

# Florida Department of Environmental Protection

## Memorandum

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TO: Trina Vielhauer, Bureau of Air Regulation *jk*  
FROM: Jeff Koerner, Air Permitting North Program *jk*  
DATE: May 3, 2007  
SUBJECT: Draft Air Permit No. 0990005-017-AV, Title V Renewal Permit  
Draft Air Permit No. 0990005-016-AC, Concurrent Air Construction Permit Revision  
Okeelanta Corporation Sugar Mill and Refinery  
New Hope Power Partnership Cogeneration Plant

Attached for your review are the following items:

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

The purpose of this draft permit package is to renew the Title V air operation permit for the facility. In addition, minor revisions to specific conditions from existing air construction permits are being made and incorporated into the Title V renewal. The Statement of Basis summarizes the facility, equipment, controls, primary rule applicability and describes the changes. The Technical Evaluation and Preliminary Determination summarizes the minor revisions to specific conditions from air construction permits. The P.E. certification briefly summarizes the proposed project. I recommend your approval of the attached Draft Permits for this project.

Attachments

TV/jfk



# Florida Department of Environmental Protection

Bob Martinez Center  
2600 Blair Stone Road  
Tallahassee, Florida 32399-2400

Charlie Crist  
Governor

Jeff Kottkamp  
Lt. Governor

Michael W. Sole  
Secretary

May 3, 2007

Mr. Ricardo Lima, V.P. and General Manager  
Okeelanta Corporation  
New Hope Power Partnership  
21250 U.S. Highway 27 South  
South Bay, Florida 33493

Re: Draft Air Permit No. 0990005-017-AV, Title V Renewal Permit  
Draft Air Permit No. 0990005-016-AC, Concurrent Air Construction Permit Revision  
Okeelanta Corporation Sugar Mill and Refinery  
New Hope Power Partnership Cogeneration Plant

Dear Mr. Lima:

Enclosed is a permit package to renew the Title V air operation permit for the Okeelanta Corporation Sugar Mill and Refinery and the New Hope Power Partnership Cogeneration Plant. The facility is located in Palm Beach County at 21250 U.S. Highway 27 South, South Bay, Florida. The permit package includes the following documents:

- The Statement of Basis, which summarizes the facility, the equipment, the primary rule applicability, and the changes since the last Title V revision.
- The Technical Evaluation and Preliminary Determination, which summarizes the minor revisions to specific conditions from existing air construction permits.
- The draft air construction permit revision and the draft Title V air operation permit, which include the specific conditions that regulate the emissions units covered by the proposed project.
- The Written Notice of Intent to Issue Air Permit, which provides: the Department's written notice of intent to issue an air permit for the proposed project; the requirements for publishing a Public Notice of the Department'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, which 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,

Trina Vielhauer, Chief  
Bureau of Air Regulation

*FWS*

Enclosures

## WRITTEN NOTICE OF INTENT TO ISSUE AIR PERMITS

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

Okeelanta Corporation  
New Hope Power Partnership  
21250 U.S. Highway 27 South  
South Bay, Florida 33493

Air Permit No. 0990005-017-AV  
Title V Air Operation Permit Renewal  
Air Permit No. 0990005-016-AC  
Concurrent Air Construction Permit Revision  
Okeelanta Sugar Mill and Refinery  
New Hope Power Cogeneration Plant

*Authorized Representative:*  
Mr. Ricardo Lima, V.P. and General Manager

**Facility Location:** Okeelanta Corporation operates an existing sugar mill, which is located in Palm Beach County at 21250 U.S. Highway 27 South, South Bay, Florida. Adjacent to this plant, New Hope Power Partnership operates a cogeneration plant, which generates steam for use by the sugar mill and refinery and also produces electricity for sale to the power grid. For purposes of the air pollution regulations, the two plants are considered a single facility.

**Project:** The purpose of this project is to renew the Title V air operation permit for the existing sugar mill, sugar refinery, and cogeneration plant. In addition, a concurrent draft air construction permit is being issued to make minor revisions to specific conditions from existing air construction permits. Details of the project are provided in the application and the enclosed Statement of Basis and 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.). Applications for Title V air operation permits are subject to review in accordance with the provisions of Chapter 403, F.S. and Chapters 62-4, 62-210 and 62-213, F.A.C. The projects are not exempt from the permitting procedures for air construction and Title V air operation permits. The Florida Department of Environmental Protection's Bureau of Air Regulation is the Permitting Authority responsible for making a permit determination for this project. The Bureau of Air Regulation's physical address is 111 South Magnolia Drive, Suite 4, Tallahassee, Florida 32301 and the mailing address is 2600 Blair Stone Road, MS #5505, Tallahassee, Florida 32399-2400. The Bureau of Air Regulation's phone 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 address indicated above for the Permitting Authority. The complete project file includes the Draft Permits, the Statement of Basis, the Technical Evaluation and Preliminary Determination, the application, and the additional 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 and phone number listed above.

