

UNITED STATES SUGAR CORPORATION

Post Office Box 1207 • Clewiston, Florida 33440-1207
Telephone 941/983-8121

May 13, 2003

Florida Department of Environmental Protection
Bureau of Air Regulation
(111 S. Magnolia Drive, Suite 4)
2600 Blair Stone Road, MS #5505
Tallahassee, Florida 32399-2400

RECEIVED
MAY 15 2003
BUREAU OF AIR REGULATION

RE: United States Sugar Corporation, Bryant Sugar Mill, Palm Beach County

Attention: Jeff Koerner

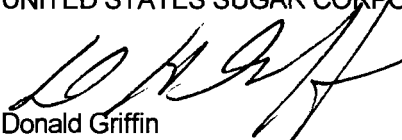
Dear Jeff:

We sent the Proof of Publication (see attached) to the addresses specified in the notice (111 S. Magnolia Drive) and it was returned by the Post Office as undeliverable.

Attached are the Proof of Publication, the Public Notice of Intent to Issue and the envelope from the rejected letter.

Sincerely,

UNITED STATES SUGAR CORPORATION


Donald Griffin
Project Manager, Specialty Sugar

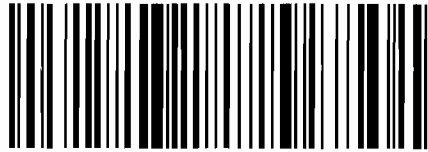
DG: kcb
Enclosure
cc:

William A. Raiola, USSC
Ernest Turasz, USSC

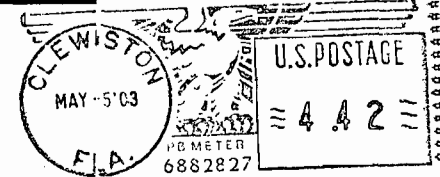
UNITED STATES SUGAR CORPORATION

Post Office Drawer 1207
Clewiston, Florida 33440

CERTIFIED MAIL



7001 0360 0003 0584 6935



granted for
**RETURN RECEIPT
REQUESTED**

Florida Department of Environmental Protection
Bureau of Air Regulation
111 S. Magnolia Drive
Suite 4
Tallahassee, FL 32301

**NOT DELIVERABLE AS
ADDRESSED UNABLE
TO FORWARD**

*UAAA
118*

**NOT DELIVERABLE
AS ADDRESSED UNABLE
TO FORWARD**

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Florida Department of Environmental Protection
Bureau of Air Regulation
111 S. Magnolia Drive
Suite 4
Tallahassee, FL 32301

2. Article Number
(Transfer from service label)

7001 0360 0003 0584 6935

COMPLETE THIS SECTION ON DELIVERY

A. Received by (Please Print Clearly) B. Date of Delivery

C. Signature

X

☐ Agent
☐ Addressee

D. Is delivery address different from item 1?

If YES, enter delivery address below:

☐ Yes
☐ No

3. Service Type

☒ Certified Mail ☐ Express Mail
☐ Registered ☒ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

UNITED STATES SUGAR CORPORATION

Post Office Box 1207 • Clewiston, Florida 33440-1207
Telephone 863/983-8121

May 5, 2003

Florida Department of Environmental Protection
Bureau of Air Regulation
111 S. Magnolia Drive
Suite 4
Tallahassee, Florida 32301

RE: United States Sugar Corporation, Bryant Sugar Mill, Palm Beach County
Draft Permit Modifications No. 0990061-007-AC and No. PSD-FL-009
Reduction of Maximum Allowable Sulfur Content in Fuel Oil for Boilers No. 1, 2 and 3


Attention: Trina L. Vielhauer
Chief, Bureau of Air Regulation

Gentlemen:

We are enclosing the Affidavit of Publication certifying that the "Public Notice of Intent to Issue Air Construction/Modification Permit" was duly published in the legal section of the May 2, 2003 issue of *THE PALM BEACH POST*.

