

# UNITED STATES SUGAR CORPORATION

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

May 13, 2003

RECEIVED

MAY 15 2003

BUREAU OF AIR REGULATION

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

RE: United States Sugar Corporation, Clewiston Sugar Mill and Refinery Boiler Maintenance  
Project, Hendry County  
Draft Air Permit No. 0510003-022-AC

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 Permit" was duly published in the legal section of the May 8, 2003 issue of *THE CLEWISTON NEWS*.

Sincerely,

UNITED STATES SUGAR CORPORATION



Donald Griffin  
Project Manager, Specialty Sugar

DG: kcb  
Enclosure

cc:

Phil Barbaccia – SD-DEP  
David Buff, Golder Associates  
William A. Raiola, USSC  
Michael Low, USSC  
Arthur Jacquelin, USSC  
Peter Briggs, USSC

THE CLEWISTON NEWS

Published Weekly

Clewiston, Florida

AFFIDAVIT OF PUBLICATION

State of Florida
County of Hendry

Before the undersigned authority, personally appeared Debra Miller, who on oath says she is the Editor of the Clewiston News, a weekly newspaper published at Clewiston in Hendry County, Florida, that the attached

copy of advertisement being a Public notice of Intent to issue Air Construction Permit in the matter State of Florida Department of Environmental Protection

in the court, was published in said newspaper in the issue(s) of May 8th, 2003

Affiant further says that the said Clewiston News is a newspaper published at Clewiston, in said Hendry County, continuously published in said Hendry County, Florida, each week, and has been entered as periodicals matter at the post office in Clewiston, in said Hendry County, Florida, for a period of one year next preceding the first publication says that she 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.

Debra Miller

Sworn to and subscribed before me this 8th day of May, 2003

Tracy L. Rounds
Notary Public

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MAY 15 2003

BUREAU OF AIR REGULATION



Tracy L. Rounds
Commission #DD161434
Expires: Oct 28, 2006
Bonded Thru
Atlantic Bonding Co., Inc.

**PUBLIC NOTICE OF INTENT TO ISSUE AIR CONSTRUCTION PERMIT**

STATE OF FLORIDA  
DEPARTMENT OF ENVIRONMENTAL PROTECTION

Draft Air Permit No. 0510003-022-AC

U.S. Sugar Corporation  
Clewiston Sugar Mill and Refinery  
Boiler Maintenance Project

The Department of Environmental Protection (Department) gives notice of its intent to issue an air construction permit to U.S. Sugar Corporation (applicant) to perform repairs to boilers at the existing Clewiston Sugar Mill and Refinery located in Hendry County, Florida. The applicant's authorized representative is Mr. William A. Rakola, V.P. of Sugar Processing Operations. The applicant's mailing address is United States Sugar Corporation, Clewiston Sugar Mill and Refinery, 111 Ponce DeLeon Avenue, Clewiston, FL 33440.

In recent years, the Clewiston sugar mill experienced a shift to processing more sugarcane harvested from sandy soils. Even after washing, the cane contains much higher levels of sand than is typical for the industry. The sand carries through the milling process to the bagasse fired in the boilers and creates a very abrasive flue gas, which has led to premature tube and component wear. For the 2003-2005 cane milling off seasons, the draft permit authorizes a maintenance project to maintain the boilers at normal operational levels and reliability for the upcoming cane milling seasons. Repairs primarily involve component tube replacements, but also include stoker maintenance, and overfire/distributor air fan replacements. In performing the repairs, U.S. Sugar is prohibited from increasing the capacity of any boiler or changing the basic design parameters such as fuel firing rates or heat input rates. The draft permit requires summary reports on completed repairs, updated repair schedules, emissions tests, and tested capacities. For this project, the Department does not believe that the proposed repairs are physical changes that will result in the increase in actual emissions of any pollutant.

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 concerning the proposed permit issuance action for a period of fourteen (14) days from the date of publication of this Public Notice of Intent to Issue Air Construction Permit. 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 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, 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 the permit applicant or any of the parties listed below must be filed within fourteen (14) 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), F.S. must be filed within fourteen (14) days of publication of the public notice or within fourteen (14) days of receipt of this notice of intent, whichever occurs first. Under Section 120.60(3), F.S., however, any person who asked the Department for notice of agency action may file a petition within fourteen (14) 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, F.A.C.

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, F.A.C.

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:

Department of Environmental Protection  
Bureau of Air Regulation  
(111 South Magnolia Drive, Suite 4)  
2600 Blair Stone Road, MS #5505  
Tallahassee, Florida 32399-2400  
Telephone: (850)468-0114

Department of Environmental Protection  
Air Resources Section  
South District Office  
2295 Victoria Avenue, Suite 364  
Fort Myers, Florida 33901-3381  
Telephone: (239)332-6975

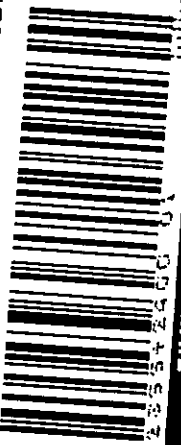
The complete project file includes the application, Technical Evaluation and Preliminary Determination, Draft Permit, and the information submitted by the responsible official, exclusive of confidential records under Section 403.111, F.S. Interested persons may contact the Department's reviewing engineer for this project for additional information at the address and phone numbers listed above.

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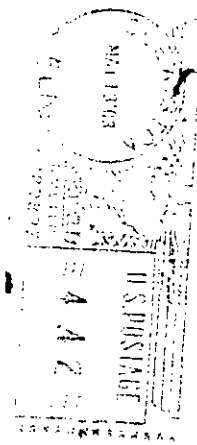
UNITED STATES SUGAR CORPORATION  
POST OFFICE DRAWER 1207  
CLEWISTON, FLORIDA 33440

RETURN TO  
REGISTRATION

CERTIFIED MAIL



7001 1940 0006 6170 9247



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

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