



Lawton Chiles
Governor

Florida Department of Environmental Protection

South District
2295 Victoria Avenue
Fort Myers, Florida 33901

0990061-NA-AC

Virginia B. Wetherell
Secretary

NOTICE OF PERMIT RE-ISSUANCE

March 28, 1994

CERTIFIED MAIL #Z 128 058 970
RETURN RECEIPT REQUESTED

In the Matter of an
Application for Permit by:

DEP File No. AO50-234931
OGC Case No. 93-4191
Palm Beach County

Mr. Murray T. Brinson
Vice President Sugar Processing
United States Sugar Corporation
Post Office Drawer 1207
Clewiston, FL 33440

_____ /

Enclosed is air pollution operation permit number AO50-234931 to operate Bryant Boiler No. 5 located off of U.S. Route 98 in Palm Beach County, FL; re-issued pursuant to Section 403.087, Florida Statutes.

Any party to this order (permit) has the right to seek judicial review of the permit pursuant to Section 120.68, Florida Statutes, by the filing of a Notice of Appeal pursuant to Rule 9.110, Florida Rules of Appellate Procedure, with the Clerk of the Department in the Office of General Counsel, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400; and by filing a copy of the Notice of Appeal accompanied by the applicable filing fees with the appropriate District Court of Appeal. The Notice of Appeal must be filed within 30 days from the date this Notice is filed with the Clerk of the Department.

Mr. Murray T. Brinson
DEP File No. AO50-234931
Page 2

Executed in Fort Myers, Florida

STATE OF FLORIDA
DEPARTMENT OF
ENVIRONMENTAL PROTECTION



Ronald D. Blackburn
Acting Director of
District Management
South District Office
2295 Victoria Avenue, Suite 364
Fort Myers, FL 33901
(813) 332-6975

CERTIFICATE OF SERVICE

The undersigned duly designated deputy agency clerk hereby certifies that this NOTICE OF PERMIT RE-ISSUANCE and all copies were mailed by certified mail before the close of business on March 28, 1994 to the listed persons.

FILING AND ACKNOWLEDGMENT FILED, on this date, pursuant to Section 120.52(11), Florida Statutes, with the designated Department Clerk, receipt of which is hereby acknowledged.


Clerk Date

copies furnished to:

Mr. Jeffery F. Koerner, PBCPHU
Mr. David A. Buff, P.E., KBN
Mr. Robert F. Van Voorhees, BRYAN CAVE
Mr. William H. Congdon, DEP OGC
Mr. R. Bruce Mitchell, DEP BAR

Enclosures

RDB/GM/gm



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PERMITTEE:

United States Sugar Corporation
P.O. Drawer 1207
Clewiston, FL 33440

I.D. No. 52FTM50006105
Permit/Certification
Number: AO50-234931
Date of Issue: March 28, 1994
Expiration Date: March 28, 1999
County: Palm Beach
Latitude: 26° 50' 08" N
Longitude: 80° 36' 36" W
Section/Town/Range: 03/42S/37E
Project: Carbonaceous Fuel
Fired Boiler, No. 5
Bryant Mill

This permit is issued under the provisions of Chapter 403, Florida Statutes, and Florida Administrative Code Rules 17-296, 17-297 and 17-4. The above named permittee is hereby authorized to perform the work or operate the facility shown on the application and approved drawing(s), plans and other documents, attached hereto or on file with the department and made a part hereof and specifically described as follows:

For operation of boiler No. 5 at U.S. Sugar Corporation's Bryant mill. This boiler is a bagasse/oil fired boiler that was originally permitted in 1978 and began operating in the 1979-1980 crop season. U.S. Sugar Corporation (U.S. Sugar) is authorized to burn bagasse, new/virgin No. 6 fuel oil, or on-specification used oil. The maximum heat input rate of bagasse is 671 million Btu per hour (93 tons per hour on a wet basis). The maximum heat input rate of new/virgin No. 6 fuel oil is 215.6 million Btu per hour (1,467.0 gallons per hour).

Particulate matter emissions are controlled with two Model 100 Joy type turbulaire water impingement scrubbers with water spray nozzles operating in an internal atmosphere of negative draft gas flow.

