



Department of Environmental Protection

Lawton Chiles
Governor

Twin Towers Office Building
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

Virginia B. Wetherell
Secretary

September 8, 1997

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Mr. Lawrence D. Worth
Vice President of Engineering
United States Sugar Corporation
Post Office Box 1207
Clewiston, Florida 33440-1207

Re: DRAFT Permits Nos. 7775035-001-AC & 7775035-002-AO
Construction and Operation Permits for a Portable Stone Crusher

Dear Mr. Worth:

Enclosed is one copy of the Draft Air Construction and Operation Permits for a portable stone crusher that will operate in Glades, Hendry, and Palm Beach Counties. The Technical Evaluation and Preliminary Determination, the Department's Intent to Issue Air Permits and the "PUBLIC NOTICE OF INTENT TO ISSUE AIR PERMITS" are also included.

The "PUBLIC NOTICE OF INTENT TO ISSUE AIR PERMITS" must be published in a newspaper having general circulation in each county you intend to operate in within 30 (thirty) days of receipt of this letter. Proof of publication, i.e., newspaper affidavit, must be provided to the Department's Bureau of Air Regulation office within 7 (seven) days of publication. Failure to publish the notice and provide proof of publication within the allotted time may result in the denial of the permits.

Please submit any written comments you wish to have considered concerning the Department's proposed action to A. A. Lincro, P.E. Administrator, New Source Review Section at the above letterhead address. If you have any other questions, please contact Willard Hanks at 850/488-1344.

Sincerely,

C. H. Fancy, P.E., Chief,
Bureau of Air Regulation

:CHF/wh/t

Enclosures

In the Matter of an
Application for Permits by:

United States Sugar Corporation
Post Office Box 1207
Clewiston, Florida 33440-1207

DRAFT Permits Nos. 7775035-001-AC
7775035-002-AO
Relocatable Unit
Glades, Hendry, Palm Beach Counties

INTENT TO ISSUE AIR PERMITS

The Department of Environmental Protection (Department) gives notice of its intent to issue "after-the-fact" air construction and operation permits (copy of DRAFT Permits attached) for the proposed project, detailed in the application specified above and the attached Technical Evaluation and Preliminary Determination, for the reasons stated below.

The applicant, United States Sugar Corporation, applied on June 5, 1997 to the Department for air construction and operation permits for a diesel powered portable rock crusher to operate on property under the control of the applicant in Glades, Hendry, and Palm Beach Counties.

The Department has permitting jurisdiction under provisions of Chapter 403, Florida Statutes (F.S.), and Florida Administrative Code (F.A.C.) Chapters 62-4 and 62-210. The above actions are not exempt from permitting procedures. The Department has determined that "after the fact" air construction and operation permits are required to allow continued operation of described unit. The Department intends to issue these air construction permits based on the belief that reasonable assurances have been provided to indicate that operation of these emission units will not adversely impact air quality, and the emission units will comply with all appropriate provisions of Chapters 62-4, 62-204, 62-210, 62-212, 62-296, and 62-297, F.A.C.

Pursuant to Section 403.815, F.S., and Rule 62-103.150, F.A.C., you (the applicant) are required to publish at your own expense the enclosed "PUBLIC NOTICE OF INTENT TO ISSUE AIR PERMITS". The notice shall be published one time only within 30 (thirty) days in the legal advertisement section of a newspaper of general circulation in the area affected. For the purpose of these rules, "publication in a newspaper of general circulation in the area affected" means publication in a newspaper meeting the requirements of Sections 50.011 and 50.031, F.S., in the county where the activity is to take place. Where there is more than one newspaper of general circulation in the county, the newspaper used must be one with significant circulation in the area that may be affected by the permits. If you are uncertain that a newspaper meets these requirements, please contact the Department at the address or telephone number listed below. The applicant shall provide proof of publication to the Department's Bureau of Air Regulation, at 2600 Blair Stone Road, Mail Station #5505, Tallahassee, Florida 32399-2400 (Telephone: 850/488-1344; Fax 850/ 922-6979) within 7 (seven) days of publication. Failure to publish the notice and provide proof of publication within the allotted time may result in the denial of the permits pursuant to Rule 62-103.150 (6), F.A.C.

The Department will issue the FINAL Permits, in accordance with the conditions of the enclosed DRAFT Permits 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 concerning the proposed DRAFT Permit issuance actions for a period of 30 (thirty) days from the date of publication of "PUBLIC NOTICE OF INTENT TO ISSUE AIR PERMITS." Written comments and requests for public meetings 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 these DRAFT Permits, the Department shall issue Revised DRAFT Permits and require, if applicable, another Public Notice.

Is your RETURN ADDRESS completed on the reverse side?

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, 4a, and 4b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

- 1. Addressee's Address
- 2. Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:
 Lawrence D. Worth, V P
 of Engineering
 U.S. Sugar Corp.
 P.O. Box 1207
 Clewiston, FL
 33440-1207

4a. Article Number
 P 265 659 450

- 4b. Service Type
- Registered
 - Express Mail
 - Return Receipt for Merchandise
 - Certified
 - Insured
 - COD

7. Date of Delivery
 9-10-97

5. Received By: (Print Name)

8. Addressee's Address (Only if requested and fee is paid)

6. Signature (Addressee or Agent)
 X *James Wheeler*

PS Form 3811, December 1994

Domestic Return Receipt

Thank you for using Return Receipt Service.

P 265 659 450

US Postal Service
Receipt for Certified Mail

No Insurance Coverage Provided.
 Do not use for International Mail (See reverse)

Sent to	
Lawrence Worth	
Street & Number	
U.S. Sugar	
Post Office, State, & ZIP Code	
Clewiston FL	
Postage	\$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, & Addressee's Address	
TOTAL Postage & Fees	\$
Postmark or Date	9-8-97
7775035-001-AC	
7775035-002-AD	

PS Form 3800, April 1995

The Department will issue the permits with the attached conditions unless a timely petition for an administrative hearing is filed pursuant to Sections 120.569 and 120.57 F.S. The procedures for petitioning for a hearing are set forth below. Mediation is not available for this action.

A person whose substantial interests are affected by the Department's proposed permitting decision may petition for an administrative hearing in accordance with Sections 120.569 and 120.57 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, 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000, telephone: 850/488-9730, fax: 850/487-4938. Petitions 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. A petitioner must 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 28-5.207 of the Florida Administrative Code.

