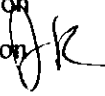


## Memorandum

# Florida Department of Environmental Protection

---

TO: Trina Vielhauer, Bureau of Air Regulation  
FROM: Jeff Koerner, New Source Review Section   
DATE: May 1, 2008  
SUBJECT: Draft Air Permit No. 0510003-045-AC  
U.S. Sugar Corporation, Clewiston Sugar Mill and Refinery  
Refinery Package Boiler

This project is subject to minor source preconstruction review. Attached for your review are the following items:

- Written Notice of Intent to Issue Air Permit;
- Public Notice of Intent to Issue Air Permit;
- Technical Evaluation and Preliminary Determination;
- Draft Permit with Appendices; and
- P.E. Certification.

The Draft Permit authorizes the installation of a package boiler to operate during the refinery season (June 1<sup>st</sup> through September 30<sup>th</sup>) when no other mill boilers are operating. The purpose is to support minimal operation of the packaging operations when the other units are down for repair or maintenance. I recommend your approval of the attached Draft Permit.

Attachments

TLV/jfk

## P.E. CERTIFICATION STATEMENT

### PERMITTEE

U.S. Sugar Corporation  
111 Ponce DeLeon Avenue  
Clewiston, FL 33440

Air Permit No. 0510003-045-AC  
Clewiston Sugar Mill and Refinery  
Hendry County, Florida

### PROJECT DESCRIPTION

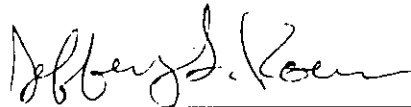
The applicant proposes to install and operate a 300 hp package boiler for a maximum of 744 hours per year during the refinery season (June 1<sup>st</sup> through September 30<sup>th</sup>). The boiler will be a rental unit brought on site during the refinery season to operate when all other mill boilers are shut down due to maintenance. The small boiler will be used to support the packaging operations. It will fire distillate oil or on-specification used oil fuel with a maximum sulfur content of 0.05% by weight at a maximum heat input rate of 12 MMBtu/hour. The exact make and model of the rental unit may be different each year.

The small boiler will be subject to Rule 62-296.406, F.A.C., which requires BACT determinations for PM and SO<sub>2</sub> emissions. For this project, BACT for PM and SO<sub>2</sub> is determined to be the use of distillate oil with a maximum fuel sulfur of 0.05% sulfur by weight. The rule also imposes an opacity standard of no more than 20% opacity except for one six-minute period per hour during which opacity shall not exceed 27%. Initial and annual compliance will be determined by EPA Method 9.

If the rental boiler was originally constructed, modified or reconstructed after June 9, 1989, it is subject to the applicable federal requirements in NSPS Subpart Dc of 40 CFR 60. However, since the applicant has proposed firing distillate oil with a maximum fuel sulfur content below the NSPS threshold (0.5% by weight), the boiler is subject to minimal notification and record keeping requirements such as fuel vendor certifications.

Based on a requested restriction of 63,240 gallons of distillate oil firing per year, potential emissions of each criteria pollutant will be less than one ton per year. Therefore, the project is not subject to PSD preconstruction review pursuant to Rule 62-212.400, F.A.C.

*I HEREBY CERTIFY that the air pollution control 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, geological, and meteorological features).*



Jeffery F. Koerner, P.E.  
Registration Number: 49441

5-01-08

(Date)



# Florida Department of Environmental Protection

Bob Martinez Center  
2600 Blair Stone Road  
Tallahassee, Florida 32399-2400

Charlie Crist  
Governor

Jeff Kottkamp  
Lt. Governor

Michael W. Sole  
Secretary

May 5, 2008

Mr. Neil Smith  
V.P. of Sugar Processing Operations  
U.S. Sugar Corporation  
111 Ponce de Leon Avenue  
Clewiston, Florida 33440

Re: Air Construction Permit No. 0510003-045-AC  
U.S. Sugar Corporation, Clewiston Sugar Mill and Refinery  
Refinery Package Boiler

Dear Mr. Smith:

On March 25, 2008, you submitted an application requesting authorization to install and operate a small package boiler during the refinery season. This new unit will be installed at the existing Clewiston sugar mill and refinery, which is located in Hendry County. Enclosed are the following documents:

- Technical Evaluation and Preliminary Determination;
- Draft Permit and Appendices;
- Written Notice of Intent to Issue Air Permit; and
- Public Notice of Intent to Issue Air Permit.

The Public Notice of Intent to Issue Air Permit is the actual notice that you must have published in the legal advertisement section of a newspaper of general circulation in the area affected by this project. If you have any questions, please contact the Project Engineer, Jeff Koerner, at 850/921-9536.

Sincerely,

Trina Vielhauer, Chief  
Bureau of Air Regulation

Enclosures

## WRITTEN NOTICE OF INTENT TO ISSUE AIR PERMIT

---

*In the Matter of an  
Application for Air Permit by:*

U.S. Sugar Corporation  
111 Ponce de Leon Avenue  
Clewiston, Florida 33440

Air Permit No. 0510003-045-AC  
Facility ID No. 0510003  
Clewiston Sugar Mill and Refinery  
Refinery Package Boiler  
Hendry County, Florida

*Authorized Representative:*

Mr. Neil Smith, V.P. of Sugar Processing Operations

**Facility Location:** U.S. Sugar Corporation operates the existing Clewiston sugar mill and refinery, which is located in Hendry County at the intersection of W.C. Owens Avenue and State Road 832 in Clewiston, Florida.

