

OKEELANTA CORPORATION
One North Clematis Street, Suite 200
West Palm Beach, Florida 33401

William F. Tarr
Telephone: 561-366-5157
Telecopier: 561-651-1280

Reply by mail to:
Post Office Box 3435
West Palm Beach, FL 33402

May 25, 2010

VIA FEDERAL EXPRESS

Ms. Trina Vielhauer, Chief
Florida Department of Environmental Protection
Bureau of Air Regulation
111 South Magnolia Drive, #4
Tallahassee, Florida 32399-2400

RECEIVED
MAY 26 2010
BUREAU OF
AIR REGULATION

Re: Title V Air Operation Permit Renewal
Air Permit No. 0990005-017-AV
Air Construction Permit Revision
Air Permit No. 0990005-016-AC
Okeelanta Sugar Mill & Refinery and New Hope Power
Cogeneration Plant
Proof of Publication

Dear Ms. Vielhauer:

Enclosed is the original Proof of Publication of the Public Notice of Intent to Issue Air Permits, which was published in The Palm Beach Post on May 23, 2010.

If you have any questions, please feel free to give me a call. With kind regards, I remain,

Yours very truly,



William F. Tarr

/jcd
Enclosure
Copy w/encl. to: Matt Capone

THE PALM BEACH POST
Published Daily and Sunday
West Palm Beach, Palm Beach County, Florida

PROOF OF PUBLICATION

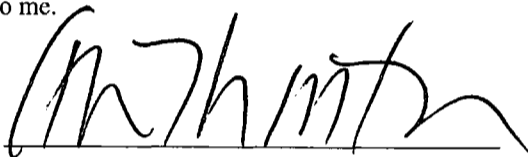
STATE OF FLORIDA

COUNTY OF PALM BEACH

Before the undersigned authority personally appeared **Ellen Sanita**, who on oath says that she is **Call Center Revenue Manager** of The Palm Beach Post, a daily and Sunday newspaper, published at West Palm Beach in Palm Beach County, Florida; that the attached copy of advertising for a **Notice** in the matter of **DEP Permit #s 0990005-017-AV & 099005-016-AC** was published in said newspaper in the issues of **May 23, 2010**. Affiant further says that the said The Post is a newspaper published at West Palm Beach, in said Palm Beach County, Florida, and that the said newspaper has heretofore been continuously published in said Palm Beach County, Florida, daily and Sunday and has been entered as second class mail matter at the post office in West Palm Beach, in said Palm Beach County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that she/he has neither paid nor promised any person, firm or corporation any discount rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper. Also published in Martin and St. Lucie Counties.

Sworn to and subscribed before 24th day of May, A.D. 2010.

Who is personally known to me.



NOTARY PUBLIC-STATE OF FLORIDA
Karen M. McLinton
Commission #DD832672
Expires: NOV. 15, 2012
BONDED THRU ATLANTIC BONDING CO., INC.

NO. 5324947
PUBLIC NOTICE OF INTENT TO ISSUE
AIR PERMITS

Florida Department of Environmental
Protection

Public Notice of Intent to
Issue Air Permits

Draft/Proposed Air Permit
No. 0990005-017-AV, Renewal of Title
V Air Operation Permit

Draft Air Permit No. 0990005-016-AC,
Concurrent Air Construction Permit
Revision

Okeelanta Corporation/Sugar Mill and
Refinery / New Hope Power Company
Cogeneration Plant

Palm Beach County, Florida

Applicant: The applicant's responsible
official is Mr. Ricardo Lima, V.P. and
General Manager of Okeelanta Corpora-
tion. The applicant's mailing address
is 21250 U.S. Highway 27 South, South
Bay, Florida 33493.

Facility Location: Okeelanta Corporation
operates an existing sugar mill and
refinery, which is located in Palm Beach
County at 21250 U.S. Highway 27
South, South Bay, Florida. Adjacent to
this plant, New Hope Power Company
operates an existing cogeneration
plant, which generates steam for use by
the sugar mill and refinery and also
produces electricity for sale to the
power grid.