A petition must contain the following information: (a) The name, address, and telephone number of each petitioner, the applicant's name and address, the Permit File Numbers and the county in which the project is proposed; (b) A statement of how and when each petitioner received notice of the Department's action or proposed action; (c) A statement of how each petitioner's substantial interests are affected by the Department's action or proposed action; (d) A statement of the material facts disputed by petitioner, if any; (e) A statement of the facts that the petitioner contends warrant reversal or modification of the Department's action or proposed action; (f) A statement identifying the rules or statutes that the petitioner contends require reversal or modification of the Department's action or proposed action; and (g) A statement of the relief sought by the petitioner, stating precisely the action that the petitioner wants the Department to take with respect to the action or proposed action addressed in this notice of intent.

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 of intent. 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.

In addition to the above, a person subject to regulation has a right to apply for a variance from or waiver of the requirements of particular rules, on certain conditions, under Section 120.542 F.S. The relief provided by this state statute applies only to state rules, not statutes, and not to any federal regulatory requirements. Applying for a variance or waiver does not substitute or extend the time for filing a petition for an administrative hearing or exercising any other right that a person may have in relation to the action proposed in this notice of intent.

The application for a variance or waiver is made by filing a petition with the Office of General Counsel of the Department, 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000. The petition must specify the following information: (a) The name, address, and telephone number of the petitioner; (b) The name, address, and telephone number of the attorney or qualified representative of the petitioner, if any; (c) Each rule or portion of a rule from which a variance or waiver is requested; (d) The citation to the statute underlying (implemented by) the rule identified in (c) above; (e) The type of action requested; (f) The specific facts that would justify a variance or waiver for the petitioner; (g) The reason why the variance or waiver would serve the purposes of the underlying statute (implemented by the rule); and (h) A statement whether the variance or waiver is permanent or temporary and, if temporary, a statement of the dates showing the duration of the variance or waiver requested.

The Department will grant a variance or waiver when the petition demonstrates both that the application of the rule would create a substantial hardship or violate principles of fairness, as each of those terms is defined in Section 120.542(2) F.S., and that the purpose of the underlying statute will be or has been achieved by other means by the petitioner.

Persons subject to regulation pursuant to any federally delegated or approved air program should be aware that Florida is specifically not authorized to issue variances or waivers from any requirements of any such federally delegated or approved program. The requirements of the program remain fully enforceable by the Administrator of the EPA and by any person under the Clean Air Act unless and until the Administrator separately approves any variance or waiver in accordance with the procedures of the federal program.

Executed in Tallahassee, Florida.



C. H. Fancy, P.E., Chief
Bureau of Air Regulation

CERTIFICATE OF SERVICE

The undersigned duly designated deputy agency clerk hereby certifies that this INTENT TO ISSUE AIR PERMITS (including the PUBLIC NOTICE, Technical Evaluation and Preliminary Determination, and the DRAFT permits) was sent by certified mail (*) and copies were mailed by U.S. Mail before the close of business on 9-8-97 to the person(s) listed:

Mr. Lawrence Worth, U. S. Sugar *
Mr. David Knowles, SD
Mr. Jim Stormer, PBCPHU
Mr. David Buff, Golder Assoc.

Clerk Stamp

FILING AND ACKNOWLEDGMENT FILED, on this date, pursuant to §120.52(7), Florida Statutes, with the designated Department Clerk, receipt of which is hereby acknowledged.

Kim Toker 9-8-97
(Clerk) (Date)

PUBLIC NOTICE OF INTENT TO ISSUE AIR PERMITS

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION

DRAFT Permits Nos. 7775035-001-AC / 7775035-002-AO
Portable Rock Crusher
Glades, Hendry, and Palm Beach Counties

The Department of Environmental Protection (Department) gives notice of its intent to issue "after-the-fact" air construction and operation permits for a diesel engine powered portable rock crusher to United States Sugar Corporation. A Best Available Control Technology (BACT) determination was not required for any pollutant pursuant to Rule 62-212.400, F.A.C. and 40 CFR 52.21, Prevention of Significant Deterioration (PSD). The applicant's name and address are: United States Sugar Corporation, Post Office Box 1207, Clewiston, Florida 33440-1207.

The applicant proposes to operate an existing portable rock crusher powered by a diesel engine at its farms and sugar mill located in Glades, Hendry, and Palm Beach Counties. The unit will emit particulate matter and the products of combustion from 0.5 percent sulfur diesel fuel. Visible emissions are limited to 20 percent opacity which is attained by wetting of the crushed material as necessary.

Total estimated emissions are:

<u>Pollutant</u>	<u>Maximum Emissions</u> pounds per hour	<u>Net Increase</u> tons per year
Particulate Matter(PM/PM10)	1.0	3.7
Nitrogen Oxides	9.9	35.9
Carbon Monoxide	2.1	7.7
Sulfur Dioxide	0.7	2.4
Volatile Organic Compounds	0.8	2.9

The project has an insignificant impact on the Everglades National Park Class I area.

The Department will issue the FINAL Permits, in accordance with the conditions of the DRAFT Permits 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 concerning the proposed DRAFT Permit issuance actions 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 these DRAFT Permits, the Department shall issue Revised DRAFT Permits and require, if applicable, another Public Notice.

The Department will issue the FINAL Permits with the conditions of the DRAFT Permits unless a timely petition for an administrative hearing is filed pursuant to Sections 120.569 and 120.57 F.S. Mediation is not available for this action. The procedures for petitioning for a hearing are set forth below.

A person whose substantial interests are affected by the Department's proposed permitting decision may petition for an administrative hearing in accordance with Sections 120.569 and 120.57 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, 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000, telephone: 850/488-9370, fax: 850/487-4938. Petitions 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. A petitioner must 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 (or a request for mediation, as discussed below) 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 28-5.207 of the Florida Administrative Code.

A petition must contain the following information: (a) The name, address, and telephone number of each petitioner, the applicant's name and address, the Permit File Numbers and the county in which the project is proposed; (b) A statement of how and when each petitioner received notice of the Department's action or proposed action; (c) A statement of how each petitioner's substantial interests are affected by the Department's action or proposed action; (d) A statement of the material facts disputed by petitioner, if any; (e) A statement of the facts that the petitioner contends warrant reversal or modification of the Department's action or proposed action; (f) A statement identifying the rules or statutes that the petitioner contends require reversal or modification of the Department's action or proposed action; and (g) A statement of the relief sought by the petitioner, stating precisely the action that the petitioner wants the Department to take with respect to the Department's action or proposed action addressed in this notice of intent.