**Notice of Intent to Issue Permits:** The Permitting Authority gives notice of its intent to issue a renewed Title V air operation permit and a concurrent air construction permit revision for the project described above. The applicant has provided reasonable assurance that operation of the facility will not adversely impact air quality and that the project will comply with all applicable 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 a Final Air Construction Permit Revision and a Proposed Title V Air Operation Permit Renewal (and subsequent Final Title V Air Operation Permit Renewal) in accordance with the conditions of the 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 Permit (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 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 the address or phone number listed above. Pursuant to Rule 62-110.106(5) and (9), F.A.C., the applicant shall provide proof of publication to the Permitting Authority at the above address within seven days of publication. Failure to publish the

## WRITTEN NOTICE OF INTENT TO ISSUE AIR PERMITS

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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 on the Draft Air Construction Permit Revision:** The Permitting Authority will accept written comments concerning the proposed Draft Air Construction 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 Permitting 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 Operation Permit Renewal:** The Permitting Authority will accept written comments concerning 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 Authority 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 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 and in a newspaper of general circulation in the area affected by the permitting action. 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 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 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 (Telephone: 850/245-2241; Fax: 850/245-2303). Petitions filed by the applicant or any of the parties listed below must be filed within 14 days of receipt of this Written Notice of Intent to Issue Air Permit. 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 attached Public Notice or within fourteen 14 days of receipt of this Written Notice of Intent to Issue Air Permit, 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 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 (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 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 when and how each petitioner received notice of the agency action or proposed decision; (d) A statement of all disputed issues of material fact; (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 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 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

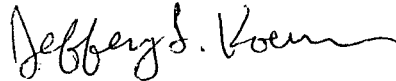
**WRITTEN NOTICE OF INTENT TO ISSUE AIR PERMITS**

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.

**Objections to the Draft Title V Air Operation Permit:** 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 Administrator's 45-day review period as established at 42 U.S.C. Section 7661d(b)(1), to object to issuance of any Title V permit. Any petition shall be based only on objections to the Title V permit that were raised with reasonable specificity during the 30 (thirty) day public comment period provided in this notice, unless the petitioner demonstrates 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 Title V permit properly issued pursuant to the provisions 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.

Executed in Tallahassee, Florida.



*TV*

Trina Vielhauer, Chief  
Bureau of Air Regulation

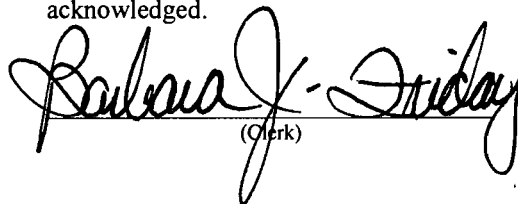
**CERTIFICATE OF SERVICE**

The undersigned duly designated deputy agency clerk hereby certifies that this Written Notice of Intent to Issue Air Permit package (including the Written Notice of Intent to Issue Air Permits, the Public Notice of Intent to Issue Air Permits, the Statement of Basis, the Technical Evaluation and Preliminary Determination, the Draft Title V Air Operation Permit and the Draft Air Construction Permit Revision) was sent by electronic mail with received receipt requested before the close of business on 5/3/01 to the persons listed below.