**Project:** The applicant, U.S. Sugar Corporation, proposes to install and operate a 300 horsepower package boiler at the existing facility. The boiler will be a rental unit brought on site during the refinery season (June 1<sup>st</sup> through September 30<sup>th</sup>) to operate when all other mill boilers are shut down due to repair or maintenance. The small boiler will be used to support the packaging operations. It will fire distillate oil or on-specification used oil fuel with a maximum sulfur content of 0.05% by weight at a maximum rate of 85 gallons per hour. The exact make and model of the rental unit may be different each year. Based on a requested restriction of 63,240 gallons of distillate oil firing per year, potential emissions of each criteria pollutant will be less than one ton per year. Therefore, the project is not subject to PSD preconstruction review pursuant to Rule 62-212.400 of the Florida Administrative Code (F.A.C.). Details of the project are provided in the application and the enclosed Technical Evaluation and Preliminary Determination.

**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 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 the 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.

**Public Notice:** Pursuant to Section 403.815, F.S. and Rules 62-110.106 and 62-210.350, F.A.C., you

## WRITTEN NOTICE OF INTENT TO ISSUE AIR PERMIT

---

(the applicant) are required to publish at your own expense the enclosed Public Notice of Intent to Issue Air Permit (Public Notice). The Public Notice shall be published one time only as soon as possible in the legal advertisement section of a newspaper of general circulation in the area affected by this project. The newspaper used must meet the requirements of Sections 50.011 and 50.031, F.S. in the county where the activity is to take place. If you are uncertain that a newspaper meets these requirements, please contact the Permitting Authority at above address or phone number. Pursuant to Rule 62-110.106(5) and (9), F.A.C., the applicant shall provide proof of publication to the Permitting Authority at the above address within 7 days of publication. Failure to publish the notice and provide proof of publication may result in the denial of the permit pursuant to Rule 62-110.106(11), F.A.C.

**Comments:** The Permitting Authority will accept written comments concerning the proposed Draft Permit for a period of 14 days from the date of publication of the Public Notice. Written comments must be received by the Permitting Authority by close of business (5:00 p.m.) on or before the end of this 14-day period. 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. All comments filed will be made available for public inspection.

**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, 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000. Petitions filed by the applicant or any of the parties listed below must be filed within 14 days of receipt of this Written Notice of Intent to Issue Air Permit. Petitions filed by any persons other than those entitled to written notice under Section 120.60(3), F.S., must be filed within 14 days of publication of the attached Public Notice or within 14 days of receipt of this Written Notice of Intent to Issue Air Permit, whichever occurs first. Under Section 120.60(3), F.S., however, any person who asked the Permitting Authority for notice of agency action may file a petition within 14 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 (in a proceeding initiated by another party) 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 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 when and how each petitioner received notice of the agency action or proposed decision; (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 including an explanation of how the alleged facts relate to the specific rules or statutes; 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.

**WRITTEN NOTICE OF INTENT TO ISSUE AIR PERMIT**

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 Written 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 in this proceeding.

Executed in Tallahassee, Florida.



Trina Vielhauer, Chief  
Bureau of Air Regulation

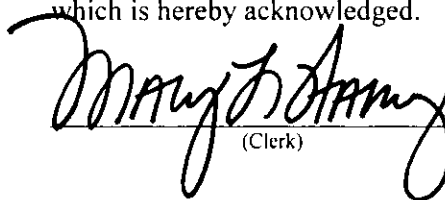
**CERTIFICATE OF SERVICE**

The undersigned duly designated deputy agency clerk hereby certifies that this Notice of Intent to Issue Air Permit package (including the Written Notice, Public Notice, the Technical Evaluation and Preliminary Determination, and the Draft Permit) was sent by electronic mail with received receipt requested before the close of business on 5/6/08 to the persons listed below.

- Mr. Neil Smith, U.S. Sugar Corporation ([nsmith@ussugar.com](mailto:nsmith@ussugar.com))
- Mr. Keith Tingberg, U.S. Sugar Corporation ([ktingberg@ussugar.com](mailto:ktingberg@ussugar.com))
- Mr. David Buff, Golder Associates ([dbuff@golder.com](mailto:dbuff@golder.com))
- Mr. Ajaya Satyal, South District Office ([ajaya.satyal@dep.state.fl.us](mailto:ajaya.satyal@dep.state.fl.us))

Clerk Stamp

**FILING AND ACKNOWLEDGMENT FILED**, on this date, pursuant to Section 120.52(7), Florida Statutes, with the designated agency clerk, receipt of which is hereby acknowledged.



(Clerk)

5/6/08  
(Date)

## PUBLIC NOTICE OF INTENT TO ISSUE AIR PERMIT

Florida Department of Environmental Protection  
Division of Air Resource Management, Bureau of Air Regulation  
Draft Air Permit No. 0510003-045-AC  
U.S. Sugar Corporation, Clewiston Sugar Mill and Refinery  
Hendry County, Florida

**Applicant:** The applicant for this project is U.S. Sugar Corporation. The applicant's authorized representative and mailing address is: Mr. Neil Smith, V.P. of Sugar Processing Operations, 111 Ponce de Leon Avenue, Clewiston, Florida 33440.

**Facility Location:** U.S. Sugar Corporation operates the existing Clewiston sugar mill and refinery, which is located in Hendry County at the intersection of W.C. Owens Avenue and State Road 832 in Clewiston, Florida.

**Project:** The applicant proposes to install and operate a 300 horsepower package boiler at the existing facility. The boiler will be a rental unit brought on site during the refinery season (June 1<sup>st</sup> through September 30<sup>th</sup>) to operate when all other mill boilers are shut down due to repair or maintenance. The small boiler will be used to support the packaging operations. It will fire distillate oil or on-specification used oil fuel with a maximum sulfur content of 0.05% by weight at a maximum rate of 85 gallons per hour. The exact make and model of the rental unit may be different each year. Based on a requested restriction of 63,240 gallons of distillate oil firing per year, potential emissions of each criteria pollutant will be less than one ton per year. Therefore, the project is not subject to PSD preconstruction review pursuant to Rule 62-212.400 of the Florida Administrative Code (F.A.C.).

