



111 Ponce de Leon Ave.
Clewiston, Florida 33440
Telephone 863/902-8121
Fax 863/902-3149

December 12, 2005.

Ron Blackburn, P.E.
Florida Dept. of Environmental Protection
P. O. Box 2549
Ft. Myers, Fl. 33902-2549

RE: Hendry County AP --- USSC
Air Construction Permit No. 0510003-034-AC
Baghouses for New Lime Silo Loading/Unloading Operation

Dear Mr. Blackburn:

We are enclosing Affidavit of Publication certifying that the "Public Notice of Intent to Issue Air Construction Permit" was duly published in the legal section of the December 8, 2005 issue of "The Clewiston News" newspaper in Hendry County.

If you have any questions or need further information, please let me know.

Sincerely,

UNITED STATES SUGAR CORPORATION

A handwritten signature in black ink, appearing to read "Peter B. Briggs".

Peter B. Briggs
Vice President,
Environmental Compliance & Programs

PB:rw
Enclosure

cc: William A. Rasola
Pat Whidden
Donald Griffin

DEC 15 2005

D.E.P. South District

The Clewiston News

Published Weekly

Clewiston, Florida

AFFIDAVIT OF PUBLICATION

State of Florida
County of Hendry

Before the undersigned authority, personally appeared Mark Young, who on oath says he 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 Notice

in the matter Public notice of intent to issue air permit US. Sulger Corporation Ad# 100935

in the _____ court, was published in said newspaper in the issue(s) of December 8, 2005

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 he has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

[Signature]

Sworn to and subscribed before me this _____ day of _____

Notary Public



Ideybis Gonzalez
Commission #DD341238
Expires: Jul 26, 2008
Bonded Thru
Atlantic Bonding Co., Inc

PUBLIC NOTICE OF INTENT TO ISSUE AIR PERMIT

Florida Department of Environmental Protection
Draft Air Permit No. 04-0003-034
U.S. Sugar Corporation - Clewiston Sugar Mill and Refinery
Hendry County, Florida

Applicant: The applicant for this project is the U.S. Sugar Corporation. The applicant's authorized representative and mailing address is: Mr. William A. Rabala, Vice President of Sugar Processing Operations, U.S. Sugar Corporation - Clewiston Sugar Mill and Refinery, 111 Ponce DeLeon Avenue, Clewiston, Florida 33440.

Facility Location: U.S. Sugar Corporation operates an existing sugar mill and refinery, which is located in Hendry County at 111 Ponce DeLeon Avenue in Clewiston, Florida.

Project: The applicant proposes to install the following: two new lime silos, truck and railcar pneumatic unloading and conveying equipment, three associated baghouse control systems, and a lime slaker system (as necessary). The project has the potential to emit 1 ton per year of particulate matter from this operation. The draft permit requires baghouse control systems on each lime silo and the railcar collection bin. The exhaust from each baghouse vent is limited to 5% opacity.

Permitting Authority: Applications for air construction permits are subject to review in accordance with the provisions of Chapter 403, Florida Statutes (F.S.) and Chapters 62-4, 62-210, and 62-212 of the Florida Administrative Code (F.A.C.). The proposed project is not exempt from air permitting requirements and an air permit is required to perform the proposed work. The Bureau of Air Regulation is the Permitting Authority responsible for making a permit determination for this project. The Permitting Authority's physical address is: 111 South Magnolia Drive, Suite #4, Tallahassee, Florida. The Permitting Authority's mailing address is: 2600 Blair Stone Road, MS #5505 Tallahassee, Florida 32399-2400. The Permitting Authority's telephone number is 850/488-0114.

Project File: A complete project file is available for public inspection during the normal business hours of 8:00 a.m. to 5:00 p.m., Monday through Friday (except legal holidays), at address indicated above for the Permitting Authority. The complete project file includes the Draft Permit, the Technical Evaluation and Preliminary Determination, the application, and the information submitted by the applicant, exclusive of confidential records under Section 403.111, F.S. Interested persons may contact the Permitting Authority's project review engineer for additional information at the address or phone number listed above.

Notice of Intent to Issue Air Permit: The Permitting Authority gives notice of its intent to issue an air permit to the applicant for the project described above. The applicant has provided reasonable assurance that operation of proposed equipment will not adversely impact air quality and that the project will comply with all appropriate provisions of Chapters 62-4, 62-204, 62-210, 62-212, 62-296, and 62-297, F.A.C. The Permitting Authority will issue a Final Permit in accordance with the conditions of the proposed Draft Permit unless a timely petition for an administrative hearing is filed under Sections 120.569 and 120.57, F.S. or unless public comment received in accordance with this notice results in a different decision or a significant change of terms or conditions.

Comments: The Permitting Authority will accept written comments concerning the proposed Draft Permit for a period of fourteen (14) days from the date of publication of this Public Notice. Written comments must be provided to the Permitting Authority at the above address. Any written comments filed will be made available for public inspection. If written comments received result in a significant change to the Draft Permit, the Permitting Authority shall revise the Draft Permit and require, if applicable, another Public Notice.

Petitions: 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, F.S. The petition must contain the information set forth below and must be filed with (received by) the Department's Agency Clerk in the Office of General Counsel of the Department of Environmental Protection 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 fourteen (14) days of publication of this Public Notice or receipt of a written notice, 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 (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 upon 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; 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 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 statement 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, 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 the 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 Public Notice of Intent to Issue Air Permit. 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: Mediation is not available for this proceeding.
100935 CGS 12/9/05

Blackburn, Ron

From: Blackburn, Ron
Sent: Thursday, December 15, 2005 10:24 AM
To: 'pbriggs@ussugar.com'
Cc: Koerner, Jeff
Subject: US Sugar Permit No. 0510003-034-AC (Lime Silo)

Peter:

Received your Affidavit of Publication for the referenced project. Jeff is handling that one for us. Will forward Jeff the hard copy to Tallahassee from here.
(Jeff: Date of publication is December 8, 2005)

Thanks all and have a Merry Christmas.

Ron

Ron Blackburn

District Air Program Administrator
Department of Environmental Protection
South District Air Resources Management
Ft. Myers, FL. (239) 332-6975

TO: JEFF KOENER, P.E.
AIR RESOURCES
FROM: RON BLACKBURN / FT. MYERS

THANKS JEFF
AK