Sincerely,

UNITED STATES SUGAR CORPORATION


Donald Griffin
Project Manager, Specialty Sugar

DG: kcb
Enclosure

cc: James Stormer, PBC Health Dept.
Phil Barbaccia – SD-DEP
David Buff, Golder Associates
William A. Raiola, USSC
Ernest Turasz, USSC
Peter Briggs, USSC

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 **Tracey Diglio**, who on oath says that she is **Telephone Sales Supervisor** 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, being **Notice** in the matter of **Draft Permit #0990061-007-AC; PSD-FL-009** was published in said newspaper in the issues of **May 2, 2003**. 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.

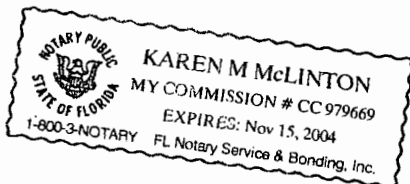
Tracey Diglio

Sworn to and subscribed before this 2nd day of May, A.D. 2003

Griffith

Personally known XX or Produced Identification _____

Type of Identification Produced _____



NO. 7226914
PUBLIC NOTICE
OF INTENT TO ISSUE
AIR CONSTRUCTION
PERMIT MODIFICATION
STATE OF FLORIDA
DEPARTMENT OF
ENVIRONMENTAL
PROTECTION
Draft Permit Modification
0990061-007-AC,
PSD-FL-009
U.S. Sugar Corporation -
Bryant Sugar Mill
Palm Beach County

The Department of Environmental Protection (Department) gives notice of its intent to issue an air construction permit modification to U.S. Sugar Corporation for the Bryant Sugar Mill located on Bryant Mill Road off of U.S. Route 98 in northwest Palm Beach County, Bryant, Florida. A Best Available Control Technology (BACT) determination was not required for this modification pursuant to Rule 62-212.400 F.A.C. and 40 CFR 52.21, Prevention of Significant Deterioration (PSD). The modification will not result in an increase in allowable emissions from the existing facility. The applicant's name and address are: William R. Raiola, Vice President and Authorized Representative, U.S. Sugar Corporation, 1731 South W.C. Owens Avenue, Clewiston, FL 33440.

The modification will reduce the maximum allowable sulfur content of the residual oil fired in Boilers 1, 2 and 3 from 2.5% sulfur to 0.7% sulfur by weight, effective 3/1/2003. Additionally the total residual fuel oil burning rate of Boilers 1, 2 and 3 combined will not exceed 80,000 gallons per calendar day. This permitting action is required in conjunction with a separate Department action, relative to the construction and start-up of two new cogeneration boilers at the nearby Osceola Cogeneration Facility. No other changes are included herein and the modification will not result in any increase in emissions.

The Department will issue the final permit with the attached conditions unless a response received in accordance with the following procedures results in a different decision or significant change of terms or conditions.

The Department will accept written comments and requests for public meetings concerning the proposed permit issuance action for a period of thirty (30) days from the date of publication of this Public Notice of Intent to Issue Air Construction Permit. Written comments and requests for public meetings should be provided to the Department's Bureau of Air Regulation at 2600 Blair Stone Road, Mail Station#5505, Tallahassee, FL 32399-2400. Any written comments filed shall be made available for public inspection. If written comments received result in a significant change in the proposed agency action, the Department shall revise the proposed permit and require, if applicable, another Public Notice.

The Department will issue the permit with the attached conditions unless a timely petition for an administrative hearing is filed pursuant to sections 120.569 and 120.57 F.S., before the deadline for filing a petition. The procedures for petitioning for a hearing are set forth below.

Mediation is not available in this proceeding.