**Permitting Authority:** Applications for air construction permits are subject to review in accordance with the provisions of Chapter 403, Florida Statutes (F.S.) and F.A.C. Chapters 62-4, 62-210, and 62-212. 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 and phone number listed above. In addition, electronic copies of these documents are available on the following web site:  
<http://www.dep.state.fl.us/air/eproducts/apds/default.asp>.

**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 14 days from the date of publication of the Public Notice. Written comments must be received by the Permitting Authority by close of business (5:00 p.m.) on or before the end of this 14-day period. 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. All comments filed will be made available for

(Public Notice to be Published in the Newspaper)

## PUBLIC NOTICE OF INTENT TO ISSUE AIR PERMIT

public inspection.

**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 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 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 (in a proceeding initiated by another party) 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 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 when and how the petitioner received notice of the agency action or proposed decision; (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 including an explanation of how the alleged facts relate to the specific rules or statutes; 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.



**TECHNICAL EVALUATION  
&  
PRELIMINARY DETERMINATION**

**PROJECT**

Draft Air Construction Permit No. 0510003-045-AC  
Refinery Package Boiler (EU-035)

**COUNTY**

Hendry County

**APPLICANT**

U.S. Sugar Corporation  
Clewiston Sugar Mill and Refinery  
ARMS Facility ID No. 0510003

**PERMITTING AUTHORITY**

Florida Department of Environmental Protection  
Division of Air Resource Management  
Bureau of Air Regulation  
New Source Review Section



May 1, 2008

*{Filename: 0510003-045-AC - TEPD.doc}*

# TECHNICAL EVALUATION AND PRELIMINARY DETERMINATION

---

## 1. GENERAL PROJECT INFORMATION

### General Air Pollution Regulations

Projects with the potential to emit air pollution are subject to the applicable environmental laws specified in Section 403 of the Florida Statutes (F.S.), which authorize the Department of Environmental Protection (Department) to establish regulations regarding air quality as part of the Florida Administrative Code (F.A.C.), which includes the following chapters: 62-4 (Permits); 62-204 (Air Pollution Control – General Provisions); 62-210 (Stationary Sources – General Requirements); 62-212 (Stationary Sources - Preconstruction Review); 62-213 (Operation Permits for Major Sources of Air Pollution); 62-296 (Stationary Sources - Emission Standards); and 62-297 (Stationary Sources - Emissions Monitoring). In addition, the U. S. Environmental Protection Agency (EPA) establishes the following air quality regulations in Title 40 of the Code of Federal Regulations (CFR): Part 60 specifies New Source Performance Standards (NSPS) for numerous industrial activities; Part 61 specifies National Emission Standards for Hazardous Air Pollutants (NESHAP) based on specific pollutants; and Part 63 specifies NESHAP based on the Maximum Achievable Control Technology (MACT) for numerous industrial categories. The Department adopts these federal regulations on a quarterly basis in Rule 62-204.800, F.A.C.

### Facility Description and Location

U.S. Sugar operates a sugar mill and refinery in Hendry County located at the intersection of W.C. Owens Avenue and State Road 832 in Clewiston, Florida. The UTM map coordinates are Zone 17, 506.1 km E, and 2956.9 km N. Sugarcane is harvested from nearby fields and transported to the mill by train. In the mill, sugarcane is cut into small pieces and processed in a series of presses to squeeze juice from the cane. The juice undergoes clarification, separation, evaporation, and crystallization to produce raw, unrefined sugar. In the refinery, raw sugar is decolorized, concentrated, crystallized, dried, conditioned, screened, packaged, stored, and distributed as refined sugar. The fibrous byproduct remaining from the sugarcane is called bagasse and is burned as boiler fuel to provide steam and heating requirements for the mill and refinery.

### Facility Regulatory Categories

- The facility is a major source of hazardous air pollutants (HAP).
- The facility operates no units subject to the acid rain provisions of the Clean Air Act.
- The facility is a Title V major source of air pollution in accordance with Chapter 213, F.A.C.
- The facility is a major stationary source of air pollution in accordance with Rule 62-212.400, F.A.C. for the Prevention of Significant Deterioration (PSD) of Air Quality.

### Project Description

On March 25, 2008, the Department received a complete application to install and operate a 300 horsepower package boiler that will operate a maximum of 744 hours per year during the refinery season (June 1<sup>st</sup> through September 30<sup>th</sup>). The boiler would be a rental unit brought on site during the refinery season to operate when all other mill boilers are shut down due to maintenance. The small boiler would be used to support the packaging operations. It would fire distillate oil or on-specification used oil fuel with a maximum sulfur content of 0.05% by weight.

## 2. DEPARTMENT REVIEW

### General PSD Applicability

The Department regulates major stationary sources of air pollution in accordance with Florida's PSD preconstruction review program as defined in Rule 62-212.400, F.A.C. A PSD applicability review is required in areas currently in attainment with the state and federal Ambient Air Quality Standards or areas otherwise designated as "unclassifiable". A facility is considered a major stationary source with respect to PSD if it emits or has the potential to emit:

## TECHNICAL EVALUATION AND PRELIMINARY DETERMINATION

- 250 tons per year or more of any regulated air pollutant, or
- 100 tons per year or more of any regulated air pollutant and the facility belongs to one of the 28 PSD major facility categories, or
- 5 tons per year of lead.