Project: For purposes of the Title V and
Prevention of Significant Deterioration
(PSD) of Air Quality regulatory permit
programs, the adjacent plants are con-
sidered a single facility. The primary
sources of air pollution include: three
biomass-fired cogeneration boilers; one
limited use industrial boiler fired with
natural gas or distillate oil; the transfer
and storage of wood chip and bagasse
fuels; distillate oil storage tanks; the
transfer and storage of sugar (sugar
refinery and transshipment facility); and
a paint spray booth. For the cogenera-
tion boilers: nitrogen oxide emissions
are reduced by selective non-catalytic
reduction systems; particulate matter
emissions are reduced by electrostatic
precipitators; and sulfur dioxide emis-
sions are minimized by the use of low
sulfur fuels. Particulate matter from the
units in the sugar refinery and trans-
shipment facility are controlled by bag-
houses and wet cyclones. The facility
also includes other miscellaneous
unregulated or insignificant activities.

The purpose of draft air construction
Permit No. 0990005-016-AC is to
revise: the most recent version of Per-
mit No. PSD-FL-196 to clarify the use of
supplemental fuels in the cogeneration
boilers, startup of the electrostatic pre-
cipitator and the use of carbon dioxide
monitor to determine the flue gas
oxygen content; and Permit No.
0990005-015-AC to clarify the specifi-
cations of the drive-through paint spray
booth. The draft air construction permit
also establishes a new permit condition
to clarify that the fuel storage tanks are
not subject to the New Source Perfor-
mance Standards in Subpart Kb, Title
40, Part 60, of the Code of Federal
Regulations.

The purpose of draft/proposed Title V air
operation Permit No. 0990005-017-AV
is to revise and renew the Title V air
operation permit for the existing sugar
mill, sugar refinery, sugar transshipment
facility and cogeneration plant. The
renewed Title V air operation permit
incorporates new conditions from con-
currently issued Permit No. 0990005-
016-AC as well as other recently issued
air construction permits; updates
control equipment parameters; updates
the Ash Management Plan, the Fuel
Management Plan and the Operation
and Maintenance Plan; removes obso-
lete references to the cogeneration
plant; adds a Compliance Assurance
Monitoring Plan for particulate matter
emissions from the cogeneration
boilers; and adds a Compliance Plan.
The renewed Title V air operation per-
mit incorporates the revised conditions
of the draft air construction permit
revision.

Permitting Authority: Applications for
Title V Air Operation Permits are sub-
ject to review in accordance with the
provisions of Chapter 403, Florida
Statutes (F.S.) and Chapters 62-4, 62-
210 and 62-213, of the Florida Admin-
istrative Code (F.A.C.). The proposed
project is not exempt from air permit-
ting requirements and a Title V Air
Operation Permit is required to operate
the facility. Applications for air con-
struction permits are subject to review
in accordance with the provisions of
Chapter 403, F.S. and Chapters 62-4,
62-210 and 62-212, F.A.C. The pro-
posed project is not exempt from air
permitting requirements and an air
construction permit is required. The
Bureau of Air Regulation is the Per-
mitting Authority responsible for
making a permit determination for
these projects. The Permitting Auth-
ority'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 File: A complete project file is
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 the address
indicated above for the Permitting
Authority. The complete project file
includes the draft/proposed permits,
the Technical Evaluation and Preliminary
Determination, the Statement of Basis,
the application, and the information
submitted by the applicant, exclusive of
confidential records under Section
403.11, F.S. Interested persons may
view the draft/proposed permits by vis-
iting the following website and enter-
ing one of the draft permit numbers shown
above: [http://www.dep.state.fl.us/air/
emission/apds/default.asp](http://www.dep.state.fl.us/air/emission/apds/default.asp). 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 Permit: The
Permitting Authority gives notice of its
intent to issue a Title V air operation
permit renewal and a concurrent air
construction permit revision as described
above. The applicant certifies that continued
operation of the existing equipment will
not adversely impact air quality and that
the project will comply with all appro-
priate provisions of Chapters 62-4, 62-
204, 62-210, 62-212, 62-213, 62-296
and 62-297, F.A.C. The Permitting
Authority will issue final permits in
accordance with the conditions of the
draft/proposed permits unless a
response received in accordance with
the following procedures results in a
different decision or a significant
change of terms or conditions.

