test report. Sampling and analyzing 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. More recent versions or equivalent methods may be used. For each subsequent distillate oil delivery, the permittee shall maintain a permanent file of the certified fuel sulfur analysis from the vendor. At the request of a Compliance Authority, the permittee shall perform additional sampling and analysis for the fuel sulfur content. [Rule 62-4.070(3), F.A.C.; Rule 62-4.160(15), F.A.C.; Rule 62-297.310(7)(b), F.A.C.; §§60.42b (j), 60.45b (j), 60.47b (f), and 60.49b (r)]
- **Operational Records:** The permittee shall maintain records sufficient to determine compliance with the following: fuel consumptions rates and hours of operation for each authorized fuel; higher heating value of each authorized fuel; maximum annual heat input rate for the calendar year; and steam production records. Information shall be available for inspection within at least three days of a request from the Department or a Compliance Authority. [Rules 62-4.160(15) and 62-4.070(3), F.A.C.]
- **Alternate Sampling Procedure - Opacity:** If EPA Region 4 later determines that the opacity standard in §60.43b applies, Appendix Db includes the previously described procedures for conducting opacity observations in lieu of a COMS for this limited use boiler.

4. 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 complete application, reasonable assurances provided by the applicant, and the conditions specified in the draft permit. No air quality modeling analysis is required because the project does not result in a significant increase in emissions. The project substantially restricts the operation of this existing unit. 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 the Department's Bureau of Air Regulation at Mail Station #5505, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400.

PERMITTEE:

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

Authorized Representative:

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

Okeelanta Sugar Mill and Refinery
Facility ID No. 0990005
Project No. 0990005-018-AC
Boiler No. 16 – Capacity Reduction
Expires: {1 year}

PROJECT AND LOCATION

The project is associated with Okeelanta Corporation's existing sugar mill (SIC No. 2061) and sugar refinery (SIC No. 2062) located approximately six miles south of South Bay on U.S. Highway 27 in Palm Beach County, Florida. The facility is collocated next to New Hope Power's Okeelanta Cogeneration Plant. The UTM coordinates are Zone 17, 524.9 km East, and 2940.1 km North. The project restricts fossil fuel firing in Boiler 16 (EU-014) to an annual capacity factor of 10% or less, which reduces all emissions below the PSD significant emission rates and avoids the continuous monitoring requirements of NSPS Subpart Db. This permit supersedes previous Permit No. PSD-FL-169A (Project No. 0990005-009-AC).

STATEMENT OF BASIS

This air pollution construction permit is issued under the provisions of Chapter 403 of the Florida Statutes (F.S.), and Chapters 62-4, 62-204, 62-210, 62-212, 62-296, and 62-297 of the Florida Administrative Code (F.A.C.) and Title 40, Part 52, Section 21 of the Code of Federal Regulations. The permittee is authorized to perform the work and operate the equipment 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.

