

# Citrosuco North America Inc.

October 4, 2002

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

RECEIVED  
OCT 08 2002  
BUREAU OF AIR REGULATION

Re: Draft Permit No: 1050001-AV Public Notice

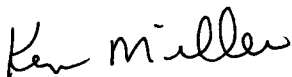
Dear Sirs:

Please find enclosed the affidavit for proof of publication as required by our application for final permitting of our 1000hp boiler. I trust that this will satisfy the last requirement of the permit.

Thank you for your cooperation in this matter.

If you should have any questions regarding this notice please contact me at my office in Lake Wales. (863) 696-7400 ext. 251

Best regards,



Ken Miller  
Safety/Compliance Director

**Fischer**  
Group

RECEIVED

OCT 08 2002

BUREAU OF AIR REGULATION AFFIDAVIT OF PUBLICATION

News Chief

Published Daily

STATE OF FLORIDA COUNTY OF POLK

Before the undersigned personally appeared Jacqueline Unger-Poole who on oath says that she is Classified Manager of the News Chief, a newspaper published at Winter Haven, in Polk County, Florida; that the attached copy of advertisement Public Notice of Intent to Issue Title V Air Operation Permit Revision in the matter of Citrosuco, North America, Inc. said newspaper in the issue of October 1st, 2002.

Affiant further says that the News Chief is a newspaper published at Winter Haven, in said Polk County, Florida, and that said newspaper has heretofore been continuously published in said Polk County, Florida, daily, and has been entered as second class matter at the post office in Winter Haven, in said Polk County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that 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 said newspaper.

Signed Jacqueline Unger-Poole Sworn to and subscribed before me this 1st day of October, A.D. 2002 by Jacqueline Unger-Poole who is personally known to me or who has produced ( ) as identification.

Lynda Wilkerson Notary Public



Lynda Wilkerson My Commission DD123980 Expires July 22, 2006

My Commission Expires: \_\_\_\_\_

PUBLIC NOTICE OF INTENT TO ISSUE TITLE V AIR OPERATION PERMIT REVISION

Department of Environmental Protection

Title V Air Operation Permit Revision DRAFT Permit No.: 1050001-005-AV

Citrosuco, North America, Inc. Polk County

The Department of Environmental Protection (permitting authority) gives notice of its intent to issue a Title V Air Operation Permit Revision to Citrosuco North America, Inc. for their existing facility located at Highway 60 - East of Lake Wales, Lake Wales 33898-9279.

Citrosuco North America, Inc. requests that a revision to their Title V permit be issued to incorporate the terms and conditions of air construction permit, No. 1050001-004-AC, for a new 1,000 horsepower boiler as a replacement to the existing No. 2 boiler, a 1,000 horsepower Johnson boiler, which was damaged during a dry firing.

The permitting authority will issue the PROPOSED Permit, and subsequent FINAL Permit, in accordance with the conditions of the DRAFT Permit unless a response received in accordance with the following procedures results in a different decision or significant change of terms or conditions.

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

A person whose substantial interests are affected by the proposed permitting decision may petition for an administrative hearing in accordance with Sections 120.569 and 120.57, Florida Statutes (F.S.). The petition must contain the information set forth below and must be filed (received) in the Office of General Council of the Department of Environmental Protection, 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000 (Telephone: 850/488-9730; Fax: 850/487-4938). Petitioners filed by any persons other than those entitled to written notice under Section 120.60(3) F.S., must be filed within fourteen days of publication of the public notice or within fourteen days of receipt of the notice of intent, 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 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 applicable 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, Florida Administrative Code (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; 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 petitioner's substantial rights will be affected by the agency determination;
(c) A statement of how and when the petitioner received notice of the agency action or proposed action;
(d) A state of all disputed issues of material fact. If there are none, the petition must so state;
(e) A concise statement of the ultimate facts alleged, as well as the rules and statutes which entitle petitioner to relief;
(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 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 notice of intent. Persons whose substantial interests will be affected by any such final decision of the 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 is not available for this proceeding.

In addition to the above, pursuant to 42 United States Code (U.S.C.) Section 7661d(b)(2), any person may petition the Administrator of the EPA within 60 (sixty) days of the expiration of the Administrator's 45 (forty-five) day review period as established at 42 U.S.C. Section 7661d(b)(1), to object to issuance of any permit revision. Any petition shall be based on the information set forth above.

ONLY ON EXCEPTIONS TO THE PERMIT REVISION 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 PERMIT PROPOSED BY THE EPA 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 7661(d)(2) AND MUST BE FILED WITH THE ADMINISTRATOR OF THE EPA AT: U.S. EPA, 401 M STREET, S.W., WASHINGTON, D.C. 20460.

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:

Department of Environmental Protection  
Southwest District Office  
3804 Coconut Palm Drive  
Tampa, Florida 33619-8218  
Telephone: 813/744-6100 Fax: 813/744-6084

Department of Environmental Protection  
Bureau of Air Regulation, Suite 4  
111 S. Magnolia Drive, Suite 4  
Tallahassee, Florida 32301  
Telephone: 850/488-0114 Fax: 850/922-6979

The complete project file includes the DRAFT Permit, the application, and the information submitted by the responsible officer, exclusive of confidential records under Section 408111, F.S. Interested persons may contact Scott M. Sheplak, P.E., at [tsheplak@epa.gov](mailto:tsheplak@epa.gov) or call 850/921-9532, for additional information.

Published: October 1, 2002 ad # 10390

BEST AVAILABLE COPY

**Citrosuco North America Inc.**

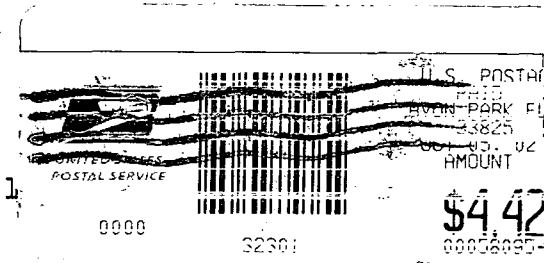
PO Box 3950  
Lake Wales, Florida 33859-3950

**Fischer**  
Group

**CERTIFIED MAIL**



7002 0510 0001 33859 4051



**FIRST CLASS**

**RETURN RECEIPT  
REQUESTED**

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

