

# Citrosuco North America Inc.

March 15, 2004

Department of Environmental Protection  
Twin Towers Office Building  
2600 Blair Stone Road  
Tallahassee, Florida 32399-2400  
Attn: Trina Vielhauer, Chief Bureau of Air Regulation

RECEIVED

MAR 18 2004

BUREAU OF AIR REGULATION

RE: Citrosuco North America, Inc.  
Draft Air Construction Permit No.: 1050001-007-AC  
Draft Title V Air Operation Permit Revision Project No.: 1050001-008-AV  
Revision to Title V Air Operation Permit No.: 1050001-001-AV

Subject: Public Notice of Intent to Issue An Air Construction Permit and A Title V Air Operation Permit Revision

Dear Ms. Vielhauer,

Enclosed, please find an Affidavit of Publication regarding the above Revision to Title V Air Operation Permit.

If you have any questions, or require anything further, please feel free to contact me at the numbers listed below.

Regards,



Lisa Gittemeier  
Safety and Environmental Compliance  
Citrosuco North America, Inc.  
(863) 696-7400 ext. 509  
(863) 528-4751

**Fischer**  
Group

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 of **Notice of Intent to Issue an Air Construction Permit & a Title V Air Operation Permit Revision** in the matter of **Citrosuco, North America, Inc.** the Circuit Court, was published in said newspaper in the issues of **March 12<sup>th</sup>, 2004.**

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 **12<sup>th</sup>** day of **March, A.D. 2004** 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 AN AIR CONSTRUCTION PERMIT AND A  
TITLE V AIR OPERATION PERMIT REVISION

STATE OF FLORIDA  
DEPARTMENT OF ENVIRONMENTAL PROTECTION

Draft Air Construction Permit No.: 1050001-007-AC  
DRAFT Title V Air Operation Permit Revision Project No.: 1050001-008-AV  
Revision to Title V Air Operation Permit No. 1050001-001-AV  
Citrosuco, North America, Inc.  
Polk County

The Department of Environmental Protection (Department) gives notice of its intent to issue an Air Construction Permit and a Title V Air Operation Permit Revision to Citrosuco North American, Inc. for their existing facility located at Highway 60- East of Lake Wales, Lake Wales, Polk County, the revision is a change to Title V Air Operation Permit No. 0510004-001-AV. The applicant's name and address are: Citrosuco North America, Inc. 5937 Highway 60 East, Lake Wales 33898-9279.

The Draft Air Construction Permit is a permit authorizes the replacement of an existing 800 horsepower Johnson Boiler #1, Emissions Unit I.D.-001, with a new 2,000 horsepower Johnson Boiler #1A, Emissions Unit I.D.-013. Because there will be no increase in the annual allowable fuel use, the project was not subject to review under New Source Review.

The Title V Revision incorporates the provisions of the Draft Air Construction Permit.

The permitting authority will issue the Air Construction Permit and the PROPOSED Title V Air Operation Permit Revision and subsequent FINAL Title V Air Operation Permit Revision, in accordance with the conditions of the Draft Air Construction Permit and the DRAFT Title V Air Operation Permit Revision 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 Air Construction Permit issuance action for a period of 14 (fourteen) days from the date of publication of this Notice. Written comments 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 this Draft Air Construction Permit, the permitting authority shall issue a Revised Draft Air Construction Permit and require, if applicable, another Public Notice.

The permitting authority will accept written comments concerning the proposed DRAFT Title V Air Operation Permit Revision 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 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 DRAFT Title V Air Operation Permit Revision, the permitting authority shall issue a Revised DRAFT Title V Air Operation Permit Revision 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 of the Florida Statutes (F.S.). 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 any persons other than those entitled to written notice under Section 120.60(3), F.S., must be filed within 14 (fourteen) days of publication of the public notice or within 14 (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 14 (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 of the 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:

- The name and address of each agency affected and each agency's file or identification number, if known;
- 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;
- A statement of how and when the petitioner received notice of the agency action or proposed action;
- A statement of all disputed issues of material fact. If there are none, the petition must so state;
- A concise statement of the ultimate facts alleged, as well as the rules and statutes which entitle petitioner to relief;
- A statement of the specific rules or statutes the petitioner contends require reversal or modification of the agency's proposed actions; and,
- 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(s) 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 permits. Any petition shall be based only on objections to the permits 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 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.

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

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

The complete project file includes the Technical Evaluation and Preliminary Determination and associated Draft Air Construction Permit and DRAFT Title V Air Operation Permit Revision, the application(s), and the information submitted by the responsible official, exclusive of confidential records under Section 403.111, F.S. Interested persons may contact Edward J. Svec, at the above address, or call 850/488-0114, for additional information.

Published: March 12, 2004; Ad # 10861