The facility is located off of U.S. Route 98, Bryant, Palm Beach County, Florida.

PERMITTEE:

United States Sugar Corporation
(U.S. Sugar)

I.D. No. 52FTM50006105

Permit/Cert. No. AO50-234931

Date of Issue: March 28, 1994

Expiration Date: March 28, 1999

GENERAL CONDITIONS:

1. The terms, conditions, requirements, limitations and restrictions set forth in this permit, are "permit conditions" and are binding and enforceable pursuant to Sections 403.141, 403.727, or 403.859 through 403.861, F.S. 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), F.S., the issuance of this permit does not convey any 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 of or approval of any other Department permit that may be required for other aspects of the total project which are not addressed in this 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 and 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

PERMITTEE:

United States Sugar Corporation
(U.S. Sugar)

I.D. No. 52FTM50006105

Permit/Cert. No. AO50-234931

Date of Issue: March 28, 1994

Expiration Date: March 28, 1999

GENERAL CONDITIONS:

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 reasonable times, access to the premises where the permitted activity is located or conducted to:

- (a) Have access to and copy any records that must be kept under 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 noncompliance; and
- (b) The period of noncompliance, including dates and times; or, if not corrected, the anticipated time the noncompliance is expected to continue, and steps being taken to reduce, eliminate, and prevent recurrence of the noncompliance. 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 Section 403.111 and 403.73, F.S. Such evidence shall only be used to the extent it is consistent with the Florida Rules of Civil Procedure and appropriate evidentiary rules.

PERMITTEE:

United States Sugar Corporation
(U.S. Sugar)

I.D. No. 52FTM50006105
Permit/Cert. No. AO50-234931
Date of Issue: March 28, 1994
Expiration Date: March 28, 1999

GENERAL CONDITIONS:

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 Rule 17-4.120 and 17-730.300 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:
 - (X) Determination of Best Available Control Technology (BACT)
 - (X) Determination of Prevention of Significant Deterioration (PSD)
 - () Certification of compliance with state Water Quality Standards (Section 401, PL 92-500)
 - () Compliance with New Source Performance Standards
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 for 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.

PERMITTEE:

United States Sugar Corporation
(U.S. Sugar)

I.D. No. 52FTM50006105
Permit/Cert. No. AO50-234931
Date of Issue: March 28, 1994
Expiration Date: March 28, 1999

GENERAL CONDITIONS:

- (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;
 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.

PERMITTEE:

United States Sugar Corporation
(U.S. Sugar)

I.D. No. 52FTM50006105
Permit/Cert. No. AO50-234931
Date of Issue: March 28, 1994
Expiration Date: March 28, 1999

SPECIFIC CONDITIONS:

1. Particulate matter (PM)/PM10 emissions shall not exceed any of the following limits [Rule 17-212.400(6)(b), F.A.C.]:

- (A) 87.5 pounds per hour (24 hour average - compliance with the 24 hour average will be determined based upon the normal testing time period for EPA Method 5, 40 CFR 60, Appendix A).
- (B) 0.15 pound per million Btu of heat input of carbonaceous fuel (bagasse) plus 0.10 pound per million Btu heat input of fossil fuel, assuming 55% thermal efficiency for the carbonaceous fuel part of the calculation.
- (C) 154.26 tons in any 12 consecutive month period.

2. Nitrogen oxides (NOx) emissions shall not exceed 161.7 pounds per hour (24 hour average). [Rule 17-272.300(3)(e), F.A.C.].

3. Visible emissions shall not exceed 20 percent opacity except that 40 percent opacity is permissible for not more than two minutes in any one hour. [Permit AC50-137573].

4. U.S. Sugar shall not discharge air pollutants which cause or contribute to an objectionable odor.[Rule 17-296.320(2), F.A.C.].

5. The hours of operation shall not exceed 4,752 hours in any 12 consecutive month period. U.S. Sugar shall not operate this boiler during the period of May 1 through October 15.
[Requested by Permittee].