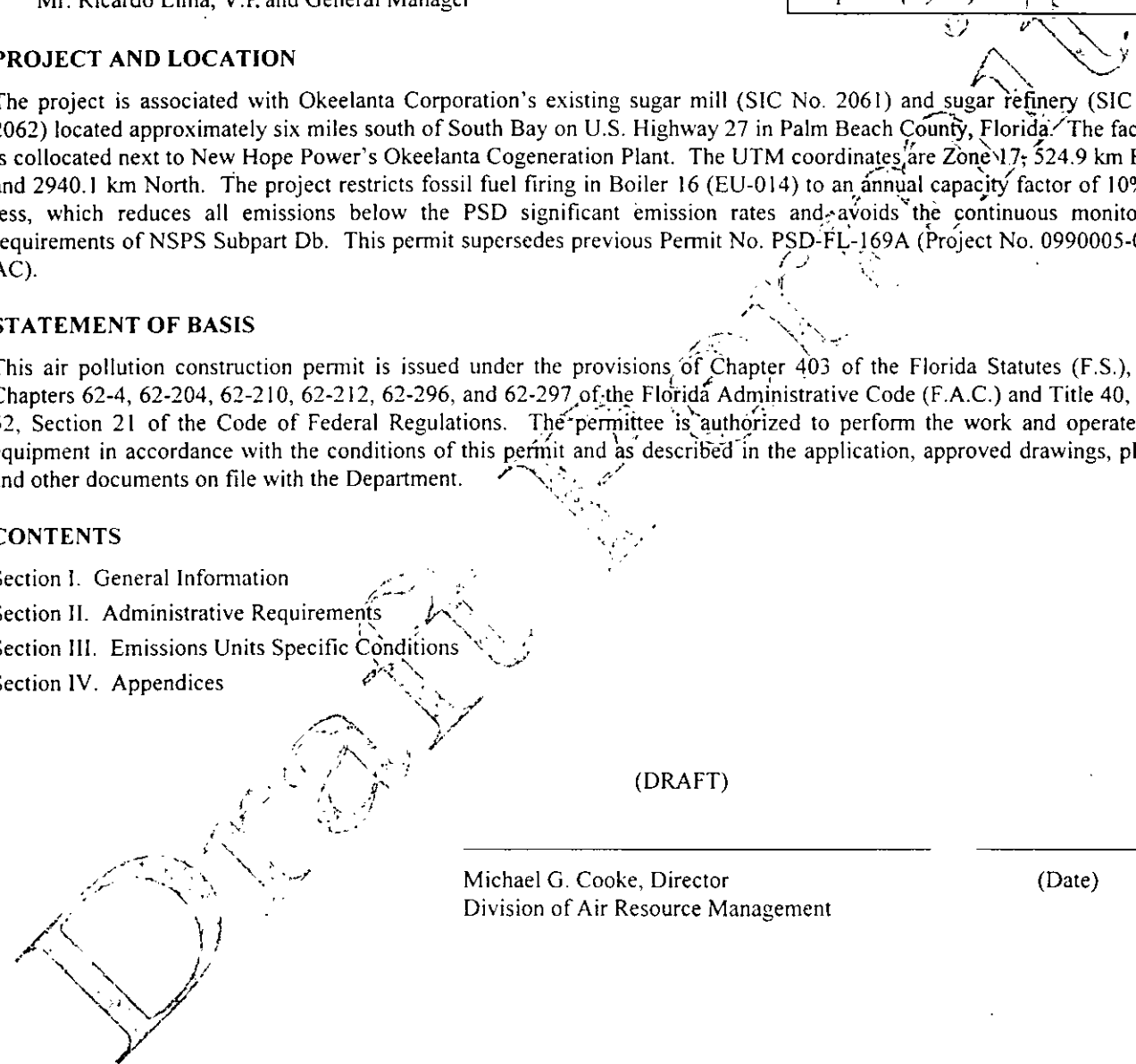
CONTENTS

- Section I. General Information
- Section II. Administrative Requirements
- Section III. Emissions Units Specific Conditions
- Section IV. Appendices

(DRAFT)

Michael G. Cooke, Director
Division of Air Resource Management

(Date)



SECTION I. GENERAL INFORMATION

FACILITY DESCRIPTION

The facility consists of two adjacent plants. Okeelanta Corporation operates a sugar mill (SIC No. 2061) and sugar refinery (SIC No. 2062) including packaging and transshipment activities. New Hope Power operates the Okeelanta Cogeneration Plant that provides process steam for the sugar mill/sugar refinery and generates electricity for sale to the power grid (SIC 4911).

EMISSIONS UNITS

This permit modifies the following existing emissions unit.

ID	Emission Unit Description
014	Boiler No. 16 is a 211/202 MMBtu per hour package boiler fired with natural gas/distillate oil.

REGULATORY CLASSIFICATION

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

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

Title V: The facility is a Title V major source of air pollution in accordance with Chapter 62-213, F.A.C.

PSD: The facility is a PSD-major facility as defined in Rule 62-212.400, F.A.C.

NSPS: The facility operates emissions units subject to the New Source Performance Standards (NSPS) of 40 CFR 60 including: Subparts Da (boilers) and Db (boilers).

NESHAP: The facility operates emissions units subject to the National Emissions Standards for Hazardous Air Pollutants (NESHAP) of 40 CFR 63 including Subpart DDDDD (boilers).

APPENDICES

The following Appendices are attached in Section IV as part of this permit.

Appendix CF. Citation Format

Appendix Db. NSPS Subpart Db Requirements for Boilers

Appendix GC. General Conditions

Appendix SC. Standard Conditions

RELEVANT DOCUMENTS

The documents listed below are not a part of this permit; however, they are specifically related to this permitting action and are on file with the Department.

- Application No. 0990005-018-AC received on 12/14/05.
- Permit No. PSD-FL-169A (Project No. 0990005-009-AC).

SECTION II. ADMINISTRATIVE REQUIREMENTS

1. Permitting Authority: All documents related to applications for permits to construct, modify, or operate an emissions unit shall be submitted to the Bureau of Air Regulation of the Florida Department of Environmental Protection (DEP) at 2600 Blair Stone Road (MS #5505), Tallahassee, Florida 32399-2400. Copies of all such documents shall be submitted to the Air Resources Section of the Department's South District Office (2295 Victoria Avenue, Suite 364 in Fort Myers, Florida 33902-2549) and the Air Pollution Control Section of the Palm Beach County Health Department (P.O. Box 29, West Palm Beach, Florida 33402-0029).
2. Compliance Authorities: All documents related to compliance activities such as reports, tests, and notifications shall be submitted to the Air Resources Section of the Department's South District Office at 2295 Victoria Avenue, Suite 364 in Fort Myers, Florida 33902-2549. Copies of all such documents shall be submitted to the Air Pollution Control Section of the Palm Beach County Health Department at P.O. Box 29, West Palm Beach, Florida 33402-0029.
3. Appendices: The following Appendices are attached as part of this permit: Appendix CF. (Citation Format); Appendix Db (NPS Subpart Db Requirements for Boilers); Appendix GC (General Conditions); and Appendix SC (Standard Conditions).
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 of the Florida Statutes (F.S.); Chapters 62-4, 62-204, 62-210, 62-212, 62-213, 62-296, and 62-297 of the Florida Administrative Code (F.A.C.); Title 40, Part 60 of the Code of Federal Regulations (CFR), adopted by reference in Rule 62-204.800, F.A.C.; and Title 40, Part 63 of the Code of Federal Regulations (CFR), adopted by reference in Rule 62-204.800, F.A.C. The terms used in this permit have specific meanings as defined in the applicable chapters of the Florida Administrative Code. 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 permittee 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: 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. Modifications: The permittee shall notify the Compliance Authority upon commencement of construction. 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 shall be obtained prior to beginning construction or modification. [Rules 62-210.300(1) and 62-212.300(1)(a), F.A.C.]
7. Title V Permit: This permit authorizes construction of the permitted emissions units and initial operation to determine compliance with Department rules. A Title V operation permit is required for regular operation of the permitted emissions unit. Because there is no work to be performed, the permittee shall apply for a revised Title V operation permit within 45 days of issuance of this final permit. 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 appropriate Permitting Authority with copies to the Compliance Authority. [Rules 62-4.030, 62-4.050, 62-4.220, and Chapter 62-213, F.A.C.]

SECTION III. EMISSIONS UNIT SPECIFIC CONDITIONS

A. MILL BOILER NO. 16

This section of the permit addresses the following modified emissions unit.