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 of intent. 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:

Department of Env. Protection Bureau of Air Regulation 111 S. Magnolia Drive, Suite 4 Tallahassee, Florida, 32301 Telephone: 850/488-1344 Fax: 850/922-6979	Department of Env. Protection South Florida District 2295 Victoria Avenue, Suite 364 Fort Myers, Florida 33901 Telephone: 941/332-6975 Fax: 941/332-6969	Div. of Env. Science and Eng. Palm Beach County Health Unit 901 Evernia Street West Palm Beach, Florida 33401 Telephone: 561/355-3070 Fax: 561/355-2442
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The complete project file includes the applications, technical evaluations, Draft Permits, 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 Resource Review Section at 111 South Magnolia Drive, Suite 4, Tallahassee, Florida 32301, or call 850/488-1344, for additional information.

TECHNICAL EVALUATION
AND
PRELIMINARY DETERMINATION

United States Sugar Corporation

Portable Rock Crusher
Glades, Hendry, and Palm Beach Counties

Air Construction Permit No. 7775035-001-AC
Air Operation Permit No. 7775035-002-AO
Facility ID No. :7775035
Unit No. 01 (Crusher)
Unit No. 02 (Diesel Power)
Relocatable Unit

Department of Environmental Protection
Division of Air Resources Management
Bureau of Air Regulation

September 8, 1997

TECHNICAL EVALUATION AND PRELIMINARY DETERMINATION

1. APPLICATION INFORMATION

1.1 Applicant's Name and Address

Mr. Lawrence D. Worth, Vice President of Engineering
United States Sugar Corporation
Post Office Box 1207
Clewiston, Florida 33440-1207

1.2 Review and Processing Schedule

June 5, 1997	Date of Receipt of Application
June 18, 1997	Department's Preliminary Incompleteness Letter
July 17, 1997	U. S. Sugar's Response to DEP July 18 letter
August 15, 1997	Received Golder Assoc., August 14 letter

2. FACILITY INFORMATION

2.1 Relocatable rock crushing unit operating on farms and sugar mill property under the control of the applicant in Glades, Hendry, and Palm Beach Counties.

United States Sugar Corporation plans to use an existing 435 TPH Iowa Manufacturing Company, Model No. 3633, portable rock crusher on property under its control. Major components of the crusher are a feeder, crusher, screens, and diesel engine. Water will be added as needed to control fugitive dust emissions. The unit is currently operating on property under the control of the applicant. This permit will authorize continued operation of this equipment on property in Glades, Hendry, and Palm Beach Counties.

2.2 Standard Industrial Classification Code (SIC)

Major Group No.	14	Mining and Quarrying of Nonmetallic Minerals
Group No.	1422	Stone Quarrying/Processing
Industry No.	3-05-020-01	Primary Crushing

2.3 Facility Category

The portable rock crusher emits particulate matter from the handling and crushing of the rocks. Normal products of combustion from the diesel fuel burned in the diesel engine used to power the crusher.

United States Sugar Corporation's sugar mill is a major source or Title V source of air pollution. The rock crusher has a different SIC code than the farms or sugar mill and is a minor source of air pollution emitting less than 100 tons per year (TPY) of any single criteria air pollutant.

TECHNICAL EVALUATION AND PRELIMINARY DETERMINATION

The facility (sugar mill) is not on the list of the 28 Major Facility Categories, Table 62-212.400-1. However, based on emissions of over 250 TPY of various criteria pollutants, it is a major facility with respect to the Prevention of Significant Deterioration (PSD) requirements of Rule 62-212, F.A.C. The crusher is not on the list of major facilities and is not a major facility with respect to PSD review.

3. PROJECT DESCRIPTION

Project is to allow the continued use of an existing relocatable rock crusher and ancillary equipment and to allow operation in property owned by the company in a three-county area. The specific air pollutant emitting equipment is described as follows:

EMISSION UNIT No.	EMISSION UNIT DESCRIPTION
ARMS No. 01	Iowa Manufacturing Company crusher
ARMS No. 02	318 horsepower diesel engine

4. PROCESS DESCRIPTION

Rocks are fed to the crusher where they are reduced in size. The crushed rocks are returned to the roads and fields. Dust from the crushing of the rocks will be controlled by wetting with water when necessary. Power for the unit comes from a diesel engine which burn a maximum of 10 gallons per hour of fuel containing up to 0.5 percent sulfur.

5. RULE APPLICABILITY

The proposed project is subject to preconstruction review and additional requirements under the provisions of Chapter 403, Florida Statutes, and Chapters 62-4, 62-204, 62-210, 62-212, 62-296 and 62-297 of the Florida Administrative Code (F.A.C.).

This relocatable facility may operate in Glades, Hendry, and Palm Beach Counties. These areas contain land that is designated as maintenance for ozone and attainment for all other criteria pollutants in accordance with Rule 62-204.340, F.A.C. The proposed project is not subject to review under Rule 62-212.400., F.A.C., Prevention of Significant Deterioration (PSD), because it is a minor source and the potential emission increases for all criteria pollutants do not exceed the significance emission rates given in Chapter 62-212, Table 62-212.400-2, F.A.C.

A determination of Best Available Control Technology (BACT) is not required for a minor facility. No analysis of the air quality impact of the proposed project's impacts on soils, vegetation and visibility; along with air quality impacts resulting from associated commercial, residential and industrial growth. is required for a minor facility.

The unit was constructed prior to the effective date of 40 CFR 60, Subpart OOO, Standards of Performance for Nonmetallic Mineral Processing Plants. The unit is not subject to the new source performance standards because no reconstruction or modification to the unit has occurred since the federal regulations were promulgated.