6. Steam production, heat input, and bagasse consumption shall not exceed the quantities listed below:

Steam PSIG	°F	Averaging Time	Steam Prod. lbs/hour	Heat Input* MMBtu/hour	Bagasse Consumption (TPH-Wet)
850	900	1-hr. max.	323,189	671	93
850	900	24-hr. avg.	280,804	583	81
400	750	1-hr. max.	342,384	671	93
400	750	24-hr. avg.	297,482	583	81

* based upon 55% thermal efficiency while burning bagasse.

PERMITTEE:

United States Sugar Corporation
(U.S. Sugar)

I.D. No. 52FTM50006105

Permit/Cert. No. AO50-234931

Date of Issue: March 28, 1994

Expiration Date: March 28, 1999

SPECIFIC CONDITIONS:

6. (continued)

Steam production shall not exceed 990,676,512 pounds per year of 850 psig, 900 °F steam, nor 1,049,514,873 pounds per year of 400 psig, 750 °F steam. If steam in both pressure/temperature classes is produced during a year, then the allowable steam production in pounds per year is the weighted average of the limits for each class of steam production. U.S. Sugar shall maintain records (steam production, pressure, and temperature) to determine compliance with this condition. [PSD-FL-009].

7. U.S. Sugar is permitted to burn only the following fuels. The heat input rate of each fuel shall not exceed the following limits [Requested by the Permittee]:

- (A) Bagasse. The maximum heat input rate of bagasse shall not exceed 671 million Btu per hour (93 tons per hour on a wet basis).
- (B) New/virgin No. 6 fuel oil with a maximum sulfur content of 0.7 percent by weight.* The maximum heat input rate of new/virgin No. 6 fuel oil shall not exceed 215.6 million Btu per hour (1,467.0 gallons per hour).

* U.S. Sugar may burn blended new/virgin No. 6 fuel oil from a common fuel oil system. U.S. Sugar shall replace all fuel oil burned in this boiler with new/virgin No. 6 fuel oil having a maximum sulfur content of 0.7 percent by weight. Such replacement shall occur during the season that the fuel oil is burned.

- (C) On specification used oil with a maximum sulfur content of 0.7 percent by weight.

8. Burning of fuel oil shall not exceed 400,000. gallons per crop season. [Permit AO50-162367].

9. U.S. Sugar shall install, operate, and maintain an integrating fuel oil flow meter. [Permit AO50-162367].

10. U.S. Sugar shall maintain a log of the fuel oil consumption and invoices of the fuel oil purchased for this boiler that shows the sulfur content and heating value of the oil (determined by appropriate ASTM methods). U.S. Sugar shall keep hourly records documenting the quantities of steam produced and daily records documenting the quantity of fuel oil consumed. All records shall be available for regulatory agency inspection for at least five years. [Rule 17-4.070(3), F.A.C.].

PERMITTEE:

United States Sugar Corporation
(U.S. Sugar)

I.D. No. 52FTM50006105

Permit/Cert. No. A050-234931

Date of Issue: March 28, 1994

Expiration Date: March 28, 1999

SPECIFIC CONDITIONS:

11. Used Oil Combustion:

- (A) U.S. Sugar shall not burn off-specification used oil. Used oil which fails to comply with any of the following specification levels is off-specification used oil [Requested by applicant; 40 CFR 279 Subpart B and Rule 17-4.070(3), F.A.C.]:

1. Arsenic shall not exceed 5.0 ppm.
2. Cadmium shall not exceed 2.0 ppm.
3. Chromium shall not exceed 10.0 ppm.
4. Lead shall not exceed 100.0 ppm.
5. Total halogens shall not exceed 4,000.0 ppm. * See note.
6. Flash point shall not be less than 100.0 °F.

*Note: Used oil containing more than 1,000.0 ppm total halogens is presumed to be a hazardous waste under the rebuttable presumption provided under 40 CFR 279.10(b)(1)(ii). Such oil shall not be burned unless U.S. Sugar demonstrates through the use of DEP approved analytical methods that the used oil does not constitute hazardous waste.