Emissions Unit 014: Mill Boiler No. 16

Description: This unit is Babcock and Wilcox Model No. FM 120-97 package boiler with a maximum steam production rate of 150,000 pounds per hour (24-hour average). The design heat release rate for this unit is greater than 70,000 BTU/hour-ft³.

Fuels: This unit is fired with pipeline-quality natural gas or very low sulfur distillate oil.

Capacity: The heat input rate is 211 MMBtu per hour when firing natural gas, which is approximately 0.207 million cubic feet of gas per hour based on a heat content of 1020 MMBtu per million SCF. The heat input rate is 202 MMBtu per hour when firing very low sulfur distillate oil, which is approximately 1485 gallons per hour based on a heat content of 136 MMBtu per thousand gallons.

Controls: The efficient combustion of clean fuels minimizes emissions of CO, PM/PM10, SO₂, and VOC. Emissions of NO_x are reduced with low NO_x burners and flue gas recirculation (approximately 15%).

Stack Parameters: Exhaust gases exit a 75' tall stack that is 5.0' in diameter at 393°F with a volumetric flow rate of 118,600 acfm.

CONTROL EQUIPMENT

1. **NO_x Emissions:** The permittee shall tune, maintain and operate the low-NO_x burner system along with flue gas recirculation (FGR) to achieve the emissions standards specified in this permit. The burner system shall be capable of firing natural gas and distillate oil. [Design; Rule 62-4.070(3), F.A.C.]

PERFORMANCE RESTRICTIONS

2. **Authorized Fuel:** The boiler shall fire only natural gas or No. 2 distillate oil with a maximum sulfur content of 0.05% sulfur by weight. [Design; Rule 62-210.200(PTE), F.A.C.; Rule 62-296.406 (BACT), F.A.C.]
3. **Permitted Capacity:** The maximum design heat input rates to the boiler are 211 MMBtu per hour when firing natural gas and 202 MMBtu per hour when firing distillate oil. The maximum steam production rate shall not exceed 150,000 pounds per hour based on a 24-hour block average. The boiler shall be equipped with integrating fuel flow meters to monitor the consumption of natural gas and distillate oil. The boiler shall be equipped with instruments to continuously monitor the steam production rate (pounds per hour), steam temperature (° F), and steam pressure (psig). [Design; Rule 62-210.200(PTE), F.A.C.]
4. **Restricted Operation:** The hours of operation are not limited (8760 hours per year); however, the annual capacity factor for the combined firing of distillate oil and natural gas shall not exceed 10% during any calendar year. The heat input rate to the boiler shall not exceed 184,836 MMBtu per year (10% of the maximum permitted heat input rate). The annual heat input rate shall be determined from records of the higher heating value of each authorized fuel and the actual fuel consumption for the calendar year. Each year, the annual capacity factor and annual heat input rate shall be reported with the required Annual Operating Report. {Permitting Note: This restriction limits potential emissions below all PSD significant emission rates and allows the unit to avoid the continuous monitoring requirements of NSPS Subpart Db.} [Applicant Request; § 60.41b (Definitions); § 60.44b (Nitrogen Oxides); Rule 62-210.200(PTE), F.A.C.]

EMISSIONS STANDARDS

5. **Stack Opacity:** As determined by EPA Method 9 observations, visible emissions from the boiler stack shall not exceed 20% opacity, except for one 6-minute period per hour that does not exceed 27% opacity. [Rule 62-296.406(1), F.A.C.]
6. **Nitrogen Oxides (NO_x) Emissions:** As determined by EPA Method 7E, NO_x emissions shall not exceed 0.20 lb/MMBtu (42.2 lb/hour) when firing natural gas based on the average of three test runs. As determined by EPA Method 7E, NO_x emissions shall not exceed 0.20 lb/MMBtu (40.4 lb/hour) when firing distillate oil based on the average of three test runs. [Design; Rule 62-4.070(3), F.A.C.; Rule 62-212.400(2)(g), F.A.C.]
7. **Fuel Specification:** The boiler shall fire only natural gas or No. 2 distillate oil with a maximum sulfur content of 0.05% sulfur by weight. Emissions of carbon monoxide (CO), particulate matter (PM/PM10), sulfur dioxide (SO₂), and

SECTION III. EMISSIONS UNIT SPECIFIC CONDITIONS

A. MILL BOILER NO. 16

volatile organic compounds (VOC) shall be minimized by the efficient combustion of these authorized fuels. *{Permitting Note: The expected maximum CO emissions are 0.11 lb/MMBtu (natural gas or distillate oil). The expected maximum PM/PM10 emissions are 0.002 lb/MMBtu (natural gas) and 0.03 lb/MMBtu (distillate oil). The expected maximum SO2 emissions are 0.001 lb/MMBtu (natural gas) and 0.06 lb/MMBtu (distillate oil). The expected maximum VOC emissions are 0.03 lb/MMBtu (natural gas or distillate oil).}* [Rule 62-4.070(3), F.A.C.; Rule 62-296.406(2) and (3)]

EMISSIONS PERFORMANCE TESTING

8. **Test Methods:** As required, tests shall be performed in accordance with the following reference methods.