- Mr. Ricardo Lima, Okeelanta Corporation ([Ricardo\\_Lima@floridacrystals.com](mailto:Ricardo_Lima@floridacrystals.com))
- Mr. James Meriwether, Florida Crystals ([james\\_meriwether@floridacrystals.com](mailto:james_meriwether@floridacrystals.com))
- Mr. Matthew Capone, Florida Crystals ([matthew\\_capone@floridacrystals.com](mailto:matthew_capone@floridacrystals.com))
- Mr. David Buff, Golder Associates ([DBuff@Golder.com](mailto:DBuff@Golder.com))
- Mr. Audrey Wright, DEP South District Office ([Audrey.Wright@dep.state.fl.us](mailto:Audrey.Wright@dep.state.fl.us))
- Mr. James Stormer, Palm Beach County Health Department ([James\\_Stormer@doh.state.fl.us](mailto:James_Stormer@doh.state.fl.us))
- Mr. Mike Halpin, Siting Office ([Halpin\\_M@dep.state.fl.us](mailto:Halpin_M@dep.state.fl.us))
- EPA Region 4 (posted)
- Ms. Kathleen Forney, EPA Region 4([forney.kathleen@epa.gov](mailto:forney.kathleen@epa.gov))

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.

 5/3/01  
(Clerk) (Date)

## PUBLIC NOTICE OF INTENT TO ISSUE AIR PERMITS

Florida Department of Environmental Protection

Draft 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 New Hope Power Partnership Cogeneration Plant  
Palm Beach County, Florida

**Applicant:** The applicant's responsible official is Mr. Ricardo Lima, V.P. and General Manager of Okeelanta Corporation. 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, which is located in Palm Beach County at 21250 U.S. Highway 27 South, South Bay, Florida. Adjacent to this plant, New Hope Power Partnership operates a cogeneration plant, which generates steam for use by the sugar mill and refinery and also produces electricity for sale to the power grid. For purposes of the air pollution regulations, the two plants are considered a single facility.

**Project:** The purpose of this project is to renew the Title V air operation permit for the existing sugar mill, sugar refinery, sugar transshipment facility and cogeneration plant. The renewed permit incorporates conditions from the following recent air construction permits: Permit No. 0990332-016-AC to revise the heat input rates for the cogeneration boilers; Permit No. 0990332-017-AC to revise the electrical power generating capacity for the cogeneration boilers; Permit No. 0990005-015-AC to modify the paint spray booth; Permit No. 0990005-018-AC to restrict Boiler 16 to a 10% annual capacity factor; and Permit No. 0990005-019-AC to modify the transshipment facility. In addition, the renewed permit will: update control equipment parameters for equipment in the sugar refinery; incorporate the applicable National Emissions Standards for Hazardous Air Pollutants in Subpart DDDDD of 40 CFR 63 for industrial boilers; update the Ash Management Plan, the Fuel Management Plan and the Operation and Maintenance Plan; remove obsolete references to coal storage and handling for the cogeneration plant; clarify that operation of the sugar refinery equipment is restricted by the maximum process rate and not by hours of operation; add a Compliance Assurance Monitoring Plan; and add a Compliance Plan for Boiler 16 and the powdered sugar hopper. Finally, Permit No. 0990005-016-AC is being issued concurrently with the Title V permit to revise the following miscellaneous air construction permit conditions: clarify that the sugar refinery is restricted based on production and not hours of operation; revise a permit condition for the paint spray booth to allow equivalent equipment and vendors; and clarify the applicability of NSPS Subpart Kb for storage tanks. The renewed Title V air operation permit incorporates the revised conditions of the draft air construction permit revision.

**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.). Applications for Title V air operation permits are subject to review in accordance with the provisions of Chapter 403, F.S. and Chapters 62-4, 62-210 and 62-213, F.A.C. The projects are not exempt from the permitting procedures for air construction and Title V air operation permits. The Florida Department of Environmental Protection's Bureau of Air Regulation is the Permitting Authority responsible for making a permit determination for this project. The Bureau of Air Regulation's physical address is 111 South Magnolia Drive, Suite 4, Tallahassee, Florida 32301 and the mailing address is 2600 Blair Stone Road, MS #5505, Tallahassee, Florida 32399-2400. The Bureau of Air Regulation's phone 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 address indicated above for the Permitting Authority. The complete project file includes the Draft Permits, the Statement of Basis, the Technical Evaluation and Preliminary Determination, the application, and the additional 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 and phone number listed above.