- (B) At least one representative sample of used oil per crop season shall be analyzed for: heating value as generated (Btu/lb), sulfur, arsenic, cadmium, chromium, lead, total halogens, and flash point using EPA/DEP or ASTM approved methods.
- (C) Results of used oil sampling and analysis shall be retained for at least three (3) years and shall be available for inspection by the Department or the Palm Beach County Public Health Unit.
- (D) On an annual basis, with the Annual Operation Report, U.S. Sugar shall submit reports of the monthly quantities of used oil burned and the results from sample analyses performed to the Department's South District Office and to the Palm Beach County Public Health Unit.

PERMITTEE:

United States Sugar Corporation
(U.S. Sugar)

I.D. No. 52FTM50006105

Permit/Cert. No. AO50-234931

Date of Issue: March 28, 1994

Expiration Date: March 28, 1999

SPECIFIC CONDITIONS:

12. U.S. Sugar shall test this boiler for the following pollutants on an annual basis within 60 days of the date January 1. Each compliance test shall be conducted in accordance with 40 CFR 60, Appendix A, using the method indicated [Rule 17-297.340(1)(d), F.A.C.]:

- (A) PM/PM10 - EPA Method 5. The compliance test results shall be calculated by assuming that the thermal efficiency of boiler No. 5 is equal to 55% while burning bagasse, or by any new method subsequently adopted by Department rule.
- (B) Visible emissions - EPA Method 9; while conducting the EPA Method 5 test. Under circumstances when simultaneous Method 9 and Method 5 tests are not feasible, U.S. Sugar shall provide written notification of the reasons why simultaneous testing was not feasible to the Department and the Palm Beach County Public Health Unit within two business days of the scheduled testing date. In such circumstances, the tests shall be conducted as close to each other as is feasible.

13. U.S. Sugar shall test this boiler to determine its actual thermal efficiency in accordance with the ASME short-form procedure during the 1993/1994 crop season, and during the crop season just prior to applying for permit renewal. [Permit AO50-162367].

14. U.S. Sugar should conduct emissions testing while operating this boiler within 90% - 100% of the maximum heat input rate of 671 million Btu per hour. Testing may be conducted while operating at less than 90% of the maximum heat input rate; however, if so, subsequent operation is limited up to 110% of the average heat input rate during the test. Operation at higher heat input rates is allowed for no more than 25 calendar days for the purpose of conducting additional compliance tests to regain the higher heat input rate, not to exceed 671 million Btu per hour. The actual heat input rate shall be specified in each test report. [Rule 17-4.070(3), F.A.C.].

PERMITTEE:

United States Sugar Corporation
(U.S. Sugar)

I.D. No. 52FTM50006105

Permit/Cert. No. AO50-234931

Date of Issue: March 28, 1994

Expiration Date: March 28, 1999

SPECIFIC CONDITIONS:

15. The following scrubber operating parameters, for each scrubber, shall be recorded at least every 15 minutes during each compliance test. This data must be included in each test report [Rule 17-4.070(3), F.A.C.]:

- (A) Gas pressure drop.
- (B) Scrubber water supply pressure.
- (C) Scrubber water supply flow rate.

16. U.S. Sugar shall file all test reports with the South District Office of the Department and the Palm Beach County Public Health Unit as soon as practical, but no later than 45 days after the test is complete. [Rule 17-297.570(2), F.A.C.].

17. U.S. Sugar shall notify the South District Office of the Department and the Palm Beach County Public Health Unit 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. [Rule 17-297.340(1)(i), F.A.C.].

18. Each scrubber shall be equipped with a manometer or equivalent instrument to measure the gas pressure drop, with pressure gauges to measure the scrubber water supply pressure, and with a flow meter or equivalent device (weir) to measure the scrubber water supply flow rate. Data from these instruments shall be recorded at least once per shift (every 8 hours). The recorded data shall be used to determine 8 hour averages. The pH of the scrubber water shall be measured and recorded at least once per day. These records shall be available for regulatory agency inspection for at least five years. U.S. Sugar shall notify the Department and the Palm Beach County Public Health Unit if chemicals are used to adjust pH. [Permit AO50-162367 and Rule 17-4.070(3), F.A.C.].