EPA Method	Description of Method and Comments
7E	Determination of Nitrogen Oxide Emissions from Stationary Sources
9	Visual Determination of the Opacity of Emissions from Stationary Sources

In addition, it may be necessary to perform EPA Methods 1 through 4 as part of the above test methods. These test methods are specified in 40 CFR 60, Appendix A, and adopted by reference in Rule 62-204.800, F.A.C. No other methods may be used to demonstrate compliance unless prior written approval is received from the Department. Other applicable testing requirements are included in Appendix SC of the permit. [Rules 62-204.800 and 62-297.100, F.A.C.; 40 CFR 60, Appendix A]

9. **Compliance Tests:** Within 12 months of issuance of this permit, the permittee shall conduct performance tests to determine compliance with the opacity and NOx emissions for each authorized fuel. Thereafter, the permittee shall conduct NOx performance testing within 12 months before the expiration date of the Title V operation permit. NOx emissions shall be reported in terms of "pounds per MMBtu of heat input" and "pounds per hour" using the appropriate F-factors for each fuel. Subsequent opacity tests shall be conducted during any federal fiscal year (October 1st to September 30th) that the boiler fires distillate oil for 400 hours or more. [Rule 62-4.070(3), F.A.C.; Rule 62-297.310(7)(a)1, F.A.C.]

RECORDS AND REPORTS

10. **Fuel Sulfur Records:** Compliance with the distillate oil fuel sulfur limit shall be demonstrated by taking an initial sample, analyzing the sample for fuel sulfur, and reporting the results with the initial emissions compliance test report. Sampling and analyzing 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. More recent versions or equivalent methods may be used. For each subsequent distillate oil delivery, the permittee shall maintain a permanent file of the certified fuel sulfur analysis from the vendor. At the request of a Compliance Authority, the permittee shall perform additional sampling and analysis for the fuel sulfur content. [Rule 62-4.070(3), F.A.C.; Rule 62-4.160(15), F.A.C.; Rule 62-297.310(7)(b), F.A.C.; §§60.42b (j), 60.45b (j), 60.47b (f), and 60.49b (r)]
11. **Operational Records:** The permittee shall maintain records sufficient to determine compliance with the following: fuel consumption rates and hours of operation for each authorized fuel; higher heating value of each authorized fuel; maximum annual heat input rate for the calendar year; and steam production records. Information shall be available for inspection within at least three days of a request from the Department or a Compliance Authority. [Rules 62-4.160(15) and 62-4.070(3), F.A.C.]
12. **Test Reports:** The permittee shall prepare and submit reports for all required tests in accordance with the requirements specified in Section 4, Appendix SC of this permit. [Rule 62-297.310(8), F.A.C.]

OTHER REQUIREMENTS

13. **Applicable Requirements:** The boiler is also subject to the NSPS Subpart Db requirements for commercial boilers in Appendix Db and the standard conditions in Appendix SC. These appendices are found in Section IV of this permit.

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Appendix Db. NSPS Subpart Db Requirements for Boilers
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SECTION IV. APPENDIX CF
CITATION FORMAT

The following examples illustrate the format used in the permit to identify applicable permitting actions and regulations.

REFERENCES TO PREVIOUS PERMITTING ACTIONS

Old Permit Numbers

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

Where: "AC" identifies the permit as an Air Construction Permit
"AO" identifies the permit as an Air Operation Permit
"123456" identifies the specific permit project number

New Permit Numbers

Example: Permit Nos. 099-2222-001-AC, 099-2222-001-AF, 099-2222-001-AO, or 099-2222-001-AV

Where: "099" represents the specific county ID number in which the project is located
"2222" represents the specific facility ID number
"001" identifies the specific permit project
"AC" identifies the permit as an air construction permit
"AF" identifies the permit as a minor federally enforceable state operation permit
"AO" identifies the permit as a minor source air operation permit
"AV" identifies the permit as a Title V Major Source Air Operation Permit

PSD Permit Numbers

Example: Permit No. PSD-FL-317

Where: "PSD" means issued pursuant to the Prevention of Significant Deterioration of Air Quality
"FL" means that the permit was issued by the State of Florida
"317" identifies the specific permit project

RULE CITATION FORMATS

Florida Administrative Code (F.A.C.)

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

Means: Title 62, Chapter 213, Rule 205 of the Florida Administrative Code

Code of Federal Regulations (CFR)

Example: [40 CFR 60.7]

Means: Title 40, Part 60, Section 7

SECTION IV. APPENDIX Db
NSPS SUBPART Db REQUIREMENTS FOR BOILERS

The NSPS requirements of this section apply to the following emissions unit:

ID	Emission Unit Description
014	Mill Boiler No. 16 is a 211/202 MMBtu per hour package boiler fired with natural gas/distillate oil.

NSPS General Provisions

The emissions unit is subject to the applicable General Provisions of the New Source Performance Standards including 40 CFR 60.7 (Notification and Record Keeping), 40 CFR 60.8 (Performance Tests), 40 CFR 60.11 (Compliance with Standards and Maintenance Requirements), 40 CFR 60.12 (Circumvention), 40 CFR 60.13 (Monitoring Requirements), and 40 CFR 60.19 (General Notification and Reporting Requirements). The General Provisions are not included in this permit, but can be obtained from the Department upon request.

NSPS Subpart Db – Standards of Performance for Industrial-Commercial-Institutional Steam Generating Units

The boiler shall comply with all applicable requirements of 40 CFR 60, Subpart Db adopted by reference in Rule 62-204.800(7)(b), F.A.C. Inapplicable provisions have been deleted in the following conditions, but the numbering of the original rules has been preserved for ease of reference. The term "Administrator" when used in 40 CFR 60 shall mean the Department's Secretary or the Secretary's designee. Department notes related to the Subpart Db requirements are shown in *italics* immediately following the section to which they refer.

§ 60.40b Applicability and Delegation of Authority

- (a) The affected facility to which this subpart applies is each steam generating unit that commences construction, modification, or reconstruction after June 19, 1984, and that has a heat input capacity from fuels combusted in the steam generating unit of greater than 100 million Btu/hour.