**Notice of Intent to Issue Permits:** The Permitting Authority gives notice of its intent to issue a renewed Title V air operation permit and a concurrent air construction permit revision for the project described above. The applicant has provided reasonable assurance that operation of the facility will not adversely impact air quality and that the project will comply with all applicable 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 a Final Air Construction Permit Revision and a Proposed Title V Air Operation Permit Renewal (and subsequent Final Title V Air Operation Permit Renewal) in accordance with the conditions of the Draft Permits unless a timely petition for an administrative hearing is filed under Sections 120.569

(Public Notice to be Published in the Newspaper)

## PUBLIC NOTICE OF INTENT TO ISSUE AIR PERMITS

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 on the Draft Air Construction Permit Revision:** The Permitting Authority will accept written comments concerning the proposed Draft Air Construction 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 Permitting 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 Operation Permit Renewal:** The Permitting Authority will accept written comments concerning 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 Authority 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 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 and in a newspaper of general circulation in the area affected by the permitting action. 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 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 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 (Telephone: 850/245-2241; Fax: 850/245-2303). Petitions filed by the applicant or any of the parties listed below must be filed within 14 days of receipt of this Written Notice of Intent to Issue Air Permit. 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 attached Public Notice or within fourteen 14 days of receipt of this Written Notice of Intent to Issue Air Permit, 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 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 (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 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 when and how each petitioner received notice of the agency action or proposed decision; (d) A statement of all disputed issues of material fact; (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 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 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

**(Public Notice to be Published in the Newspaper)**

## **PUBLIC NOTICE OF INTENT TO ISSUE AIR PERMITS**

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.

**Objections to the Draft Title V Air Operation Permit:** 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 Administrator's 45-day review period as established at 42 U.S.C. Section 7661d(b)(1), to object to issuance of any Title V permit. Any petition shall be based only on objections to the Title V permit that were raised with reasonable specificity during the 30 (thirty) day public comment period provided in this notice, unless the petitioner demonstrates 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 Title V permit properly issued pursuant to the provisions 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.



**P.E. CERTIFICATION STATEMENT**

**PERMITTEE**

Okeelanta Corporation  
New Hope Power Partnership  
21250 U.S. Highway 27 South  
South Bay, Florida 33493

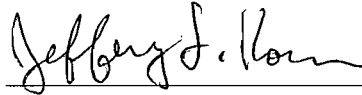
**Permit No. 0990005-016-AC**

Facility ID No. 0990005  
Facility ID No. 0990332  
Title V Air Operation Permit  
Palm Beach County, Florida

**PROJECT DESCRIPTION**

Okeelanta Corporation operates an existing sugar mill (SIC No. 2061) and sugar refinery (SIC No. 2062) and New Hope Power Partnership operates an existing cogeneration plant (SIC No. 4911). The existing facility is located in Palm Beach County at 21250 U.S. Highway 27 South in South Bay, Florida. Along with the application to renew the Title V air operation permit, the applicant requested the following minor revisions to miscellaneous air construction permit conditions: clarify that the sugar refinery is restricted based on production and not hours of operation; revise a permit condition for the paint spray booth to allow equivalent equipment and vendors; and clarify the applicability of NSPS Subpart Kb for storage tanks. These changes are acceptable and will be made in a separate draft minor source air construction permit issued concurrently with the draft Title V air operation permit renewal.

*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

5-3-07

(Date)

**TECHNICAL EVALUATION  
&  
PRELIMINARY DETERMINATION**

**Draft Permit No. 0990005-016-AC**

Air Construction Permit Revisions Concurrent with  
Renewal of Title V Permit No. 0990005-017-AV

**APPLICANT**

Okeelanta Corporation (ARMS Facility ID No. 0990005)  
New Hope Power Partnership (ARMS Facility ID No. 0990332)  
21250 U.S. Highway 27 South  
South Bay, Palm Beach County, Florida 33493

**PERMITTING AUTHORITY**

Air Permitting North  
Bureau of Air Regulation  
Division of Air Resource Management  
Florida Department of Environmental Protection  
2600 Blair Stone Road, MS #5505  
Tallahassee, Florida 32399-2400



*{Filename: TEPD - 0990005-016-AC}*

May 3, 2007

# TECHNICAL EVALUATION AND PRELIMINARY DETERMINATION

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## 1. GENERAL PROJECT INFORMATION

### Facility Description and Location

Okeelanta Corporation operates an existing sugar mill (SIC No. 2061) and sugar refinery (SIC No. 2062) and New Hope Power Partnership operates an existing cogeneration plant (SIC No. 4911). The existing facility is located in Palm Beach County at 21250 U.S. Highway 27 South in South Bay, Florida. The map coordinates are UTM Zone 17, 524.90 km East and 2940.10 km North (Latitude 26° 35' 00" North / Longitude 80° 45' 00" West). This site is in an area that is in attainment with, or designated as unclassifiable for, for all air pollutants subject to a National Ambient Air Quality Standard.