TECHNICAL EVALUATION AND PRELIMINARY DETERMINATION

The emission units affected by this permit shall comply with all applicable provisions of the Florida Administrative Code and, specifically, the following Chapters and Rules:

Chapter 62-4	Permits.
Rule 62-210.300	Permits Required
Rule 62-210.350	Public Notice and Comments
Rule 62-210.370	Reports
Rule 62-210.650	Circumvention
Rule 62-210.700	Excess Emissions
Rule 62-210.900	Forms and Instructions
Rule 62-212.300	General Preconstruction Review Requirements
Rule 62-296.320	General Pollutant Emission Limiting Standards
Rule 62-297.310	General Test Requirements
Rule 62-297.400	EPA Methods Adopted by Reference
Rule 62-297-401	EPA Test Procedures

6. SOURCE IMPACT ANALYSIS

6.1 Emission Summary

The proposed portable rock crusher will emit the following PSD pollutants (Table 212.400-2): particulate matter, sulfur dioxide, nitrogen oxides, volatile organic compounds, and carbon monoxide. The estimated emissions are summarized in the following table.

Pollutants	Estimated Emission Rate lb/hr	Annual Net Emissions Increase ton/yr	PSD Significant Level ton/yr
Crusher			
PM/PM10	0.3	1.1	25/15
Diesel Power			
NOx	9.9	35.9	40
SO2	0.7	2.4	25
CO	2.1	7.7	100
PM/PM10	0.7	2.6	25/15
VOC	0.8	2.9	40

Footnotes:

Annual emissions are based on 7,280 hours per year of operation.

6.2 Control Technology Review

The crusher unit and associated conveyors are potential sources of fugitive particulate matter emissions. Emissions shall be controlled by wetting the rocks and crushed stones when needed.

The diesel engine powering the crusher will emit the products of combustion. Diesel fuel for off-road service use contains a maximum of 0.5 percent sulfur.

Emissions from these units are limited by production and hours per year operation limits..

TECHNICAL EVALUATION AND PRELIMINARY DETERMINATION

6.3 Air Quality Analysis

An air quality analysis was not conducted for this project.. The Department does not expect the low emissions from this operation to have a significant impact on the ambient air quality.

7. CONCLUSION

Based on the foregoing technical evaluation of the application and additional information submitted by United States Sugar Corporation, the Department has made a preliminary determination that the proposed project will comply with all applicable state and federal air pollution regulations provided the Department's restrictions described in the Specific Conditions of the proposed permit are met. The General and Specific Conditions are listed in the attached draft conditions of approval .

Permit Engineer: Willard Hanks

Reviewed and Approved by A. A Linero, P.E.

DRAFT

PERMITTEE:

United States Sugar Corporation
Post Office Box 1207
Clewiston, Florida 33440-1207

Authorized Representative:
Mr. Lawrence D. Worth
Vice President of Engineering

FID No.	7775035
SIC No.	1422
Project:	Rock Crusher
Permit No.	7775035-001-AC
Expires:	January 1, 1998

Permit No.	7775035-002-AO
Expires:	October 1, 2002

PROJECT AND LOCATION:

After-the-fact permits for the construction and operation of a 435 ton per hour rock crusher powered by a 318 horsepower diesel engine within the property of U.S. Sugar Corporation in Hendry, Glades and Palm Beach Counties.

The units may be operated on any land controlled by the United States Sugar Corporation in Glades, Hendry, and Palm Beach Counties that was covered by a public notice for the units published within the last 5 years. It may operate in other counties within the state provided that the public notice requirements have been met in the counties and the unit's permit has been amended to authorize operation in the other counties.

STATEMENT OF BASIS:

This combined construction and operation permit is issued under the provisions of Chapter 403 of the Florida Statutes (F.S.), and the Florida Administrative Code (F.A.C.) Chapters 62-4, 62-204, 62-210, 62-212, 62-296, and 62-297. The above named permittee is authorized to construct and operate the units in accordance with the conditions of this permit and as described in the application, approved drawings, plans, and other documents on file with the Department of Environmental Protection (Department).

Attached appendices are made a part of this permit:

- Appendix GC Permit General Conditions
- Appendix CSC Emission Unit(s) Common Specific Conditions

Howard L. Rhodes, Director
Division of Air Resources
Management

DRAFT

**AIR CONSTRUCTION PERMIT 7775035-001-AC
AIR OPERATION PERMIT 7775035-002-AO**

SECTION I. FACILITY INFORMATION

SUBSECTION A. FACILITY DESCRIPTION

These existing units consist of a 435 TPH Iowa Manufacturing Company Model 3633 crusher with associated equipment (vibrating scalping feeder) and a 318 hp diesel engine drive unit. They are used at an existing sugar mill and property owned by U. S. Sugar Corporation.

SUBSECTION B. EMISSION UNITS

This permit addresses the following emission units:

EMISSIONS UNIT NO.	SYSTEM	EMISSIONS UNITS DESCRIPTION
001	Raw Material Processed	Material handling (fugitive emissions) and crushing (fugitive emissions)
002	Power	Diesel engine drive unit (emission of fuel combustion products)

SUBSECTION C. REGULATORY CLASSIFICATION

These units have an SIC Code No. 1422 : Stone Quarrying / Processing and constitute a non-Title V minor source of air pollution. U. S. Sugar's sugar mills are major (Title V) sources of air pollution. The rock crusher has a different SIC than the sugar mills.

SUBSECTION D. PERMIT SCHEDULE

- 06-11-97 Received application for Construction Permit.
- 08-15-97 Construction and Operation Permit Applications deemed complete
- (DATE) Issued Notice of Intent to issue Permit
- (DATE) Received proof of publication in (DATE) issue of Newspaper

SUBSECTION E. RELEVANT DOCUMENTS

The documents listed below are the basis of the permit. They are specifically related to this permitting action. These documents are on file with the Department.

- Application dated June 5, 1997
- Department letter dated June 18, 1997
- Letters from U.S. Sugar and Golder Associates dated July 15 and August 14, 1997 respectively.
- Technical Evaluation and Preliminary Determination dated August 29, 1997