For new projects at PSD-major stationary sources, each regulated pollutant is reviewed for PSD applicability based on emissions thresholds known as the significant emission rates defined in Rule 62-210.200(Definitions), F.A.C. Pollutant emissions from the project exceeding these rates are considered "significant" and the applicant must employ the Best Available Control Technology (BACT) to minimize emissions of each such pollutant and evaluate the air quality impacts. Although a facility may be "major" with respect to PSD for only one regulated pollutant, it may be required to install BACT controls for several "significant" regulated pollutants.

### PSD Applicability for Project

The following table summarizes the potential emissions from firing distillate oil in the proposed boiler.

Pollutant	Potential Emissions Tons/Year	Significant Emissions Rate, Tons/Year	Subject to PSD Review?
Carbon Monoxide (CO)	0.16	100	No
Nitrogen Oxides (NO <sub>x</sub> )	0.64	40	No
Particulate Matter (PM/PM <sub>10</sub> )	0.064	15/25	No
Sulfur Dioxide (SO <sub>2</sub> )	0.23	40	No
Volatile Organic Compounds (VOC)	0.01	40	No

The potential emissions are based on 744 hours per year of operation, an oil firing rate of 85 gph, and the emission factors from Chapter 1.3 of AP-42, Fuel Oil Combustion. As shown, all of the annual emissions are less than one ton per year. Therefore, the project is not subject to PSD preconstruction review.

### State Regulations

In addition to the general provisions in Chapters 62-4, 62-210 and 62-212, F.A.C., the proposed boiler will be subject to the following requirements in Rule 62-296.406, F.A.C.

- Visible emissions shall not exceed 20% opacity except for one six-minute period per hour during which opacity shall not exceed 27%.
- The Department shall make BACT determinations for PM and SO<sub>2</sub> emissions.

For the proposed boiler, the applicant requests authorization to fire distillate oil and on-specification used oil. The maximum fuel sulfur content of each of these fuels will be no more than 0.05% by weight, which limits the potential PM and SO<sub>2</sub> emissions from this unit. In addition, these fuels contain a negligible amount of ash, which also limits potential PM emissions. As shown above, this fuel sulfur limitation will maintain PM and SO<sub>2</sub> emissions below 1 ton per year. Additional controls would be cost prohibitive and are not necessary. Pursuant to Rule 62-296.406, F.A.C., the Department determines BACT for PM and SO<sub>2</sub> emissions to be the firing of oil with a maximum fuel sulfur limitation of 0.05% by weight. Compliance will be demonstrated by fuel analysis and record keeping.

### Federal Regulations

If the rental boiler brought on site was originally constructed after June 9, 1989, it is subject to the applicable federal provisions of Subpart Dc in 40 CFR 60. Due to the boiler size and proposed fuel, the federal provisions impose only a fuel sulfur limitation ( $\leq 0.5\%$  by weight) and record keeping and reporting requirements. The applicable NSPS Subpart Dc requirements are included in Appendix F of the draft permit.

## TECHNICAL EVALUATION AND PRELIMINARY DETERMINATION

---

### Permit Limitations and Restrictions

In addition to the requirements in Rule 62-296.406, F.A.C. and Subpart Dc in 40 CFR 60, the draft permit includes the following restrictions, which are based on the equipment specifications in the application.

- The new refinery package boiler is identified as EU-035.
- The permitted capacity of the boiler is 12 MMBtu per hour from firing oil at approximately 85 gph.
- The boiler is authorized to fire distillate oil or on-specification used oil.
- The maximum fuel sulfur content shall not exceed 0.05% by weight.
- The boiler shall only operate during the period of June 1<sup>st</sup> through September 30<sup>th</sup> of each year. It shall only operate during this period when all other mill boilers are shutdown (or in the process of shutting down) due to repair or maintenance. The refinery package boiler shall not fire more than 63,240 gallons of authorized oil during the authorized period of operation (which is equivalent to 744 hours of operation).
- Initial and annual testing to demonstrate compliance with the visible emissions standard specified in Rule 62-296.406, F.A.C.
- The permit includes fuel monitoring and record keeping conditions to demonstrate compliance with the fuel consumption and sulfur limitations.
- The boiler shall comply with the requirements for on-specification used oil, which primarily come from 40 CFR Parts 279 and 761.

The permittee will be required to conduct an annual EPA Method 9 test to demonstrate compliance with the opacity standard in Rule 62-296.406, F.A.C. The permittee shall also maintain records of the fuel sulfur content, fuel consumption and hours of operation.

### 3. PRELIMINARY DETERMINATION

The Department makes a preliminary determination that the proposed project will comply with all applicable state and federal air pollution regulations as conditioned by the draft permit. This determination is based on a technical review of the complete application, reasonable assurances provided by the applicant, and the conditions specified in the draft permit. Jeff Koerner is the project engineer responsible for reviewing the application and drafting the permit. Additional details of this analysis may be obtained by contacting the project engineer at the Department's Bureau of Air Regulation at Mail Station #5505, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400.

# DRAFT PERMIT

## PERMITTEE

U.S. Sugar Corporation  
111 Ponce DeLeon Avenue  
Clewiston, FL 33440

*Authorized Representative:*

Mr. Neil Smith, V.P. of Sugar Processing Operations

Air Permit No. 0510003-045-AC Permit Expires: October 1, 2009 Clewiston Sugar Mill and Refinery ARMS ID No. 0510003 Hendry County, Florida
--

## PROJECT AND LOCATION

This permit authorizes the installation and operation of a small package boiler (EU-035) to operate during the refinery season when no other mill boilers are in operation. The proposed work will be conducted at the existing Clewiston mill, which includes a sugar mill (SIC No. 2061) and refinery (SIC No. 2062). The facility is located in Hendry County at the intersection of W.C. Owens Avenue and State Road 832 in Clewiston, Florida. The UTM map coordinates are Zone 17, 506.1 E and 2956.9 N.