### Regulatory Categories

- The facility is a major source of hazardous air pollutants (HAP).
- The existing facility currently operates no units subject to the Title IV acid rain provisions of the Clean Air Act.
- The existing facility is a Title V major source of air pollution in accordance with Chapter 213, F.A.C.
- The facility is a major stationary source of air pollution subject to Rule 62-212.400, F.A.C. for the Prevention of Significant Deterioration (PSD) of Air Quality.
- The existing facility operates units subject to the New Source Performance Standards (NSPS) in 40 CFR 60.
- The existing facility operates units subject to the National Emissions Standards for Hazardous Air Pollutant (NESHAP) in 40 CFR 63.

## 2. APPLICABLE REGULATIONS

### State Regulations

This project is subject to the applicable environmental laws specified in Section 403 of the Florida Statutes (F.S.), which authorize the Department of Environmental Protection (Department) to establish rules and regulations regarding air quality as part of the Florida Administrative Code (F.A.C.). This project is subject to the rules and regulations defined in the following generally applicable Chapters of the F.A.C.: 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); 62-213 (Title V Air Operation Permits for Major Sources of Air Pollution); 62-296 (Emission Limiting Standards); and 62-297 (Test Methods and Procedures, Continuous Monitoring Specifications, and Alternate Sampling Procedures). The applicant's requests do not impose any new regulations. As necessary, the applicability of a given regulation is discussed with each of the applicant's requests.

### Federal Regulations

The Environmental Protection Agency establishes air quality regulations in Title 40 of the Code of Federal Regulations (CFR). Part 60 identifies New Source Performance Standards (NSPS) for a variety of industrial activities. Part 61 specifies the National Emissions Standards for Hazardous Air Pollutant (NESHAP) based on specific pollutants. Part 63 identifies NESHAP based on the Maximum Achievable Control Technology (MACT) for given source categories. The Department adopts these federal regulations in Rule 62-204.800, F.A.C. The applicant's requests do not impose any new regulations. As necessary, the applicability of a given regulation is discussed with each of the applicant's requests.

### General PSD Applicability

The Department regulates major stationary sources in accordance with Florida's PSD program pursuant to Rule 62-212.400, F.A.C. A PSD preconstruction review is required in areas currently in attainment with the state and federal Ambient Air Quality Standards or areas designated as "unclassifiable" for a given pollutant. A 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; 100 tons per year or more of any regulated air pollutant and the facility belongs to one of the 28 PSD Major Facility Categories; or, 5 tons per year or more of lead.

New projects at existing PSD-major stationary sources are reviewed for PSD applicability based on net emissions increases from the project. Each PSD pollutant is evaluated for applicability based on emissions thresholds known as the Significant Emission Rates as defined in Rule 62-210.200, F.A.C. Pollutant emissions from the project exceeding these rates are considered "significant". Although a facility may be "major" for only one PSD pollutant, the project may be "significant"

## TECHNICAL EVALUATION AND PRELIMINARY DETERMINATION

for several PSD pollutants. For each significant PSD pollutant, the applicant must employ the Best Available Control Technology (BACT) to minimize emissions and conduct an air quality analysis that demonstrates emissions from the project will not cause or contribute to adverse ambient impacts.

### PSD Applicability for the Project

The project is located in Palm Beach County, which is in an area that is currently in attainment with the state and federal Ambient Air Quality Standards or otherwise designated as unclassifiable. The existing facility belongs to one of the 28 PSD Major Facility Categories (fossil fuel-fired steam electric plants > 250 MMBtu/hour of heat input) as defined for major stationary sources in Rule 62-210.200, F.A.C. Potential emissions of at least one pollutant from the existing plant are greater than 100 tons per year, which makes the plant a PSD major stationary source of air pollution. Therefore, new projects must be reviewed for PSD applicability. The requested revisions to permit conditions will not result in emissions increases and the project is not subject to PSD preconstruction review.

### 3. PROJECT REVIEW

#### Cogeneration Plant

1. The applicant requested the removal of references to coal storage and handling because coal has never been fired and this equipment was never installed. In February of 2002, the Department issued Permit No. PSD-FL-196M (Project No. 0990332-014-AC), which made several revisions to the PSD permit including removal of coal as an authorized fuel. No additional revision to this air construction permit is necessary.