DRAFT

AIR CONSTRUCTION PERMIT 7775035-001-AC
AIR OPERATION PERMIT 7775035-002-AO

SECTION II. EMISSION UNIT(S) GENERAL REQUIREMENTS

SUBSECTION A. ADMINISTRATIVE

- A.1 Regulating Agencies: All documents related to the permit to operate, reports, tests, minor modifications and notifications shall be submitted to the District or County Environmental office which has jurisdiction over the facility operating these units.
- A.2 Changes/Modifications: All applications for permits to operate or modify these emission unit(s) should be submitted to the Bureau of Air Regulation (BAR), Florida Department of Environmental Protection (FDEP) located at 2600 Blairstone Road, Tallahassee, Florida 32399-2400 and phone number (850)488-1344.
- A.3 General Conditions: The owner and operator is subject to and shall operate under the attached General Permit Conditions G.1 through G.15 listed in *Appendix GC* of this permit. General Permit Conditions are binding and enforceable pursuant to Chapter 403 of the Florida Statutes. [Rule 62-4.160, F.A.C.]
- A.4 Terminology: The terms used in this permit have specific meanings as defined in the corresponding chapters of the Florida Administrative Code.
- A.5 Forms and Application Procedures: The permittee shall use the applicable forms listed in Rule 62-210.900, F.A.C. and follow the application procedures in Chapter 62-4, F.A.C. [Rule 62-210.900, F.A.C.]
- A.6 Expiration: This air construction permit shall expire on **January 1, 1998**. The air operation permit shall expire on **October 1, 2002**. [Rule 62-210.300(1), F.A.C.]. The permittee may, for good cause, request that this construction permit be extended. Such a request shall be submitted to the District or County Environmental office which has jurisdiction over the facility operating these units prior to 60 days before the expiration of the permit. However, the permittee shall promptly notify the permitting authority office of any delays in completion of the project which would affect the startup day by more than 90 days. [Rule 62-4.090, F.A.C.]
- A.7 Applicable Regulations: Unless otherwise indicated in this permit, the construction and operation of the portable stone crusher and diesel power drive units shall be in accordance with the capacities and specifications stated in the application. This facility is subject to all applicable provisions of Chapter 403, F.S. and Florida Administrative Code Chapters 62-4; 62-103; 62-204, 62-210, 62-212, 62-296, and 62-297. Issuance of this permit does not relieve the facility owner or operator from compliance with any applicable federal, state, or local permitting requirements or regulations. [Rule 62-210.300, F.A.C.]
- A.8 Relocation Notice: At least 7 days prior to relocating the plant to an approved site (county), the permittee shall notify the air program administrator for the Department's District and, if applicable, county air program administrator of the next county in Florida that the unit will be operated at. The notification will be on DEP Form 62-210.900(3), F.A.C. The notification shall include the permit number of the facility, a copy of the last test results, the date of the proposed move, and the new work site for the facility. Unless notified otherwise by an environmental agency, the unit may be relocated and operated at the new site. The Department may require a Notice of Agency Action be published in a newspaper having circulation in the county the unit is moving to. Also, a county license may be required. The Department will notify the permittee of any new restrictions for the

AIR CONSTRUCTION PERMIT 7775035-001-AC
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SECTION II. EMISSION UNIT(S) GENERAL REQUIREMENTS

facility that will apply while it is operating at the new site. At least 30 days prior to relocating to a site (county) which is not yet approved, the permittee shall notify the Bureau of Air Regulation using the proper form and have this permit amended prior to relocation of the unit. [Rule 62-210.900, F.A.C.]

- A.9 Application for an Operation Permit: An application for renewal of the operation permit must be submitted to the BAR at least 90 days prior to the expiration date of this operation permit. To apply for an operation permit, the applicant shall submit the appropriate application form, fee, a report on any physical change or major maintenance to the facility, and compliance test reports as required by this permit. [Rule 62-4.220, F.A.C.]

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AIR CONSTRUCTION PERMIT 7775035-001-AC
AIR OPERATION PERMIT 7775035-002-AO

SECTION III. EMISSION UNIT(S) SPECIFIC CONDITIONS

SUBSECTION A. SPECIFIC CONDITIONS:

The following Specific Conditions apply to the following emission units:

EMISSION UNIT NO.	SYSTEM	EMISSION UNIT DESCRIPTION
001	Material handling/processing	Iowa Manufacturing Co. crusher, conveyors, and feeder (fugitive particulate matter emissions)
002	Power	318 hp diesel engine (products of combustion)

These emission units shall comply with all applicable provisions of 40 CFR 60, Subpart 000, Chapters 62-210 and 62-296, F.A.C.

EMISSION LIMITATIONS

- A.1 The maximum visible emissions for Unit 001 (crusher and associated equipment) and Unit 002 (diesel drive) shall not exceed 20 percent opacity. [Rule 62-296.320, F.A.C.]
- A.2 In order to minimize excess emissions during startup/shutdown/malfunction, these emission units shall adhere to best operational practices. [Rule 62-210.700, F.A.C. and 40 CFR 60.7]

OPERATIONAL LIMITATIONS

- A.3 These emission units are allowed to operate up to 7,280 hours during any calendar year. [Rule 62-210.200, F.A.C. Definitions-Potential to emit (PTE)].
- A.4 The crusher may process up to 435 TPH and 3,166,800 TPY rocks.
- A.5 The diesel engine drive may burn up to 10 GPH and 73,000 GPY diesel fuel containing a maximum of 0.5 percent sulfur.

TEST METHODS AND PROCEDURES

- A.6 Compliance with the allowable emission limiting standards listed in Specific Conditions A.1 and A.5 shall be determined by using the following reference method as described in 40 CFR 60, (1995, version) as adopted by reference in Chapter 62-204, F.A.C.

Method 9 Visual Determination of the Opacity of Emissions from Stationary Sources. Tests shall be conducted annually on Units 001 and 002.

ASTM D129-91. Standard Test Method for Sulfur in Petroleum Products. Certification of the sulfur content in the diesel fuel from the supplier is also acceptable. Records of the sulfur content of each delivery shall be maintained.

RECORDKEEPING AND REPORTING REQUIREMENTS

- A.7 The permittee shall maintain a log showing the annual hours per year operation, fuel consumption, and any major maintenance on the units.

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SECTION III. EMISSION UNIT(S) SPECIFIC CONDITIONS

A.8 Each owner or operator seeking to comply with 40 CFR 60.670(d) shall submit to the Administrator the following information about the existing emission unit being replaced and the replacement piece of equipment.

a. For a crusher, grinding mill, bucket elevator, bagging operation, or enclosed truck or rail car loading station:

- (1) The rated capacity in tons per hour of the existing emission unit being replaced and
- (2) The rated capacity in tons per hour of the replacement equipment.
[Rule 62-296.800, F.A.C.; 40 CFR 60.676(a)(1)(i) and (ii)]

b. For a screening operation:

- (1) The total surface area of the top screen of the existing screening operation being replaced and
- (2) The total surface area of the top screen of the replacement screening operation.
[Rule 62-296.800, F.A.C.; 40 CFR 60.676(a)(2)(i) and (ii)]

c. For a conveyor belt:

- (1) The width of the existing belt being replaced and
- (2) The width of the replacement conveyor belt.
[Rule 62-296.800, F.A.C.; 40 CFR 60.676(a)(3)(i) and (ii)]

d. For a storage bin:

- (1) The rated capacity in tons of the existing storage bin being replaced and
- (2) The rated capacity in tons of replacement storage bins.
[Rule 62-296.800, F.A.C.; 40 CFR 60.676(a)(4)(i) and (ii)]

A.9 Each owner or operator seeking to comply with 40 CFR 60.670(d) shall submit the following data to the Director of the Emission Standards and Engineering Division, (MD-13), U.S. Environmental Protection Agency, Research Triangle Park, North Carolina 27711 and BAR.