## STATEMENT OF BASIS

This air pollution construction permit is issued under the provisions of Chapter 403 of the Florida Statutes (F.S.), Chapters 62-4, 62-204, 62-210, 62-212, 62-296, and 62-297 of the Florida Administrative Code (F.A.C.) and Part 60 in Title 40 of the Code of Federal Regulations (CFR) for the New Source Performance Standards (NSPS). The project is not subject to Rule 62-212.400, F.A.C. for the Prevention of Significant Deterioration (PSD) of Air Quality. The permittee is authorized to conduct the proposed work 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.

## CONTENTS

- Section 1. General Information
- Section 2. Administrative Requirements
- Section 3. Emissions Unit Specific Conditions
- Section 4. Appendices

Executed in Tallahassee, Florida

(DRAFT)

\_\_\_\_\_  
Joseph Kahn, Director  
Division of Air Resource Management

\_\_\_\_\_  
(Date)

## SECTION 1. GENERAL INFORMATION (DRAFT)

---

### FACILITY AND PROJECT DESCRIPTION

U.S. Sugar operates a sugar mill and refinery in Hendry County located at the intersection of W.C. Owens Avenue and State Road 832 in Clewiston, Florida. The UTM map coordinates are Zone 17, 506.1 E, and 2956.9 N. Sugarcane is harvested from nearby fields and transported to the mill by train. In the mill, sugarcane is cut into small pieces and processed in a series of presses to squeeze juice from the cane. The juice undergoes clarification, separation, evaporation, and crystallization to produce raw, unrefined sugar. In the refinery, raw sugar is decolorized, concentrated, crystallized, dried, conditioned, screened, packaged, stored, and distributed as refined sugar. The fibrous byproduct remaining from the sugarcane is called bagasse and is burned as boiler fuel to provide steam and heating requirements for the mill and refinery.

This project affects the following existing emissions units.

ID	Emission Unit Description
035	Refinery package boiler

### REGULATORY CLASSIFICATION

- The facility is a major source of hazardous air pollutants (HAP).
- The facility has no units subject to the acid rain provisions of the Clean Air Act.
- The facility is a Title V major source of air pollution in accordance with Chapter 213, F.A.C.
- The facility is a major stationary source in accordance with Rule 62-212.400(PSD), F.A.C.

## SECTION 2. ADMINISTRATIVE REQUIREMENTS (DRAFT)

---

1. **Permitting Authority:** The Department's Bureau of Air Regulation is the permitting authority for this renewal permit. The permitting authority for subsequent revisions and renewals is the Air Resource Section of the Department's South District Office at: 2295 Victoria Avenue, Suite 364, Fort Myers, Florida 33902-2549. The telephone number is 239/332-6975 and the fax number is 239/332-6969.
2. **Compliance Authority:** The permittee shall submit all compliance related notifications and reports required of this permit to the Air Resource Section of the Department's South District Office at: 2295 Victoria Avenue, Suite 364, Fort Myers, Florida 33902-2549. The telephone number is 239/332-6975 and the fax number is 239/332-6969.
3. **Appendices:** The following Appendices are attached as part of this permit:
  - a. Appendix A. Citation Formats and Glossary of Common Terms;
  - b. Appendix B. General Conditions;
  - c. Appendix C. Common Conditions;
  - d. Appendix D. Common Testing Requirements;
  - e. Appendix E. On-Specification Used Oil Requirements; and
  - f. Appendix F. NSPS Subpart Dc Provisions.
4. **Applicable Regulations, Forms and Application Procedures:** Unless otherwise specified in this permit, the construction and operation of the subject emissions units 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 Chapters 62-4, 62-204, 62-210, 62-212, 62-213, 62-296, and 62-297, F.A.C. Issuance of this permit does not relieve the permittee from compliance with any applicable federal, state, or local permitting or regulations.
5. **New or Additional Conditions:** For good cause shown and after notice and an administrative hearing, if requested, the Department may require the permittee to conform to new or additional conditions. The Department shall allow the permittee a reasonable time to conform to the new or additional conditions, and on application of the permittee, the Department may grant additional time. [Rule 62-4.080, F.A.C.]
6. **Modifications:** The permittee shall notify the Compliance Authority upon commencement of construction. No emissions unit or facility subject to this permit shall be constructed or modified without obtaining an air construction permit from the Department. Such permit shall be obtained prior to beginning construction or modification. [Rules 62-210.300(1) and 62-212.300(1)(a), F.A.C.]
7. **Source Obligation:**
  - (a) At such time that a particular source or modification becomes a major stationary source or major modification (as these terms were defined at the time the source obtained the enforceable limitation) solely by virtue of a relaxation in any enforceable limitation which was established after August 7, 1980, on the capacity of the source or modification otherwise to emit a pollutant, such as a restriction on hours of operation, then the requirements of subsections 62-212.400(4) through (12), F.A.C., shall apply to the source or modification as though construction had not yet commenced on the source or modification.
  - (b) At such time that a particular source or modification becomes a major stationary source or major modification (as these terms were defined at the time the source obtained the enforceable limitation) solely by exceeding its projected actual emissions, then the requirements of subsections 62-212.400(4) through (12), F.A.C., shall apply to the source or modification as though construction had not yet commenced on the source or modification.

[Rule 62-212.400(12), F.A.C.]

## SECTION 2. ADMINISTRATIVE REQUIREMENTS (DRAFT)

---

8. Title V Permit: This permit authorizes construction of the permitted emissions units and initial operation to determine compliance with Department rules. A Title V operation permit is required for regular operation of the permitted emissions unit. The permittee shall apply for a Title V operation permit at least 90 days prior to expiration of this permit, but no later than 180 days after commencing operation. To apply for a Title V operation permit, the applicant shall submit the appropriate application form, compliance test results, and such additional information as the Department may by law require. The application shall be submitted to the appropriate Permitting Authority with copies to the Compliance Authority. [Rules 62-4.030, 62-4.050, 62-4.220, and Chapter 62-213, F.A.C.]