In addition, the applicant requested the reduction of mercury testing frequency for the cogeneration boilers from annual per unit to every five years for only one of the units. The applicant contends that tested mercury emissions ranged from 2.66 to  $3.68 \times 10^{-06}$  lb/MMBtu, which is below the mercury standard of  $5.4 \times 10^{-06}$  lb/MMBtu. In February of 2002, the Department issued Permit No. PSD-FL-196M (Project No. 0990332-014-AC), which recognized a single mercury standard for all fuels and recognition that the standard can be achieved without operation of the existing activated carbon injection system. However, the permit also established the current mercury testing requirements, which require reactivation of the carbon injection system to reduce mercury emissions if two or more cogeneration boilers exceed the mercury emission standard. The Department rejects the applicant's request to reduce the mercury testing frequency.

#### Sugar Refinery

2. Excluding the bulk load out operations (EU 034 and EU 035), the previous Title V permit restricted sugar refinery operations to 7200 hours per year based on Permit No. 0990005-002-AC. However, Permit No. 0990005-005-AC modified this permit and included restrictions on the sugar processing rates for this equipment in lieu of a limit on hours. To clarify this intent, Specific Condition 1 in Permit No. 0990005-005-AC will be revised as follows:

"The hours of operation for the sugar refinery equipment are not limited (8760 hours per year). Refined sugar production shall not exceed 1,500 tons per day and 390,000 tons per year. [Permit Application 0990005-005-AC]"

#### Transshipment Facility

3. The applicant requested numerous changes to the numbering of emissions units and several revisions to clarify operations of the sugar transshipment facility. The Department addressed these issues in Permit No. 0990005-019-AC, which was issued in April of 2006 to add new equipment to the sugar transshipment facility. The Title V application to incorporate this equipment into the operation permit was received on January 11, 2007. No additional changes were necessary.

#### Farm Operations

4. For the paint spray booth (EU-048) in the farms operations, the applicant requests a minor revision to Condition No. 2 in Permit No. 0990005-015-AC to allow other types of spray equipment with equivalent transfer efficiencies. The Department believes this request is reasonable since the painting of farm equipment is conducted in a drive-through spray booth that controls overspray with replaceable filter pads. The conditions will be revised as follows:

"Method of Operation. Paint shall only be applied to agricultural equipment, trailers, and other vehicles. Paint will shall be applied by one of two methods, compressed air spray gun, or an airless paint sprayer or other equipment with equivalent transfer efficiency. The compressed air systems spray gun will typically use house air within a pressure range of approximately 60 to 80 pounds per square inch (psi). The airless systems paint sprayer will typically operate

## TECHNICAL EVALUATION AND PRELIMINARY DETERMINATION

at a pressure of approximately 3,200 psi. There are two exhaust stacks for the paint spray booth. Both are 25.7 feet tall with a 4-foot diameter and have a flow rate of 45,500 acfm.

[Construction Permit 0990005-010-AC, dated August 22, 2001-Permit No. 0990005-015-AC]"

### Fuel Tanks

5. The facility operates numerous fuel and oil storage tanks. The following tanks were previously identified as being subject to the NSPS Subpart Kb provisions.

ARMS ID No. 0990332 - New Hope Power Partnership's Okeelanta Cogeneration Plant

EU No.	Emissions Unit Description	Process Area
005	Distillate Oil Storage Tank (50,000 gallons)	Cogeneration Plant

ARMS ID No. 0990005 – Okeelanta Corporation's Sugar Mill and Refinery

EU No.	Emissions Unit Description	Process Area
015	Distillate Oil Storage Tank (29,500 gallons)	Sugar Mill and Refinery
016	Distillate Oil Storage Tank, (29,500 gallons)	Sugar Mill and Refinery
017	Distillate Oil Storage Tank (29,500 gallons)	Sugar Mill and Refinery
040	Fuel Farm	Sugar Mill

Based on changes to NSPS Subpart Kb made on October 15, 2003, the applicant requests that the Title V permit be revised to show that the fuel oil storage tanks are no longer subject the Subpart. The applicability section of NSPS Subpart Kb (§60.110b) was revised to include the following:

- (a) *Except as provided in paragraph (b) of this section*, the affected facility to which this subpart applies is each storage vessel with a capacity *greater than or equal to 75 cubic meters ( $m^3$ )* that is used to store volatile organic liquids (VOL) for which construction, reconstruction, or modification is commenced after July 23, 1984.
- (b) This subpart *does not* apply to storage vessels with a capacity greater than or equal to 151 $m^3$  storing a liquid with a maximum true vapor pressure less than 3.5 kilopascals (kPa) or with a capacity greater than or equal to 75  $m^3$  but less than 151  $m^3$  storing a liquid with a maximum true vapor pressure less than 15.0 kPa.