A person whose substantial interests are affected by the proposed permitting decision may petition for an administrative proceeding (hearing) under sections 120.569 and 120.57 of the Florida Statutes. The petition must contain the information set forth below and must be filed (received) in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida, 32399-3000. Petitions filed by the permit applicant or any of the parties listed below must be filed within fourteen days of receipt of this notice of intent. Petitions filed by any persons other than those entitled to written notice under section 120.60(3) of the Florida Statutes must be filed within fourteen days of publication of the public notice or within fourteen days of receipt of this notice of intent, whichever occurs first. Under section 120.60(3), however, any person who asked the Department for notice of agency action may file a petition within fourteen days of receipt of that notice, regardless of the date of publication. A petitioner shall mail a copy of the petition to the applicant at the address indicated above at the time of filing. The failure of any person to file a petition within the appropriate time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under sections 120.569 and 120.57 F.S., or to intervene in this proceeding and participate as a party to it. Any subsequent intervention will be only at the approval of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205 of the Florida Administrative Code.

A petition that disputes the material facts on which the Department's action is based must contain the following information: (a) The name and address of each agency affected and each agency's file or identification number, if known; (b) The name, address, and telephone number of the petitioner, the name, address, and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how the petitioner's substantial interests will be affected by the agency determination; (c) A statement of how and when petitioner received notice of the agency action or proposed action; (d) A statement of all disputed issues of material fact. If there are none, the petition must so 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 statement of the specific rules or statutes the petitioner contends require reversal or modification of the agency's proposed action; and (g) A statement of the relief sought by the petitioner, stating precisely the action 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 Department'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.

Because the administrative hearing process is designed to formulate final agency action, the filing of a petition means that the Department's final action may be different from the position taken by it in this notice. Persons whose substantial interests will be affected by any such final decision of the Department on the application have the right to petition to become a party to the proceeding, in accordance with the requirements set forth above.

A complete project file is available for public inspection during normal business hours? 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at:

Dept of Environmental Protection
Bureau of Air Regulation
Suite 4,

111 S. Magnolia Drive
Tallahassee, Florida, 32301
Telephone: 850/488-0114
Fax: 850/922-6979

Division of Environmental Health and Engineering
Palm Beach County Health Department
901 Evernia Street
West Palm Beach, Florida 33401

Telephone: 561/355-3070
Dept of Environmental Protection
South District Office
Suite 364,

2295 Victoria Avenue
Fort Myers, Florida 33901-3381
Telephone: 239/332-6975
Fax: 239/332-6969

The complete project file includes the application, draft permit, and the information submitted by the responsible official, exclusive of confidential records under Section 403.111, F.S. Interested persons may contact the Administrator, New Source Review Section at 111 South Magnolia Drive, Suite 4, Tallahassee, Florida 32301, or call 850/488-0114, for additional information.

PUB: The Palm Beach Post
May 2, 2003

PUBLIC NOTICE OF INTENT TO ISSUE AIR CONSTRUCTION PERMIT MODIFICATION

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
Draft Permit Modification 0990061-007-AC, PSD-FL-009

U.S. Sugar Corporation – Bryant Sugar Mill
Palm Beach County

The Department of Environmental Protection (Department) gives notice of its intent to issue an air construction permit modification to U.S. Sugar Corporation for the Bryant Sugar Mill located on Bryant Mill Road off of U.S. Route 98 in northwest Palm Beach County, Bryant, Florida. A Best Available Control Technology (BACT) determination was not required for this modification pursuant to Rule 62-212.400, F.A.C. and 40 CFR 52.21, Prevention of Significant Deterioration (PSD). The modification will not result in an increase in allowable emissions from the existing facility. The applicant's name and address are: William R. Raiola, Vice President and Authorized Representative, U.S. Sugar Corporation, 1731 South W.C. Owens Avenue, Clewiston, FL 33440.

The modification will reduce the maximum allowable sulfur content of the residual oil fired in Boilers 1, 2 and 3 from 2.5% sulfur to 0.7% sulfur by weight, effective 3/1/2003. Additionally, the total residual fuel oil burning rate of Boilers 1, 2 and 3 combined will not exceed 80,000 gallons per calendar day. This permitting action is required in conjunction with a separate Department action, relative to the construction and start-up of two new cogeneration boilers at the nearby Osceola Cogeneration Facility. No other changes are included herein and the modification will not result in any increase in emissions.

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Suite 364, 2295 Victoria Avenue
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