## SECTION 3. EMISSIONS UNIT SPECIFIC CONDITIONS (DRAFT)

### A. Refinery Package Boiler (EU-035)

This section of the permit addresses the following emissions unit.

EU No.	Emissions Unit
035	Refinery package boiler with a maximum heat input rate of 12 MMBtu per hour from firing distillate oil

#### EQUIPMENT

1. **Refinery Package Boiler:** As specified in the permit, the permittee is authorized to install and operate a 300 horsepower package boiler that will fire distillate oil. The boiler will be a rental unit and may be a different unit each year. Depending on the date of original construction, the rental boiler may be subject to the applicable provisions in Subpart Dc of 40 CFR 60. [Application No. 0510003-045-AC]

#### PERFORMANCE RESTRICTIONS

2. **Permitted Capacity:** The maximum heat input rate of the boiler is 12 MMBtu per hour from firing distillate oil at approximately 85 gallons per hour (gph). [Rule 62-210.200(PTE), F.A.C. and Application No. 0510003-045-AC]
3. **Authorized Fuel:** The boiler is authorized to fire distillate oil or on-specification used oil with a maximum sulfur content of 0.05% by weight. On-specification used oil shall meet the additional requirements specified in Appendix E of this permit. [Rule 62-210.200(PTE), F.A.C. and Application No. 0510003-045-AC]
4. **Operational Restrictions:** The boiler shall only operate during the period of June 1<sup>st</sup> through September 30<sup>th</sup> of each year. It shall only operate during this period when all other mill boilers are shutdown (or in the process of shutting down) due to repair or maintenance. The refinery package boiler shall not fire more than 63,240 gallons of authorized oil during the authorized period of operation. [Rule 62-210.200(PTE), F.A.C. and Application No. 0510003-045-AC]

#### EMISSIONS STANDARDS

5. **Opacity Standard:** As determined by EPA method 9, visible emissions shall not exceed 20% opacity except for one six-minute period per hour during which opacity shall not exceed 27%. [Rule 62-296.406, F.A.C.]
6. **BACT Determinations:** Particulate matter and sulfur dioxide emissions shall be minimized by the efficient combustion of distillate oil containing a maximum fuel sulfur content of 0.05% by weight. [Rule 62-296.406, F.A.C.]

#### TESTING REQUIREMENTS

7. **Initial Compliance Tests:** In accordance with EPA Method 9, the refinery package boiler shall be tested to demonstrate initial compliance with the visible emissions standard. The initial test shall be conducted within 60 days after achieving permitted capacity, but at least during the initial refinery season (June 1<sup>st</sup> through September 30<sup>th</sup>) in which it is operated. [Rules 62-4.070(3) and 62-297.310(7)(a)1, F.A.C.]
8. **Annual Compliance Tests:** During each refinery season (June 1<sup>st</sup> through September 30<sup>th</sup>) in which it is operated, the refinery package boiler shall be tested to demonstrate compliance with the visible emissions standard in accordance with EPA Method 9. [Rule 62-297.310(7)(a)4, F.A.C.]
9. **Test Requirements:** The permittee shall notify the Compliance Authority in writing at least 15 days prior to any required tests. Tests shall be conducted in accordance with the applicable requirements specified in Appendix D (Common Testing Requirements) of this permit. [Rule 62-297.310(7)(a)9, F.A.C.]

## SECTION 3. EMISSIONS UNIT SPECIFIC CONDITIONS (DRAFT)

### A. Refinery Package Boiler (EU-035)

#### OPERATIONAL RECORDS

10. Fuel Consumption Records: The permittee shall install and operate a fuel flow meter to monitor the amount of distillate oil and on-specification used oil fired in the boiler. For each month during the refinery season, the permittee shall maintain monthly written records of the amount of oil fired. The records shall be used to demonstrate compliance with the limitation on oil firing and to prepare the Annual Operating Report. [Rules 62-4.070(3) and 62-210.370(3), F.A.C.]
11. Fuel Analysis Records: For each distillate oil delivery, the permittee shall maintain records of: the date, the gallons delivered, and a certified fuel oil analysis from the vendor including the heating value (Btu/lb), density (pounds/gallon) and sulfur content (percent by weight). The following methods are approved analytical methods for determining these characteristics: ASTM Method D-129, ASTM D-1552, ASTM D-2622, and ASTM D-4294. Other equivalent ASTM methods or Department-approved methods are also acceptable. On-specification used oil shall meet the additional requirements specified in Appendix E of this permit. [Rules 62-4.070(3) and 62-296.406(BACT), F.A.C.]

#### RECORDS, NOTIFICATIONS AND REPORTS

12. Test Reports: The permittee shall prepare and submit reports for all required tests in accordance with the requirements specified in Appendix D of this permit. For each test run, the report shall also indicate the actual heat input rate to the boiler. [Rule 62-297.310(8), F.A.C.]
13. Notification: Within three days of bringing a rental boiler on site, the permittee shall notify the Compliance Authority of the following: make and model, maximum heat input rate (MMBtu/hour), the applicability of NSPS Subpart Dc, and preliminary plans for conducting a visible emissions test. [Rule 62-4-070(3), F.A.C.]