Vapor pressure is the pressure of a confined vapor in equilibrium with a stored liquid at a given temperature. It is a measure of the volatility of the stored liquid. In general, NSPS Subpart Kb is intended to regulate the liquids much more volatile than fuel oil, such as gasoline. The facility primarily stores and fires distillate oil, which has a vapor pressure of 0.009 psia at 70° F. This is well below either of the vapor pressures specified in Subpart Kb and shows that fuel oil is not considered to be very volatile. The fuel oil tanks in use at the facility are either: less than or equal to 75  $m^3$  (19,813 gallons); or between 75  $m^3$  (19,813 gallons) and 151  $m^3$  (39,890 gallons) and storing oils with a maximum true vapor pressure of less than 15.0 kPa (2.17 psia); or greater than or equal to 151  $m^3$  (39,890 gallons) and storing oils with a maximum true vapor pressure less than 3.5 kPa (0.51 psia). Therefore, NSPS Subpart Kb does not apply to these tanks including EUs 015, 016, 017, and 040. The fuel farm (EU 040) at the sugar mill includes several miscellaneous small diesel, gasoline and oil tanks; however, none of these tanks have been identified as subject to the NSPS Subpart Kb provisions and this emissions unit is considered "unregulated". The Subpart Kb requirements will be removed from the Title V permit and this will be addressed in the concurrent air construction Permit No. 0990005-016-AC.

### 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. Jeff Koerner is the project engineer responsible for reviewing the application and drafting the permit. Cleve Holladay is the staff meteorologist responsible for reviewing the modeling issues related to the project. 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.

# DRAFT PERMIT

## PERMITTEE

Okeelanta Corporation  
New Hope Power Partnership  
21250 U.S. Highway 27 South  
South Bay, Florida 33493

<b>Permit No. 0990005-016-AC</b> Facility ID No. 0990005 Facility ID No. 0990332 Title V Air Operation Permit Palm Beach County, Florida
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## FACILITY AND LOCATION

The existing facility is located in Palm Beach County at 21250 U.S. Highway 27 South, South Bay, Florida. The map coordinates are UTM Zone 17, 524.90 km East and 2940.10 km North (Latitude 26° 35' 00" North / Longitude 80° 45' 00" West). The Okeelanta Corporation (ARMS ID No. 0990005) operates an existing sugar mill (SIC No. 2061) and sugar refinery (SIC No. 2062) including sugar packaging and transshipment activities at this location. The New Hope Power Partnership (ARMS ID No. 0990332) operates a cogeneration plant (SIC No. 4911) to produce steam for the sugar mill and electricity for sale to the power grid.

## PROJECT

The purpose of the minor source air construction permit is to revise the following miscellaneous air construction permit conditions: clarify that the sugar refinery is restricted based on production and not hours of operation; and revise a permit condition for the paint spray booth to allow equivalent equipment and vendors; clarify the applicability of NSPS Subpart Kb for storage tanks. This minor source air construction permit revision was processed concurrently with Permit No. 0990005-017-AV, which was a renewal of the Title V air operation permit.

## AUTHORITY

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.). The permittee is authorized to conduct the work associated with these revisions 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.

Executed in Tallahassee, Florida

(DRAFT)

\_\_\_\_\_  
Joseph Kahn, Director  
Division of Air Resource Management

\_\_\_\_\_  
(Date)

## SECTION 1. GENERAL INFORMATION (DRAFT)

### FACILITY DESCRIPTION

The facility consists of two adjacent plants. Okeelanta Corporation (ARMS ID No. 0990005) operates an existing sugar mill (SIC No. 2061) and sugar refinery (SIC No. 2062) including sugar packaging and transshipment activities. New Hope Power Partnership (ARMS ID No. 0990332) operates an existing cogeneration plant that provides process steam for the sugar mill and refinery operations as well as generating electricity for sale to the power grid (SIC 4911). The adjacent plants are considered a single facility for purposes of the PSD and Title V regulatory programs. The primary sources of air pollution include: three 760 MMBtu per hour cogeneration boilers; one 211 MMBtu per hour industrial boiler; transfer and storage of wood chip and bagasse fuels; distillate oil storage tanks; transfer and storage of sugar; and a paint spray booth. The facility includes other miscellaneous unregulated emissions units and activities.

