



111 Ponce de Leon Ave.  
Clewiston, Florida 33440-1207  
Telephone 863/983-8121  
Fax 863/902-2729

Monday, December 4, 2006

RECEIVED

DEC 11 2006

BUREAU OF AIR REGULATION

Mr. Ron Blackburn  
Florida Department of Environmental Protection  
Post Office Box 2549  
Fort Myers, Florida 33902-2549

RE: United States Sugar Corporation, Clewiston  
Hendry County, Florida  
File No. 0510003-038-AC


Gentlemen:

We are enclosing Affidavit of Publication certifying that the "Public Notice of Intent to Issue Air Permit" of reference was published in the legal section of the November 16, 2006 issue of *The Clewiston News*.

Please advise if there is anything further we need provide in this respect.

Sincerely,

UNITED STATES SUGAR CORPORATION

  
Neil Smith  
Vice President and General Manager  
Sugar Manufacturing

NS:lp  
Enclosure

cc: Jeffery Koerner  
David Buff  
Peter Briggs  
Donald Griffin

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DEC 08 2006  
SOUTH DISTRICT

**DEP ROUTING AND TRANSMITTAL SLIP**

TO: (NAME, OFFICE, LOCATION)

1. JEFF KOERNER - DARM

2. MAIL STATION 5500

PLEASE PREPARE REPLY FOR:

SECRETARY'S SIGNATURE

DIV/DIST DIR SIGNATURE

MY SIGNATURE

YOUR SIGNATURE

DUE DATE: \_\_\_\_\_

ACTION/DISPOSITION:

DISCUSS WITH ME

COMMENTS/ADVISE

REVIEW AND RETURN

SET UP MEETING

FOR YOUR INFORMATION

HANDLE APPROPRIATELY

INITIAL AND FORWARD

SHARE WITH STAFF

FOR YOUR FILES

COMMENTS:

U. S. SUGAR CORPORATION  
CLEWISTON MILL  
0510003-038-AC

FROM: Ronald Blackburn/South District Date: 12/08/06 Phone: SC 748-6975

**The Clewiston News**

Published Weekly

Clewiston, Florida

**AFFIDAVIT OF PUBLICATION**

State of Florida  
County of Hendry

Before the undersigned authority, personally appeared Jose Zaragoza, who on oath says he is 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  
AD# 175251  
in the \_\_\_\_\_ court, was published in said newspaper in the issue(s)  
of November 16, 2006

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.

J. Zaragoza  
Jose Zaragoza  
Sworn to and subscribed before me this 09 day of NOV, 06  
Ideybis Gonzalez  
Notary Public