#### OTHER APPLICABLE REQUIREMENTS

14. Federal Requirements: If the boiler was originally constructed, modified or reconstructed after June 9, 1989, it is subject to and shall comply with the applicable federal requirements in NSPS Subpart Dc of 40 CFR 60. The boiler will be a rental unit and may be a different unit each year. See Appendix F of this permit. [Rule 62-204.800, F.A.C. and Subpart Dc of 40 CFR 60]

## SECTION 4. APPENDICES

---

### Contents

- Appendix A. Citation Formats and Glossary of Common Terms
- Appendix B. General Conditions
- Appendix C. Common Conditions
- Appendix D. Common Testing Requirements
- Appendix E. On-Specification Used Oil Requirements
- Appendix F. NSPS Subpart Dc Provisions

**SECTION 4. APPENDIX A**  
**Citation Formats and Glossary of Common Terms**

---

**CITATION FORMATS**

The following illustrate the formats used in the permit to identify applicable requirements from permits and regulations.

**Old Permit Numbers**

Example: Permit No. AC50-123456 or Permit No. AO50-123456

Where: "AC" identifies the permit as an Air Construction Permit  
"AO" identifies the permit as an Air Operation Permit  
"123456" identifies the specific permit project number

**New Permit Numbers**

Example: Permit Nos. 099-2222-001-AC, 099-2222-001-AF, 099-2222-001-AO, or 099-2222-001-AV

Where: "099" represents the specific county ID number in which the project is located  
"2222" represents the specific facility ID number for that county  
"001" identifies the specific permit project number  
"AC" identifies the permit as an air construction permit  
"AF" identifies the permit as a minor source federally enforceable state operation permit  
"AO" identifies the permit as a minor source air operation permit  
"AV" identifies the permit as a major Title V air operation permit

**PSD Permit Numbers**

Example: Permit No. PSD-FL-317

Where: "PSD" means issued pursuant to the preconstruction review requirements of the Prevention of Significant Deterioration of Air Quality  
"FL" means that the permit was issued by the State of Florida  
"317" identifies the specific permit project number

**Florida Administrative Code (F.A.C.)**

Example: [Rule 62-213.205, F.A.C.]

Means: Title 62, Chapter 213, Rule 205 of the Florida Administrative Code

**Code of Federal Regulations (CFR)**

Example: [40 CFR 60.7]

Means: Title 40, Part 60, Section 7

**GLOSSARY OF COMMON TERMS**

° F: degrees Fahrenheit

acfm: actual cubic feet per minute

ARMS: Air Resource Management System  
(Department's database)

BACT: best available control technology

Btu: British thermal units

CAM: compliance assurance monitoring

CEMS: continuous emissions monitoring system

cfm: cubic feet per minute

CFR: Code of Federal Regulations

CO: carbon monoxide

COMS: continuous opacity monitoring system

## SECTION 4. APPENDIX A

### Citation Formats and Glossary of Common Terms

<b>DEP:</b> Department of Environmental Protection	<b>NESHAP:</b> National Emissions Standards for Hazardous Air Pollutants
<b>Department:</b> Department of Environmental Protection	<b>NO<sub>x</sub>:</b> nitrogen oxides
<b>dscfm:</b> dry standard cubic feet per minute	<b>NSPS:</b> New Source Performance Standards
<b>EPA:</b> Environmental Protection Agency	<b>O&amp;M:</b> operation and maintenance
<b>ESP:</b> electrostatic precipitator (control system for reducing particulate matter)	<b>O<sub>2</sub>:</b> oxygen
<b>EU:</b> emissions unit	<b>Pb:</b> lead
<b>F.A.C.:</b> Florida Administrative Code	<b>PM:</b> particulate matter
<b>F.D.:</b> forced draft	<b>PM<sub>10</sub>:</b> particulate matter with a mean aerodynamic diameter of 10 microns or less
<b>F.S.:</b> Florida Statutes	<b>PSD:</b> prevention of significant deterioration
<b>FGR:</b> flue gas recirculation	<b>psi:</b> pounds per square inch
<b>Fl:</b> fluoride	<b>PTE:</b> potential to emit
<b>ft<sup>2</sup>:</b> square feet	<b>RACT:</b> reasonably available control technology
<b>ft<sup>3</sup>:</b> cubic feet	<b>RATA:</b> relative accuracy test audit
<b>gpm:</b> gallons per minute	<b>SAM:</b> sulfuric acid mist
<b>gr:</b> grains	<b>scf:</b> standard cubic feet
<b>HAP:</b> hazardous air pollutant	<b>scfm:</b> standard cubic feet per minute
<b>Hg:</b> mercury	<b>SIC:</b> standard industrial classification code
<b>I.D.:</b> induced draft	<b>SNCR:</b> selective non-catalytic reduction (control system used for reducing emissions of nitrogen oxides)
<b>ID:</b> identification	<b>SO<sub>2</sub>:</b> sulfur dioxide
<b>kPa:</b> kilopascals	<b>TPH:</b> tons per hour
<b>lb:</b> pound	<b>TPY:</b> tons per year
<b>MACT:</b> maximum achievable technology	<b>UTM:</b> Universal Transverse Mercator coordinate system
<b>MMBtu:</b> million British thermal units	<b>VE:</b> visible emissions
<b>MSDS:</b> material safety data sheets	<b>VOC:</b> volatile organic compounds
<b>MW:</b> megawatt	

## SECTION 4. APPENDIX B

### General Conditions

The permittee shall comply with the following general conditions from Rule 62-4.160, F.A.C.

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, F.S. 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.
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, exhibits, specifications, or conditions of this permit may constitute grounds for revocation and enforcement action by the Department.
3. As provided in Subsections 403.087(6) and 403.722(5), F.S., 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.
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.
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 F.S. and Department rules, unless specifically authorized by an order from the Department.
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.
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.

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.

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.

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 F.S. or Department rules, except where such use is prescribed by Sections 403.73 and 403.111, F.S.. Such evidence shall only be used to the extent it is consistent with the Florida Rules of Civil Procedure and appropriate evidentiary rules.