### MAJOR REGULATORY CLASSIFICATIONS

- The facility is a major source of hazardous air pollutants.
- The facility does not currently operate any units subject to the Title IV acid rain provisions of the Clean Air Act.
- The facility is a Title V major source of air pollution in accordance with Chapter 213, F.A.C.
- The facility is a major stationary source of air pollution in accordance with Rule 62-212.400 (PSD), F.A.C.
- The facility is subject to Chapter 62-17, F.A.C. for power plant site certification because it produces more than 75 MW of steam-generated electrical power. [Site Certification No. PA 04-46]
- The facility operates at least one unit subject to an NSPS in 40 CFR 60.
- The facility operates at least one unit subject to a NESHAP in 40 CFR 63.

### EMISSIONS UNITS

This permit affects the following emissions units.

ARMS ID No. 0990005 – Okeelanta Corporation

EU No.	Emissions Unit Description	Process Area
048	Paint Booth	Farm Operations
015	Distillate Oil Storage Tank (29,500 gallons)	Sugar Mill and Refinery
016	Distillate Oil Storage Tank, (29,500 gallons)	Sugar Mill and Refinery
017	Distillate Oil Storage Tank (29,500 gallons)	Sugar Mill and Refinery
040	Fuel Farm	Sugar Mill

ARMS ID No. 0990332 – New Hope Power Cogeneration Plant

EU No.	Emissions Unit Description	Process Area
005	Distillate Oil Storage Tank (50,000 gallons)	Cogeneration Plant

## SECTION 2. REVISED PERMIT CONDITIONS (DRAFT)

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### Revision of Permit No. 0990005-005-AC

The Okeelanta Sugar Refinery includes the following regulated emissions units: EU-021, 022, 023, 024, 025, 034, 035 and 043. For the sugar refinery, Specific Condition No. 1 of this permit is revised as follows:

“The hours of operation for the sugar refinery equipment are not limited (8760 hours per year). Refined sugar production shall not exceed 1,500 tons per day and 390,000 tons per year. [Permit Application 0990005-005-AC]”

### Revision of Permit No. 0990005-015-AC

For the drive-through paint spray booth (EU-048) in the farms operations at the Okeelanta Sugar Mill, Condition No. 2 of this permit is revised as follows:

“Method of Operation. Paint shall only be applied to agricultural equipment, trailers, and other vehicles. Paint will ~~shall~~ be applied by ~~one of two methods, compressed air spray gun, or an airless paint sprayer or other equipment with equivalent transfer efficiency. The compressed air systems spray gun will typically~~ use house air within a pressure range of ~~approximately~~ 60 to 80 pounds per square inch (psi). ~~The airless systems paint sprayer will typically~~ operate at a pressure of approximately 3,200 psi. There are two exhaust stacks for the paint spray booth. Both are 25.7 feet tall with a 4-foot diameter and have a flow rate of 45,500 acfm.

[Construction Permit 0990005-010-AC, dated August 22, 2001-Permit No. 0990005-015-AC]”

### New Permit Condition

Several previous permits indicated that NSPS Subpart Kb in 40 CFR 60 applied to fuel and oil storage tanks operated by Okeelanta Sugar Mill and Refinery (EU-015, 016, 017 and 040) and at the New Hope Power Cogeneration Plant (EU-005). The following new permit condition supersedes any previous conditions related to NSPS Subpart Kb for these units:

1. Fuel and oil tanks with a storage capacity of 19,813 gallons or less are not subject to NSPS Subpart Kb provisions. Fuel and oil tanks with a storage capacity between 19,813 gallons and 39,890 gallons shall store only volatile organic liquids with a maximum true vapor pressure of less than 15.0 kPa (2.17 psia). Fuel and oil tanks with a storage capacity of 39,890 gallons or more shall store only volatile organic liquids with a maximum true vapor pressure of less than 3.5 kPa (0.51 psia). Otherwise, the tanks shall have a capacity of less than 19,813 gallons or predate the NSPS Subpart Kb provisions. This condition ensures that the storage tanks are not subject to the NSPS Subpart Kb provisions in 40 CFR 60. [NSPS Subpart Kb, §60.110b]”