{Note: With a maximum capacity of 211 MMBtu per hour, Boiler 16 is an affected unit subject to NSPS Subpart Db.}

§ 60.41b Definitions

"Annual capacity factor" means the ratio between the actual heat input to a steam generating unit from the fuels listed in §§60.42b(a), 60.43b(a), or 60.44b(a), as applicable, during a calendar year and the potential heat input to the steam generating unit had it been operated for 8,760 hours during a calendar year at the maximum steady state design heat input capacity. In the case of steam generating units that are rented or leased, the actual heat input shall be determined based on the combined heat input from all operations of the affected facility in a calendar year.

"Distillate oil" means fuel oils that contain 0.05 weight percent nitrogen or less and comply with the specifications for fuel oil numbers 1 and 2, as defined by the American Society of Testing and Materials in ASTM D396-78, Standard Specifications for Fuel Oils (incorporated by reference -see §60.17).

"Very low sulfur oil" means an oil that contains no more than 0.5 weight percent sulfur or that, when combusted without sulfur dioxide emission control, has a sulfur dioxide emission rate equal to or less than 215 ng/J (0.5 lb/million Btu) heat input.

"Conventional technology" means wet flue gas desulfurization (FGD) technology, dry FGD technology, atmospheric fluidized bed combustion technology, and oil hydro-desulfurization technology.

"Emerging technology" means any sulfur dioxide control system that is not defined as a conventional technology under this section, and for which the owner or operator of the facility has applied to the Administrator and received approval to operate as an emerging technology under §60.49b(a)(4).

§ 60.42b Standard for Sulfur Dioxide

- (j) Percent reduction requirements are not applicable to affected facilities combusting only very low sulfur oil. The owner or operator of an affected facility combusting very low sulfur oil shall demonstrate that the oil meets the definition of very low sulfur oil by: (2) maintaining fuel receipts as described in §60.49b(r).

SECTION IV. APPENDIX Db

NSPS SUBPART Db REQUIREMENTS FOR BOILERS

§ 60.43b Standard for Particulate Matter

§ 60.43b Standard for Particulate Matter

- (f) On and after the date on which the initial performance test is completed or is required to be completed under 60.8 of this part, whichever date comes first, no owner or operator of an affected facility that combusts coal, oil, wood, or mixtures of these fuels with any other fuels shall cause to be discharged into the atmosphere any gases that exhibit greater than 20 percent opacity (6-minute average), except for one 6-minute period per hour of not more than 27 percent opacity.

{Note: As described in the above definitions (§60.41b), Boiler 16 does not use conventional or emerging technology to reduce sulfur dioxide emissions. Therefore, the particulate matter standards of this section do not apply. This includes the opacity standard specified in (§60.43b (f)).}

§ 60.44b Standard for Nitrogen Oxides

- (k) Affected facilities that meet the criteria described in paragraphs (j) (1), (2), and (3) of this section, and that have a heat input capacity of 73 MW (250 million Btu/hour) or less, are not subject to the nitrogen oxides emission limits under this section.

- (j) The sub-paragraphs in paragraph (j) state:

- (1) Combust, alone or in combination, only natural gas, distillate oil, or residual oil with a nitrogen content of 0.30 weight percent or less;
- (2) Have a combined annual capacity factor of 10 percent or less for natural gas, distillate oil, and residual oil with a nitrogen content of 0.30 weight percent or less; and
- (3) Are subject to a Federally enforceable requirement limiting operation of the affected facility to the firing of natural gas, distillate oil, and/or residual oil with a nitrogen content of 0.30 weight percent or less and limiting operation of the affected facility to a combined annual capacity factor of 10 percent or less for natural gas, distillate oil, and residual oil and a nitrogen content of 0.30 weight percent or less.

{Note: The boiler is authorized to fire only natural gas and distillate oil ($\leq 0.05\%$ sulfur by weight). The permit restricts the annual capacity to no more than 10%. Therefore, there is no applicable NOx standard.}

§ 60.45b Compliance and Performance Test Methods and Procedures for Sulfur Dioxide

- (j) The owner or operator of an affected facility that combusts very low sulfur oil is not subject to the compliance and performance testing requirements of this section if the owner or operator obtains fuel receipts as described in §60.49b(r).

§ 60.46b Compliance and Performance Test Methods and Procedures for Particulate Matter and Nitrogen Oxides

{Note: There are no applicable standards for particulate matter or nitrogen oxides.}

At the time of issuance for the draft permit, the Department was uncertain as to whether EPA Region 4 was in agreement with the Department's interpretation that the opacity standard did not apply because there was no underlying particulate matter standard. Therefore, if the § 60.43b opacity standard does apply, the permittee proposes the following alternate sampling procedure for this limited use boiler in lieu of a COMS.

When Boiler 16 fires distillate oil, the permittee shall use the following procedures in lieu of a continuous opacity monitoring system to determine compliance with the opacity standard:

- a. The permittee shall conduct a 12-minute opacity observation once the boiler has achieved normal operation following a cold boiler startup on distillate oil.
- b. The permittee shall conduct a 12-minute opacity observation at least once per daylight shift during the period of highest distillate oil firing.
- c. All observation shall be conducted in accordance with EPA Method 9 and by individuals certified as a visible emissions observer by the State of Florida.

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NSPS SUBPART Db REQUIREMENTS FOR BOILERS

- d. The permittee shall notify the Compliance Authority within one working day of observing visible emissions exceeding the opacity standard. If the boiler is unable to regularly comply with the opacity standard based on these manual observations, the permittee shall install, operate, and maintain a continuous opacity monitoring system (COMS) to determine continuous compliance with the opacity standard.
- e. The permittee shall maintain a log of the opacity observations and the oil firing rate during the observations.
- f. If distillate oil is fired during a calendar quarter, the permittee shall submit a copy of the observation log to the Compliance Authority within 30 days following the calendar quarter.
- g. Along with the Annual Operating Report, the permittee shall identify the quantities of natural gas and distillate oil fired and the annual capacity factor based on annual heat input rates from these fuels. If the annual capacity factor is greater than 10%, the permittee shall install, operate, and maintain a continuous opacity monitoring system (COMS) to determine compliance with the opacity standard.