- a. The information described in 40 CFR 60.676(a),
- b. A description of the control device used to reduce particulate matter emissions from the existing emission unit and a list of all other pieces of equipment controlled by the same control device; and
- c. The estimated age of the existing emission unit.
[Rule 62-296.800, F.A.C.; 40 CFR 60.676(b)(1), (2) and (3)]

Daily Operation and Maintenance (O&M) Log:

A.10. This facility shall maintain a central file containing all measurements, records, and other data that are required to be collected pursuant to the various specific conditions of this permit. Operators shall keep a daily O&M log to include, at a minimum, the following information:

- a) The records on production rate.
- b) The amount of fuel burned.
- c) Maintenance/repair logs for any work performed on equipment or instrument which is subject to this permit;
- d) Total diesel fuel usage for the calendar year.

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SECTION III. EMISSION UNIT(S) SPECIFIC CONDITIONS

e) Total hours of operation of each unit for the calendar year.

All measurements, records, and other data required to be maintained by permittee shall be retained for at least five (5) years following the data on which such measurements, records, or data are recorded. These data shall be made available to the Department or county upon request. The District or County Environmental Agency, if applicable, having jurisdiction over the site that the units are operated at shall be notified in writing at least 15 days prior to the testing (auditing) of any instrument required to be operated by these specific conditions of certification in order to allow witnessing by authorized personnel. [Rule 62-4.070(3), F.A.C.]

APPENDIX GC
GENERAL PERMIT CONDITIONS [F.A.C. 62-4.160]

- G.1 The terms, conditions, requirements, limitations, and restrictions set forth in this permit are "Permit Conditions" and are binding and enforceable pursuant to Sections 403.161, 403.727, or 403.859 through 403.861, Florida Statutes. 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.
- G.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 or exhibits, specifications, or conditions of this permit may constitute grounds for revocation and enforcement action by the Department.
- G.3 As provided in Subsections 403.087(6) and 403.722(5), Florida Statutes, the issuance of this permit does not convey and 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 or approval of any other Department permit that may be required for other aspects of the total project which are not addressed in the permit.
- G.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.
- G.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.
- G.6 The permittee shall properly operate and maintain the facility and systems of treatment and control (and related appurtenances) that are installed or 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 when necessary to achieve compliance with the conditions of the permit and when required by Department rules.
- G.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 a reasonable time, access to the premises, where the permitted activity is located or conducted to:
- (a) Have access to and copy and records that must be kept under the 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.
- G.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 non-compliance; and
 - (b) The period of noncompliance, including dates and times; or, if not corrected, the anticipated time the non-compliance is expected to continue, and steps being taken to reduce, eliminate, and prevent recurrence of the non-compliance.

APPENDIX GC
GENERAL PERMIT CONDITIONS [F.A.C. 62-4.160]

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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.

- G.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 Sections 403.73 and 403.111, Florida Statutes. Such evidence shall only be used to the extent it is consistent with the Florida Rules of Civil Procedure and appropriate evidentiary rules.
- G.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.
- G.11 This permit is transferable only upon Department approval in accordance with Florida Administrative Code Rules 62-4.120 and 62-730.300, 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.
- G.12 This permit or a copy thereof shall be kept at the work site of the permitted activity.
- G.13 This permit also constitutes:
- (a) Determination of Best Available Control Technology ()
 - (b) Determination of Prevention of Significant Deterioration (); and
 - (c) Compliance with New Source Performance Standards ().
- G.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 or 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.
 - (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; and
 - 6. The results of such analyses.
- G.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.

APPENDIX CSC
EMISSION UNIT(S) COMMON SPECIFIC CONDITIONS

SUBSECTION 1.0 CONSTRUCTION REQUIREMENTS

- 1.1 Applicable Regulations: Unless otherwise indicated in this permit, the construction and operation of the subject emission unit(s) shall be in accordance with the capacities and specifications stated in the application. The facility is subject to all applicable provisions of Chapter 403, F.S and Florida Administrative Code Chapters 62-4, 62-103, 62-204, 62-210, 62-212, 62-213, 62-296, 62-297; and the applicable requirements of the Code of Federal Regulations Section 40, Part 60, adopted by reference in the Florida Administrative Code regulation [Rule 62-204.800, F.A.C.]. Issuance of this permit does not relieve the facility owner or operator from compliance with any applicable federal, state, or local permitting requirements or regulations. [Rule 62-210.300, F.A.C.]

SUBSECTION 2.0 EMISSION LIMITING STANDARDS

- 2.1 General Particulate Emission Limiting Standards. General Visible Emissions Standard: Except for emissions units that are subject to a particulate matter or opacity limit set forth or established by rule and reflected by conditions in this permit, no person shall cause, let, permit, suffer, or allow to be discharged into the atmosphere the emissions of air pollutants from any activity, the density of which is equal to or greater than that designated as Number 1 on the Ringelmann Chart (20% opacity). [Rule 62-296-320(4)(b)1, F.A.C.]
- 2.2 Unconfined Emissions of Particulate Matter [Rule 62-296.320(4)(c), F.A.C.]
- (a) The owner or operators shall not cause, let, permit, suffer or allow the emissions of unconfined particulate matter from any source whatsoever, including, but not limited to, vehicular movement, transportation of materials, construction, alteration, demolition or wrecking, or industrially related activities such as loading, unloading, storing or handling, without taking reasonable precautions to prevent such emission.
- (b) Any permit issued to a facility with emissions of unconfined particulate matter shall specify the reasonable precautions to be taken by that facility to control the emissions of unconfined particulate matter.
- (c) Reasonable precautions include the following:
- Paving and maintenance of roads, parking areas and yards.
 - Application of water or chemicals to control emissions from such activities as demolition of buildings, grading roads, construction, and land clearing.
 - Application of asphalt, water, oil, chemicals or other dust suppressants to unpaved roads, yards, open stock piles and similar activities.
 - Removal of particulate matter from roads and other paved areas under the control of the owner or operator of the facility to prevent reentrainment, and from buildings or work areas to prevent particulate from becoming airborne.
 - Landscaping or planting of vegetation.
 - Use of hoods, fans, filters, and similar equipment to contain, capture and/or vent particulate matter.