Comments on the Draft Air Construction
Permit Revision: The Permitting Auth-
ority will accept written comments
concerning the proposed draft air con-
struction permit revision for a period of
14 days from the date of publication of
the Public Notice. Written comments
received must be post-marked by the
Permitting Authority at the above
address by 5:00 p.m. on or before the
end of the 14-day comment period. If
written comments result in a significant
change to the draft permit, the Per-
mitting Authority will issue a revised draft
permit and require, if applicable,
another Public Notice. All comments
filed will be made available for public
inspection.

Comments on the Draft Title V Air Oper-
ation Permit: The Permitting Authority
will accept written comments concern-
ing the draft Title V air operation
permit for a period of 30 days from the
date of publication of the Public Notice.
Written comments received must be
post-marked by the Permitting Auth-
ority at the above address by 5:00 p.m.
on or before the end of the 30-day period.
As part of his or her comments, any
person may also request that the
Permitting Authority hold a public
meeting on the Title V air permitting
action. If the Permitting Authority
determines there is sufficient interest
for a public meeting, it will publish
notice of the time, date and location in
the Florida Administrative Weekly. For
additional information, contact the
Permitting Authority at the above
address or phone number. If written
comments or comments received at a
public meeting result in a significant
change to the draft permit, the
Permitting Authority will issue a revised
draft permit package and require, if
applicable, another Public Notice. All
comments filed will be made available
for public inspection.

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 infor-
mation set forth below and must be
filed with (received by) the Depart-
ment'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 14 days of publication of the
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 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 con-
stitute 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 pro-
ceeding and participate as a party to it.
Any subsequent intervention (in a
proceeding initiated by another party)
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 Auth-
ority'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 and 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 when and how the petitioner
received notice of the agency action or
proposed decision; (d) A statement of
all disputed issues of material fact. If
there are none, the petitioner must so
indicate; (e) A concise statement of the
ultimate facts alleged, including the
specific facts the petitioner contends
warrant reversal or modification of the
agency's proposed action; (f) A state-
ment of the specific rules or statutes
the petitioner contends require reversal
or modification of the agency's pro-
posed action including an explanation
of how the alleged facts relate to the
specific rules or statutes; 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 Per-
mitting 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 applica-
tion 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.

EPA Review: EPA has agreed to treat the
draft Title V air operation permit as a
Proposed Title V air operation permit
and to perform its 45-day review
provided by the law and regulations
concurrently with the public comment
period. Although EPA's 45-day review
period will be performed concurrently
with the public comment period, the
deadline for submitting a citizen
petition to object to the EPA Adminis-
trator will be determined as if EPA's
45-day review period is performed after
the public comment period has ended.
The final Title V air operation permit will
be issued after the conclusion of the
45-day EPA review period so long as no
adverse comments are received that
result in a different decision or signifi-
cant change of terms or conditions. The
status regarding EPA's 45-day review of
this project and the deadline for
submitting a citizen petition can be
found at the following website address:
[http://www.epa.gov/region4/air/permits/
Florida.htm](http://www.epa.gov/region4/air/permits/Florida.htm).

Objections: Finally, pursuant to 42
United States Code (U.S.C.) Section
7661d(b)(2), any person may petition
the Administrator of the EPA within 60
days of the expiration of the Adminis-
trator's 45-day review period as estab-
lished at 42 U.S.C. Section 7661d(b)(1),
to object to the issuance of any Title V
air operation permit. Any petition shall
be based only on objections to the
permit that were raised with reasonable
specificity during the 30-day public
comment period provided in the Public
Notice, unless the petitioner demon-
strates to the Administrator of the EPA
that it was impracticable to raise such
objections within the comment period
or unless the grounds for such
objection arose after the comment
period. Filing of a petition with the
Administrator of the EPA does not stay
the effective date of any permit
properly issued pursuant to the provi-
sions of Chapter 62-213, F.A.C. Petitions
filed with the Administrator of EPA
must meet the requirements of 42
U.S.C. Section 7661d(b)(2) and must be
filed with the Administrator of the EPA,
at: U.S. EPA, 401 M Street, S.W.,
Washington, D.C. 20460. For more
information regarding EPA review and
objections, visit EPA's Region 4 web
site at [http://www.epa.gov/region4/air/
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