§ 60.47b Emission Monitoring for Sulfur Dioxide

- (f) The owner or operator of an affected facility that combusts very low sulfur oil is not subject to the emission monitoring requirements of this section if the owner or operator obtains fuel receipts as described in §60.49b(r).

§ 60.48b Emissions Monitoring for Particulate Matter and Nitrogen Oxides

{Note: There are no applicable standards for particulate matter or nitrogen oxides. Therefore, continuous monitoring is not required.}

§ 60.49b Reporting and Recordkeeping Requirements

- (a) The owner or operator of each affected facility shall submit notification of the date of initial startup, as provided by §60.7. This notification shall include:
 - (1) The design heat input capacity of the affected facility and identification of the fuels to be combusted in the affected facility.
 - (2) If applicable, a copy of any §§ 60.42b(d)(1), 60.43b(a)(2), (a)(3)(iii), (c)(2)(ii), (d)(2)(iii), 60.44b(c), (d), (e), (i), (j), (k), 60.45b(d), (g), 60.46b(h), or 60.48b(i).
 - (3) The annual capacity factor at which the owner or operator anticipates operating the facility based on all fuels fired and based on each individual fuel fired.

{Note: The permittee has previously complied with the above initial requirement.}

- (o) All records required under this section shall be maintained by the owner or operator of the affected facility for a period of 2 years following the date of such record.
- (p) The owner or operator of an affected facility described in §60.44b(j) or (k) shall maintain records of the following information for each steam generating unit operating day:
 - (1) Calendar date,
 - (2) The number of hours of operation, and
 - (3) A record of the hourly steam load.
- (q) The owner or operator of an affected facility described in §60.44b(j) or §60.44b(k) shall submit to the Administrator on a quarterly basis:
 - (1) The annual capacity factor over the previous 12 months;
 - (2) The average fuel nitrogen content during the quarter, if residual oil was fired; and
 - (3) If the affected facility meets the criteria described in §60.44b(j), the results of any nitrogen oxides emission tests required during the quarter, the hours of operation during the quarter, and the hours of operation since the last nitrogen oxides emission test.

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NSPS SUBPART Db REQUIREMENTS FOR BOILERS

- (r) The owner or operator of an affected facility who elects to demonstrate that the affected facility combusts only very low sulfur oil under Sec. 60.42b(j)(2) shall obtain and maintain at the affected facility fuel receipts from the fuel supplier which certify that the oil meets the definition of distillate oil as defined in Sec. 60.41b. For the purposes of this section, the oil need not meet the fuel nitrogen content specification in the definition of distillate oil. Quarterly reports shall be submitted to the Administrator certifying that only very low sulfur oil meeting this definition was combusted in the affected facility during the preceding quarter.

SECTION IV. APPENDIX GC
GENERAL CONDITIONS

The permittee shall comply with the following general conditions from Rule 62-4.160, F.A.C.

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.
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, exhibits, specifications, or conditions of this permit may constitute grounds for revocation and enforcement action by the Department.
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.
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.
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.
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.
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.

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.

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

SECTION IV. APPENDIX GC
GENERAL CONDITIONS

Statutes. Such evidence shall only be used to the extent it is consistent with the Florida Rules of Civil Procedure and appropriate evidentiary rules.

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.
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.
12. This permit or a copy thereof shall be kept at the work site of the permitted activity.
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).

{Permitting Note: Based on the enforceable restrictions in this permit, Boiler 16 is not longer subject to PSD review.}

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.
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.

SECTION IV. APPENDIX SC
STANDARD CONDITIONS

{Permitting Note: Unless otherwise specified in the permit, the following conditions apply to all emissions units and activities at the facility.}

EMISSIONS AND CONTROLS

1. **Plant Operation - Problems:** If temporarily unable to comply with any of the conditions of the permit due to breakdown of equipment or destruction by fire, wind or other cause, the permittee shall notify each Compliance Authority as soon as possible, but at least within one working day, excluding weekends and holidays. The notification shall include: pertinent information as to the cause of the problem; steps being taken to correct the problem and prevent future 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 the conditions of this permit or the regulations. [Rule 62-4.130, F.A.C.]
2. **Circumvention:** The permittee shall not circumvent the air pollution control equipment or allow the emission of air pollutants without this equipment operating properly. [Rule 62-210.650, F.A.C.]
3. **Excess Emissions Allowed:** Excess emissions resulting from startup, shutdown or malfunction of any 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. [Rule 62-210.700(1), F.A.C.]
4. **Excess Emissions Prohibited:** Excess emissions caused entirely or in part by poor maintenance, poor operation, or any other equipment or process failure that may reasonably be prevented during startup, shutdown or malfunction shall be prohibited. [Rule 62-210.700(4), F.A.C.]
5. **Excess Emissions - Notification:** In case of excess emissions resulting from malfunctions, the permittee shall notify the Department or the appropriate Local Program in accordance with Rule 62-4.130, F.A.C. A full written report on the malfunctions shall be submitted in a quarterly report, if requested by the Department. [Rule 62-210.700(6), F.A.C.]
6. **VOC or OS Emissions:** No person shall store, pump, handle, process, load, unload or use in any process or installation, volatile organic compounds or organic solvents without applying known and existing vapor emission control devices or systems deemed necessary and ordered by the Department. [Rule 62-296.320(1), F.A.C.]
7. **Objectionable Odor Prohibited:** No person shall cause, suffer, allow or permit the discharge of air pollutants, which cause or contribute to an objectionable odor. An "objectionable odor" means any odor present in the outdoor atmosphere which by itself or in combination with other odors, is or may be harmful or injurious to human health or welfare, which unreasonably interferes with the comfortable use and enjoyment of life or property, or which creates a nuisance. [Rules 62-296.320(2) and 62-210.200(203), F.A.C.]
8. **General Visible Emissions:** No person shall cause, let, permit, suffer or allow to be discharged into the atmosphere the emissions of air pollutants from any activity equal to or greater than 20 percent opacity. This regulation does not impose a specific testing requirement. [Rule 62-296.320(4)(b)1, F.A.C.]
9. **Unconfined Particulate Emissions:** During the construction period, unconfined particulate matter emissions shall be minimized by dust suppressing techniques such as covering and/or application of water or chemicals to the affected areas, as necessary. [Rule 62-296.320(4)(c), F.A.C.]