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APPENDIX CSC

EMISSION UNIT(S) COMMON SPECIFIC CONDITIONS

- Confining abrasive blasting where possible.
- Enclosure or covering of conveyor systems.

NOTE: Facilities that cause frequent, valid complaints may be required by the Permitting Authority to take these or other reasonable precautions. In determining what constitutes reasonable precautions for a particular source, the Department shall consider the cost of the control technique or work practice, the environmental impacts of the technique or practice, and the degree of reduction of emissions expected from a particular technique or practice.

2.3 General Pollutant Emission Limiting Standards: [Rule 62-296.320, F.A.C.]

- (a) The owner or operator shall not store, pump, handle, process, load, unload or use in any process or installation, volatile organic compounds or organic solvents without applying known and existing vapor emission control devices or systems.
- (b) No person shall cause, suffer, allow or permit the discharge of air pollutants which cause or contribute to an objectionable odor.

NOTE: An objectionable odor is defined as any odor present in the outdoor atmosphere which by itself or in combination with other odors, is or may be harmful or injurious to human health or welfare, which unreasonably interferes with the comfortable use and enjoyment of life or property, or which creates a nuisance.
[F.A.C. 62-210.200(198)]

SUBSECTION 3.0 OPERATION AND MAINTENANCE

3.1 Changes/Modifications: The owner or operator shall submit to the Permitting Authority(s), for review any changes in, or modifications to: the method of operation; process or pollution control equipment; increase in hours of operation; equipment capacities; or any change which would result in an increase in potential/actual emissions. Depending on the size and scope of the modification, it may be necessary to submit an application for, and obtain, an air construction permit prior to making the desired change. *Routine maintenance of equipment will not constitute a modification of this permit.* [Rule 62-4.030, 62-210.300 and 62-4.070(3), F.A.C.]

3.2 Plant Operation - Problems: If temporarily unable to comply with any of the conditions of the permit due to breakdown of equipment or destruction by fire, wind or other cause, the owner or operator shall notify the Permitting Authority as soon as possible, but at least within (1) working day, excluding weekends and holidays. The notification shall include: pertinent information as to the cause of the problem; the steps being taken to correct the problem and prevent future recurrence; and where applicable, the owner's intent toward reconstruction of destroyed facilities. Such notification does not release the permittee from any liability for failure to comply with the conditions of this permit and the regulations. [Rule 62-4.130, F.A.C.]

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APPENDIX CSC

EMISSION UNIT(S) COMMON SPECIFIC CONDITIONS

- 3.3 Circumvention: The owner or operator shall not circumvent the air pollution control equipment or allow the emission of air pollutants without this equipment operating properly. [Rule 62-210.650, F.A.C.]
- 3.4 Excess Emissions Requirements [Rule 62-210.700, F.A.C.]
- (a) Excess emissions resulting from start-up, shutdown or malfunction of these emissions units shall be permitted providing (1) best operational practices to minimize emissions are adhered to and (2) the duration of excess emissions shall be minimized, but in no case exceed two hours in any 24 hour period unless specifically authorized by the Permitting Authority office for longer duration. [Rule 62-210.700(1), F.A.C.]
 - (b) Excess emissions that are caused entirely or in part by poor maintenance, poor operation, or any other equipment or process failure that may reasonably be prevented during start-up, shutdown, or malfunction shall be prohibited. [Rule 62-210.700(4), F.A.C.]
 - (c) In case of excess emissions resulting from malfunctions, the owner or operator shall notify Permitting Authority within one (1) working day of: the nature, extent, and duration of the excess emissions; the cause of the problem; and the corrective actions being taken to prevent recurrence. [Rule 62-210.700(6), F.A.C.]
- 3.5 Operating Procedures: Operating procedures shall include good operating practices and proper training of all operators and supervisors. The good operating practices shall meet the guidelines and procedures as established by the equipment manufacturers. All operators (including supervisors) of air pollution control devices shall be properly trained in plant specific equipment. [Rule 62-4.070(3), F.A.C.]

SUBSECTION 4.0 MONITORING OF OPERATIONS

4.1 Determination of Process Variables

- (a) The permittee shall operate and maintain equipment and/or instruments necessary to determine process variables, such as process weight input or heat input, when such data is needed in conjunction with emissions data to determine the compliance of the emissions unit with applicable emission limiting standards.
- (b) Equipment and/or instruments used to directly or indirectly determine such process variables, including devices such as belt scales, weigh hoppers, flow meters, and tank scales, shall be calibrated and adjusted to indicate the true value of the parameter being measured with sufficient accuracy to allow the applicable process variable to be determined within 10% of its true value. [Rule 62-297.310(5), F.A.C.]