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

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**SOUTH DISTRICT**

Florida Department of Environmental Protection  
Project No. 0216200-024-AC Draft Air Permit No. PSD-01-0444  
United States Sugar Corporation, Cleveiston Sugar Mill  
Industry County, Florida  
The applicant for this permit is the United States Sugar Corporation. The applicant's authorized representative is Mr. Neil Smith, U.S. Sugar Processing Operations. The applicant's mailing address is the Cleveiston Sugar Mill and Refinery, 1111 South Magnolia Avenue, Cleveiston, FL 33440.  
The United States Sugar Corporation operates an existing sugar mill and refinery in Cleveiston at the intersection of W.C. Owens Avenue and State Road 632 in Hendry County, Florida.  
The existing Cleveiston sugar mill and refinery is a major facility in accordance with Rule 62-212.400, F.A.C., the regulatory program for the Prevention of Significant Deterioration (PSD) of Air Quality. In accordance with a PSD preconstruction review permit, the applicant installed a new wet scrubber system to remove moisture from refined sugar prior to storage in a conditioning silo. No fuel is combusted. Low-pressure steam supplies the heat necessary for drying. Sugar particles in the exhaust stream are removed with a set of four cyclone collectors followed by a wet storming venturi-type scrubber. Sugar captured by the cyclones is transferred to storage. Sugar captured by the scrubber water is recycled back to the refining process. The original project was subject to PSD preconstruction review and a determination of the Best Available Control Technology (BACT) for particulate matter (PM) and particulate matter less than 10 microns in diameter (PM10).  
The proposed project is a modification of the existing wet scrubber system to correct concentration, emissions limits and low PM10 emissions, but unexpectedly higher total PM emissions. Investigations indicate that large water droplets containing dissolved sugar are being re-entrained in the exhaust gas stream. Observations and emission test results indicate that the entrained droplets quickly settle to the ground and substantially remain on plant property. Subsequent equipment modifications have improved performance and reduced PM emissions by approximately half, but total PM emissions remain higher than expected due to the droplets.  
The Department intends to revise the air permit as follows: (1) retain the current standard of 4.2 lb/year as the PM10 standard with compliance demonstrated by EPA Method 201A; add a new PM standard of 15 lb/year with compliance demonstrated by EPA Method 5; install a drain in the silencer ductwork to prevent re-entraining water droplets; reduce the maximum sugar concentration of the recycled scrubber water; conduct new compliance tests; and submit a report summarizing the costs of possible additional improvements to reduce emissions. The regulations only require an air quality modeling for PM10 emissions. Because there has been no change in PM10 emissions, the applicant's original analysis provided reasonable assurance that the project will comply with all applicable air quality regulations and will not cause or contribute to a violation of the state and federal Ambient Air Quality Standard for PM10.  
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 Florida Department of Environmental Protection Bureau of Air Regulation is the Permitting Authority responsible for making a permit determination for this project. The Bureau of Air Regulation's physical address is 111 South Magnolia Drive, Suite 4, Tallahassee, Florida 32301 and the mailing address is 2000 Star Shore Road, MS #5555, Tallahassee, Florida 32309-2400. The Bureau of Air Regulation's phone number is 850-489-0114 and fax number is 850-921-6533.  
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 Checklist 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 and phone number listed above. A copy of the complete project file is also available at the Department's South District Office at 2295 Victoria Avenue, Suite 364, Fort Myers, Florida 33902-3381. The South District's telephone number is 239-332-6975.  
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, 62-206, and 62-207, F.A.C. The Permitting Authority will issue a Final Permit in accordance with the conditions of the proposed Draft Permit unless a final 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.  
The Permitting Authority will accept written comments concerning the Draft Permit for a period of thirty (30) days from the date of publication of the Public Notice. Written comments must be post-marked, and all e-mail or facsimile comments must be received by the close of business (5:00 p.m.), on or before the end of this 30-day period by the Permitting Authority at the above address, email or facsimile. As part of his or her comments, any person may also request that the Permitting Authority hold a public meeting on this permitting action. If the Permitting Authority determines there is sufficient interest for a public meeting, it will publish notice of the time, date, and location in the Florida Administrative Weekly and in a newspaper of general circulation in the area affected by the permitting action. For additional information, contact the Permitting Authority at the above address or phone number. If written comments or comments received at a public meeting result in a significant change to the Draft Permit, the Permitting Authority will issue a Revised Draft Permit and require, if applicable, another Public Notice. All comments that will be made available for public inspection.  
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, 3000 Commonwealth Boulevard, Mail Station 635, Tallahassee, Florida, 32399-3000. Petitions filed by the applicant or any of the parties listed below must be filed within fourteen (14) days of receipt of the Written Notice of Intent to Issue Air Permit. Petitions filed by any person other than those set forth in written notice under Section 120.569, F.S., must be filed within fourteen (14) days of publication of the attached Public Notice or within fourteen (14) days of receipt of this Written Notice of Intent to Issue Air Permit, whichever occurs first. Under Section 120.569, 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 interests will be affected by the agency determination; (c) A statement of how and when such 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 28-106.201, 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 is not available in this proceeding.  
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