TESTING REQUIREMENTS

10. **Required Number of Test Runs:** For mass emission limitations, a compliance test shall consist of three complete and separate determinations of the total air pollutant emission rate through the test section of the stack or duct and three complete and separate determinations of any applicable process variables corresponding to the three distinct time periods during which the stack emission rate was measured; provided, however, that three complete and separate determinations shall not be required if the process variables are not subject to variation during a compliance test, or if three determinations are not necessary in order to calculate the unit's emission rate. The three required test runs shall be completed within one consecutive five-day period. In the event that a sample is lost or one of the three runs must be discontinued because of circumstances beyond the control of the owner or operator, and a valid third run cannot be obtained within the five-day period allowed for the test, the Secretary or his or her designee may accept the results of two complete runs as proof of compliance, provided that the arithmetic mean of the two complete runs is at least 20% below the allowable emission limiting standard. [Rule 62-297.310(1), F.A.C.]

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11. Operating Rate During Testing: Testing of emissions shall be conducted with the emissions unit operating at permitted capacity. Permitted capacity is defined as 90 to 100 percent of the maximum operation rate allowed by the permit. If it is impractical to test at permitted capacity, an emissions unit may be tested at less than the maximum permitted capacity; in this case, subsequent emissions unit operation is limited to 110 percent of the test rate until a new test is conducted. Once the unit is so limited, operation at higher capacities is allowed for no more than 15 consecutive days for the purpose of additional compliance testing to regain the authority to operate at the permitted capacity. [Rule 62-297.310(2), F.A.C.]
12. Calculation of Emission Rate: For each emissions performance test, the indicated emission rate or concentration shall be the arithmetic average of the emission rate or concentration determined by each of the three separate test runs unless otherwise specified in a particular test method or applicable rule. [Rule 62-297.310(3), F.A.C.]
13. Test Procedures: Tests shall be conducted in accordance with all applicable requirements of Chapter 62-297, F.A.C.
 - a. Required Sampling Time. Unless otherwise specified in the applicable rule, the required sampling time for each test run shall be no less than one hour and no greater than four hours, and the sampling time at each sampling point shall be of equal intervals of at least two minutes. The minimum observation period for a visible emissions compliance test shall be thirty (30) minutes. The observation period shall include the period during which the highest opacity can reasonably be expected to occur.
 - b. Minimum Sample Volume. Unless otherwise specified in the applicable rule or test method, the minimum sample volume per run shall be 25 dry standard cubic feet.
 - c. Calibration of Sampling Equipment. Calibration of the sampling train equipment shall be conducted in accordance with the schedule shown in Table 297.310-1, F.A.C.[Rule 62-297.310(4), F.A.C.]
14. Determination of Process Variables
 - 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.[Rule 62-297.310(5), F.A.C.]
15. Sampling Facilities: The permittee shall install permanent stack sampling ports and provide sampling facilities that meet the requirements of Rule 62-297.310(6), F.A.C.
16. Test Notification: The owner or operator shall notify the Department, at least 15 days prior to the date on which each formal compliance test is to begin, of the date, time, and place of each such test, and the test contact person who will be responsible for coordinating and having such test conducted for the owner or operator. [Rule 62-297.310(7)(a)9, F.A.C.]
17. Special Compliance Tests: When the Department, after investigation, has good reason (such as complaints, increased visible emissions or questionable maintenance of control equipment) to believe that any applicable emission standard contained in a Department rule or in a permit issued pursuant to those rules is being violated, it shall require the owner or operator of the emissions unit to conduct compliance tests which identify the nature and quantity of pollutant emissions from the emissions unit and to provide a report on the results of said tests to the Department. [Rule 62-297.310(7)(b), F.A.C.]
18. Test Reports: The owner or operator of an emissions unit for which a compliance test is required shall file a report with the Department on the results of each such test. The required test report shall be filed with the Department as soon as practical but no later than 45 days after the last sampling run of each test is completed. The test report shall provide sufficient detail on the emissions unit tested and the test procedures used to allow the Department to determine if the

SECTION IV. APPENDIX SC
STANDARD CONDITIONS

test was properly conducted and the test results properly computed. As a minimum, the test report, other than for an EPA or DEP Method 9 test, shall provide the following information:

1. The type, location, and designation of the emissions unit tested.
2. The facility at which the emissions unit is located.
3. The owner or operator of the emissions unit.
4. The normal type and amount of fuels used and materials processed, and the types and amounts of fuels used and material processed during each test run.
5. The means, raw data and computations used to determine the amount of fuels used and materials processed, if necessary to determine compliance with an applicable emission limiting standard.
6. The type of air pollution control devices installed on the emissions unit, their general condition, their normal operating parameters (pressure drops, total operating current and GPM scrubber water), and their operating parameters during each test run.
7. A sketch of the duct within 8 stack diameters upstream and 2 stack diameters downstream of the sampling ports, including the distance to any upstream and downstream bends or other flow disturbances.
8. The date, starting time and duration of each sampling run.
9. The test procedures used, including any alternative procedures authorized pursuant to Rule 62-297.620, F.A.C. Where optional procedures are authorized in this chapter, indicate which option was used.
10. The number of points sampled and configuration and location of the sampling plane.
11. For each sampling point for each run, the dry gas meter reading, velocity head, pressure drop across the stack, temperatures, average meter temperatures and sample time per point.
12. The type, manufacturer and configuration of the sampling equipment used.
13. Data related to the required calibration of the test equipment.
14. Data on the identification, processing and weights of all filters used.
15. Data on the types and amounts of any chemical solutions used.
16. Data on the amount of pollutant collected from each sampling probe, the filters, and the impingers, are reported separately for the compliance test.
17. The names of individuals who furnished the process variable data, conducted the test, analyzed the samples and prepared the report.
18. All measured and calculated data required to be determined by each applicable test procedure for each run.
19. The detailed calculations for one run that relate the collected data to the calculated emission rate.
20. The applicable emission standard and the resulting maximum allowable emission rate for the emissions unit plus the test result in the same form and unit of measure.
21. A certification that, to the knowledge of the owner or his authorized agent, all data submitted are true and correct. When a compliance test is conducted for the Department or its agent, the person who conducts the test shall provide the certification with respect to the test procedures used. The owner or his authorized agent shall certify that all data required and provided to the person conducting the test are true and correct to his knowledge.

[Rule 62-297.310(8), F.A.C.]


RECORDS AND REPORTS

19. Records Retention: All measurements, records, and other data required by this permit shall be documented in a permanent, legible format and retained for at least five (5) years following the date on which such measurements, records, or data are recorded. Records shall be made available to the Department upon request. [Rules 62-4.160(14) and 62-213.440(1)(b)2, F.A.C.]
20. Annual Operating Report: The permittee shall submit an annual report that summarizes the actual operating rates and emissions from this facility. Annual operating reports shall be submitted to the Compliance Authority by March 1st of each year. [Rule 62-210.370(2), F.A.C.]

Florida Department of Environmental Protection

Memorandum

TO: Trina Vielhauer, Chief
Bureau of Air Regulation

FROM: Jeff Koerner, Air Permitting North Program 

DATE: February 24, 2006

SUBJECT: Okeelanta Corporation – Okeelanta Sugar Mill and Refinery
Draft Air Permit No. 0990005-018-AC - Revised Boiler 16 Permit
Draft Air Permit No. 0990005-019-AC - Railcar Unloading Expansion Project

Attached for your review are the following items:

- Intent to Issue Permit and Public Notice Package;
- Technical Evaluation and Preliminary Determination;
- Draft Permit; and
- PE Certification

There are two draft air construction permit projects with a single combined public notice package. Project No. 0990005-018-AC establishes an enforceable restriction on Boiler 16 such that the annual capacity factor will be 10% or less. This reduces potential emissions of all pollutants below the PSD significant emission rates and greatly reduces NSPS Subpart Db emissions standards and monitoring requirements. Project No. 0990005-019-AC authorizes construction of a new railcar unloading operation in the existing transshipment facility. The draft permit is also a “re-permitting” of all emissions units at the transshipment facility to recognize an increase in production capacity as well as ensure that the original project remains below the PSD significant emission rates for particulate matter. The existing facility is located approximately six miles south of South Bay on U.S. 27 in Palm Beach County, Florida.

The Technical Evaluation and Preliminary Determination provides a detailed description of the project, rule applicability, and emissions standards. The P.E. certification briefly summarizes the proposed project. Day #74 is February 26, 2006 for the Boiler 16 project and April 13, 2006 for the transshipment project. I recommend your approval of the attached Draft Permits for these projects.

Attachments

P.E. CERTIFICATION STATEMENT

PERMITTEE

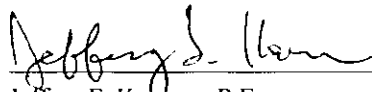
Okeelanta Corporation
21250 U.S. Highway 27
South Bay, FL 33493

Okeelanta Sugar Mill and Refinery
Facility ID No. 0990005
Project No. 0990005-018-AC
Boiler No. 16 – Capacity Reduction
County, Florida

PROJECT DESCRIPTION

This project establishes an enforceable restriction on Boiler 16 such that the annual capacity factor will be 10% or less. This reduces potential emissions of all pollutants below the PSD significant emission rates and substantially reduces NSPS Subpart Db emissions standards and monitoring requirements. The boiler is no longer subject to PSD preconstruction review.

I HEREBY CERTIFY that the air pollution control 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, geological, and meteorological features).



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

2-24-06

(Date)

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 Lima, Vice President
 and General Manager
 Okeelanta Corporation
 21250 U.S. Highway 27 South
 South Bay, Florida 33493

B1 Received by (Printed Name) *Howard Hill* C1 Date of Delivery *3/1/06*

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 *7000 1670 0003 3110 0475*
 (Transfer from service label)

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

U.S. Postal Service	
CERTIFIED MAIL RECEIPT	
(Domestic Mail Only; No Insurance Coverage Provided)	
[Redacted]	
Postage	\$ [Redacted]
Certified Fee	[Redacted]
Return Receipt Fee (Endorsement Required)	[Redacted]
Restricted Delivery Fee (Endorsement Required)	[Redacted]
Total	[Redacted]
Sent to	Mr. Ricardo Lima, Vice President and General Manager
Street	Okeelanta Corporation 21250 U.S. Highway 27 South
City/State	South Bay, Florida 33493
PS Form 3811, February 2004 Instructions	

7000 1670 0003 3110 0475