APPENDIX CSC

EMISSION UNIT(S) COMMON SPECIFIC CONDITIONS

SUBSECTION 5.0 TEST REQUIREMENTS

- 5.1 **Test Performance** Within 60 days after achieving the maximum production rate at which these emission units will be operated, but not later than 180 days after initial startup and annually thereafter, the owner or operator of this facility shall conduct performance test(s) pursuant to 40 CFR 60.8, Subpart A, General Provisions and 40 CFR 60, Appendix A. No other test method shall be used unless approval from the Department has been received in writing. Unless otherwise stated in the applicable emission limiting standard rule, testing of emissions shall be conducted with the emission unit(s) operating at permitted capacity pursuant to Rule 62-297.310(2), F.A.C. [Rules 62-204.800, 62-297.310, 62-297.400, 62-297.401, F.A.C.]
- 5.2 **Test Procedures** shall meet all applicable requirements of the Florida Administrative Code Chapter 62-297. [Rule 62-297.310, F.A.C.]
- 5.3 **Test Notification:** The owner or operator shall notify the Permitting Authority in writing at least *(30) days* (initial) and *15 days* (annual) prior to each scheduled compliance test to allow witnessing. The notification shall include the compliance test date, place of such test, the expected test time, the facility contact person for the test, and the person or company conducting the test. The (30) or (15) day notification requirement may be waived at the discretion of the Department. Likewise, if circumstances prevent testing during the test window specified for the emission unit, the owner or operator may request an alternate test date before the expiration of this window. [Rule 62-297.310 and 40 CFR 60.8, F.A.C.]
- 5.4 **Special Compliance Tests:** When the Department, after investigation, has good reason (such as complaints, increased visible emissions or questionable maintenance of control equipment) to believe that any applicable emission standard contained in Rule 62-204, 62-210, 62-212, 62-296 and 62-297, F.A.C. or in a permit issued pursuant to those rules is being violated, it may require the owner or operator of the facility to conduct compliance tests which identify the nature and quantity of pollutant emissions from the emissions units and to provide a report on the results of said tests to the Permitting Authority. [Rule 62-297.310(7)(b), F.A.C.]
- 5.5 **Stack Testing Facilities:** The owner or operator shall install stack testing facilities in accordance with Rule 62-297.310(6), F.A.C..
- 5.6 **Exceptions and Approval of Alternate Procedures and Requirements:** An Alternate Sampling Procedure (ASP) may be requested from the Bureau of Air Monitoring and Mobile Sources of the Florida Department of Environmental Protection in accordance with the procedures specified in Rule 62-297.620, F.A.C.
- 5.7 **Operating Rate During Testing:** Unless otherwise stated in the applicable emission limiting standard rule, testing of emissions shall be conducted with the emissions unit operation at permitted capacity. Permitted capacity is defined as 90 to 100 percent of the maximum operation rate allowed by the permit. If it is impracticable to test at permitted capacity, an emissions unit may be tested at less than the minimum permitted capacity; in this case, subsequent emissions unit operation is limited to 110 percent of the test load until a new test is
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APPENDIX CSC
EMISSION UNIT(S) COMMON SPECIFIC CONDITIONS

conducted. Once the unit is so limited, operation at higher capacities is allowed for no more than 15 consecutive days for the purpose of additional compliance testing to regain the authority to operate at the permitted capacity. [Rule 62-297.310(2) and (3), F.A.C.]

SUBSECTION 6.0 REPORTS AND RECORDS

- 6.1 Duration: All reports and records required by this permit shall be kept for at least (5) years from the date the information was recorded. [Rule 62-4.160(14)(b), F.A.C.]
- 6.2 Emission Compliance Stack Test Reports:
- (a) A *test report* indicating the results of the required compliance tests shall be filed with the Permitting Authority as soon as practical, but no later than 45 days after the last sampling run is completed. [Rule 62-297.310(8), F.A.C.]
 - (b) The *test report* shall provide sufficient detail on the tested emission unit and the procedures used to allow the Department to determine if the test was properly conducted and if the test results were properly computed. At a minimum, the test report shall provide the applicable information listed in **Rule 62-297.310(8), F.A.C.**
- 6.3 Excess Emissions Report: If excess emissions occur, the owner or operator shall notify the Permitting Authority within (1) working day of: the nature, extent, and duration of the excess emissions; the cause of the excess emissions; and the actions taken to correct the problem. In addition, the Department may request a written summary report of the incident. Pursuant to the New Source Performance Standards, excess emissions shall also be reported in accordance with 40 CFR 60.7, Subpart A. [Rules 62-4.130 and 62-210.700(6), F.A.C.]
- 6.4 Annual Operating Report for Air Pollutant Emitting Facility: Before March 1st of each year, the owner or operator shall submit to the Permitting Authority this required report [DEP Form No. 62-210.900(5)], which summarizes operations for the previous calendar year. [Rule 62-210.370(3), F.A.C.]

SUBSECTION 7.0 OTHER REQUIREMENTS

- 7.1 Waste Disposal: The owner or operator shall treat, store, and dispose of all liquid, solid, and hazardous wastes in accordance with all applicable Federal, State, and Local regulations. This air pollution permit does not preclude the permittee from securing any other types of required permits, licenses, or certifications.

Memorandum

Florida Department of Environmental Protection

TO: Clair Fancy

THRU: Al Linero *af* 8/27

FROM: Willard Hanks *wh*

DATE: August 29, 1997

SUBJECT: United States Sugar Corporation
Intent to Issue an Air Construction Permit
Permit Nos. 7775035-001-AC & 7775035-002-AO

Attached is an Intent to Issue an "after-the-fact" air construction/operation permit and the associated documents for a portable rock crusher with diesel engine drive that is used on property in Glades, Hendry, and Palm Beach Country that is under the control of U. S. Sugar Corporation.

The application for this minor source is being processed by BAR because it is a relocatable unit that operates in different Districts. The unit will use water as needed to control fugitive emissions. The unit is not subject to new source performance standards because it was built prior to the applicable date of 40 CFR 60, Subpart OOO, Standards of Performance for Nonmetallic Mineral Processing Plants.

I recommend your approval and signature of the proposed Intent to Issue.

AAI/wh



Department of Environmental Protection

Lawton Chiles
Governor

Twin Towers Office Building
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

Virginia B. Wetherell
Secretary

P.E. Certification Statement

Permittee:

U. S. Sugar Corporation
Portable Stone Crusher
Glades, Hendry, Palm Beach Counties

DEP File Nos. 7775035-001-AC

7775035-002-AO

Project type:

After-the fact permits for the construction and operation of a 435 ton per hour rock crusher powered by a 318 horsepower diesel engine within the property of U. S. Sugar in Hendry, Glades, and Palm Beach Counties. Emissions are below significance levels for PSD review.

I HEREBY CERTIFY that the engineering features described in the above referenced application and subject to the proposed permit conditions provide reasonable assurance of compliance with applicable provisions of Chapter 403, Florida Statutes, and Florida Administrative Code Chapters 62-4 and 62-204 through 62-297. However, I have not evaluated and I do not certify aspects of the proposal outside of my area of expertise (including but not limited to the electrical, mechanical, structural, hydrological, and geological features).

A. A. Linero, P.E.
Registration Number: 26032

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Date

Department of Environmental Protection
Bureau of Air Regulation
New Source Review Section
111 South Magnolia Drive, Suite 4
Tallahassee, Florida 32301
Phone (850) 488-1344
Fax (850) 922-6979

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