19. While boiler number 5 is operating, the 8 hour average gas pressure drop shall not fall below 90 percent of the average value reported during the most recent satisfactory compliance test. The gas pressure drop shall not fall below 75 percent of the average value reported during the most recent satisfactory compliance test at any time except during startup or shutdown. [Rule 17-4.070(3), F.A.C.].

PERMITTEE:

United States Sugar Corporation
(U.S. Sugar)

I.D. No. 52FTM50006105

Permit/Cert. No. A050-234931

Date of Issue: March 28, 1994

Expiration Date: March 28, 1999

SPECIFIC CONDITIONS:

20. While boiler number 5 is operating, the 8 hour average scrubber water supply pressure shall not fall below 90 percent of the average value reported during the most recent satisfactory compliance test. The scrubber water supply pressure shall not fall below 75 percent of the average value reported during the most recent satisfactory compliance test at any time except during startup or shutdown. [Rule 17-4.070(3), F.A.C.].

21. While boiler number 5 is operating, the 8 hour average scrubber water supply flow rate shall not fall below 90 percent of the average value reported during the most recent satisfactory compliance test. The scrubber water supply flow rate shall not fall below 75 percent of the average value reported during the most recent satisfactory compliance test at any time except during startup or shutdown. [Rule 17-4.070(3), F.A.C.].

22. U.S. Sugar shall take reasonable precautions to prevent emissions of unconfined particulate matter.
[Rule 17-296.310(3), F.A.C.].

23. If visible emissions from the bagasse handling system exceed 20% opacity, then U.S. Sugar shall take additional reasonable precautions, as approved by the Department, to minimize unconfined emissions. These precautions shall include covered conveyors, minimizing the distance that the bagasse is dropped during handling, and windbreaks around the material handling equipment. [Permit A050-162367 and Rule 17-296.310(3), F.A.C.].

24. Emissions of carbon monoxide and volatile organic compounds shall be maintained at the lowest possible level by following the operating procedures described in the operation and maintenance plan dated June 29, 1993. [Permit A050-162367].

25. U.S. Sugar shall submit an annual operation report (DEP Form 17-210.900(4)) to the South District Office of the Department and the Palm Beach County Public Health Unit by March 1st each year. The form should be reproduced and used for the annual submittals. The report shall also include the amount of fuel oil burned, the amount of used oil burned, and the sulfur content of the oil purchased for the season. [Rule 17-4.070(3), F.A.C.].

26. If the Department has reason to believe that any applicable emission standard is being violated, then the Department may require U.S. Sugar to conduct compliance tests which identify the nature and quantity of pollutant emissions and to provide a report on the results of said tests. [Rule 17-297.340(2), F.A.C.].

PERMITTEE:

United States Sugar Corporation
(U.S. Sugar)

I.D. No. 52FTM50006105
Permit/Cert. No. A050-234931
Date of Issue: March 28, 1994
Expiration Date: March 28, 1999

SPECIFIC CONDITIONS:

27. U.S. Sugar shall send all notifications and reports required by this permit to (a) the South District Office of the Department in Fort Myers, and (b) the Palm Beach County Public Health Unit in West Palm Beach, FL.

28. U.S. Sugar shall provide stack sampling facilities that comply with Rule 17-297.345, F.A.C.

29. There shall be no discharges of liquid effluents or contaminated runoff from the plant site.
[Rule 17-4.070(3), F.A.C.].

30. Issuance of this permit does not relieve U.S. Sugar from complying with applicable emission limiting standards or other requirements of Rules 17-210, 17-212, 17-252, 17-272, 17-273, 17-275, 17-296, and 17-297, F.A.C., or any other requirements under federal, state, or local law. [Rule 17-210.300, F.A.C.].

31. In order to renew this operation permit, U.S. Sugar must submit an application for renewal at least 60 days prior to the expiration date of the permit. [Rule 17-4.090(1), F.A.C.].

Note: In the event of an emergency, the permittee shall contact the Department by calling (904) 488-1320. During normal business hours, the permittee shall call (813) 332-6975.

Issued this 28th day of March, 1994.

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION



Ronald D. Blackburn
Acting Director of
District Management

RDB/GM/gm

14 Pages Attached