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OCT 09 2008

OFFICE OF GENERAL COUNSEL

STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION

PETITION FOR ADDITIONAL TIME IN WHICH TO FILE  
A PETITION FOR ADMINISTRATIVE HEARING  
UNDER SECTIONS 120.569 and 120.57, FLORIDA STATUTES

Applicant: Sugar Cane Growers Cooperative of Florida

DEP Draft Title V Permit No.: 0990026-014-AC  
Intent to Issue and Draft BART Permit

The undersigned has read Sections 120.569 and 120.57, Florida Statutes (F.S.), and fully understands the applicant's rights under those sections.

On or about September 6, 2008, Sugar Cane Growers Cooperative of Florida (SCGCF) received the Written Notice of Intent to Issue Air Permit, the Public Notice of Intent to Issue Air Permit, and the Draft Permit for Best Available Retrofit Technology (BART) project for the Glades Sugar House. SCGCF has not yet published the notice in the local newspaper. SCGCF hereby requests an extension of time in which to file a petition for an administrative hearing on the draft permit.

The applicant has now reviewed the Draft Permit from the Department's Tallahassee office. However, SCGCF needs additional time in which to determine if the facility can be exempted from BART, and therefore avoid being subject to BART control technology. There are also some unresolved BART applicability questions surrounding fossil-fuel boilers of less than 250 MMBtu/hr heat input which are part of the same facility as other boilers of greater than 250 MMBtu/hr. The resolution of this issue will affect potential strategies for becoming exempt from BART based on modeling analysis.

SCGCF may elect to now become exempt from BART through a modeling analysis. This option will need to be incorporated into the BART permit, assuming the BART permit will need to be issued prior to December 31, 2008. Therefore the draft BART permit may need to be reissued. Issues may need to be discussed and negotiated with the Department. To allow for this process, and protect the right of the applicant to file for an administrative hearing if so desired, this request for additional time is being made. This request is made freely and voluntarily by the applicant, is in its self-interest, and is made without any pressure or coercion by anyone employed by the State of Florida Department of Environmental Protection.

This request for extension of time shall expire on November 10, 2008.

The undersigned is authorized to make this request on behalf of the applicant.

David A. Buff 10/9/08  
Signature/Date

David A. Buff, P.E., Principal Engineer, Golder Associates Inc.