**SECTION 4. APPENDIX B**

**General Conditions**

10. The permittee agrees to comply with changes in Department rules and F.S. after a reasonable time for compliance, provided, however, the permittee does not waive any other rights granted by F.S. or Department rules.
11. This permit is transferable only upon Department approval in accordance with 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.
12. This permit or a copy thereof shall be kept at the work site of the permitted activity.
13. This permit also constitutes:
  - a. Determination of Best Available Control Technology (Rule 62-296.406, F.A.C.);
  - b. Determination of Prevention of Significant Deterioration (not applicable); and
  - c. Compliance with New Source Performance Standards (Subpart Dc in 40 CFR 60).
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.
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.

## SECTION 4. APPENDIX C

### Common Conditions

Unless otherwise specified in the permit, the following conditions apply to all emissions units and activities at the facility.

#### EMISSIONS AND CONTROLS

1. **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 permittee shall notify each Compliance Authority as soon as possible, but at least within one working day, excluding weekends and holidays. The notification shall include: pertinent information as to the cause of the problem; 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 or the regulations. [Rule 62-4.130, F.A.C.]
2. **Circumvention:** The permittee 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. **Excess Emissions Allowed:** Excess emissions resulting from startup, shutdown or malfunction of any emissions unit 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 Department for longer duration. [Rule 62-210.700(1), F.A.C.]
4. **Excess Emissions Prohibited:** Excess emissions caused entirely or in part by poor maintenance, poor operation, or any other equipment or process failure that may reasonably be prevented during startup, shutdown or malfunction shall be prohibited. [Rule 62-210.700(4), F.A.C.]
5. **Excess Emissions - Notification:** In case of excess emissions resulting from malfunctions, the permittee shall notify the Department or the appropriate Local Program in accordance with Rule 62-4.130, F.A.C. A full written report on the malfunctions shall be submitted in a quarterly report, if requested by the Department. [Rule 62-210.700(6), F.A.C.]
6. **VOC or OS Emissions:** No person shall store, pump, handle, process, load, unload or use in any process or installation, volatile organic compounds (VOC) or organic solvents (OS) without applying known and existing vapor emission control devices or systems deemed necessary and ordered by the Department. [Rule 62-296.320(1), F.A.C.]
7. **Objectionable Odor Prohibited:** No person shall cause, suffer, allow or permit the discharge of air pollutants, which cause or contribute to an objectionable odor. An "objectionable odor" means 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. [Rules 62-296.320(2) and 62-210.200(Definitions), F.A.C.]
8. **General Visible Emissions:** No person shall cause, let, permit, suffer or allow to be discharged into the atmosphere the emissions of air pollutants from any activity equal to or greater than 20% opacity. This regulation does not impose a specific testing requirement. [Rule 62-296.320(4)(b)1, F.A.C.]
9. **Unconfined Particulate Emissions:** During the construction period, unconfined particulate matter emissions shall be minimized by dust suppressing techniques such as covering and/or application of water or chemicals to the affected areas, as necessary. [Rule 62-296.320(4)(c), F.A.C.]

*{Permitting Note: Rule 62-210.700 (Excess Emissions), F.A.C., cannot vary any NSPS or NESHAP provision.}*

#### RECORDS AND REPORTS

10. **Records Retention:** All measurements, records, and other data required by this permit shall be documented in a permanent, legible format and retained for at least 5 years following the date on which such measurements, records, or data are recorded. Records shall be made available to the Department upon request. [Rule 62-213.440(1)(b)2, F.A.C.]
11. **Annual Operating Report:** The permittee shall submit an annual report that summarizes the actual operating rates and emissions from this facility. Annual operating reports shall be submitted to the Compliance Authority by March 1st of each year. [Rule 62-210.370(3), F.A.C.]



**SECTION 4. APPENDIX D**  
**Common Testing Requirements**

---

Unless otherwise specified in the permit, the following testing requirements apply to all emissions units at the facility.

**COMPLIANCE TESTING REQUIREMENTS**

1. **Operating Rate During Testing:** Testing of emissions shall be conducted with the emissions unit operating at permitted capacity. If it is impractical to test at permitted capacity, an emissions unit may be tested at less than the maximum permitted capacity; in this case, subsequent emissions unit operation is limited to 110 percent of the test rate until a new test is 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. Permitted capacity is defined as 90 to 100 percent of the maximum operation rate allowed by the permit. [Rule 62-297.310(2), F.A.C.]
2. **Applicable Test Procedures - Opacity Compliance Tests.** When either EPA Method 9 or DEP Method 9 is specified as the applicable opacity test method, the required minimum period of observation for a compliance test shall be sixty (60) minutes for emissions units which emit or have the potential to emit 100 tons per year or more of particulate matter, and thirty (30) minutes for emissions units which have potential emissions less than 100 tons per year of particulate matter and are not subject to a multiple-valued opacity standard. The opacity test observation period shall include the period during which the highest opacity emissions can reasonably be expected to occur. Exceptions to these requirements are as follows:
  - a. For batch, cyclical processes, or other operations which are normally completed within less than the minimum observation period and do not recur within that time, the period of observation shall be equal to the duration of the batch cycle or operation completion time.
  - b. The observation period for special opacity tests that are conducted to provide data to establish a surrogate standard pursuant to Rule 62-297.310(5)(k), F.A.C., Waiver of Compliance Test Requirements, shall be established as necessary to properly establish the relationship between a proposed surrogate standard and an existing mass emission limiting standard.
  - c. The minimum observation period for opacity tests conducted by employees or agents of the Department to verify the day-to-day continuing compliance of a unit or activity with an applicable opacity standard shall be twelve minutes.

[Rule 62-297.310(4), F.A.C.]

3. **Determination of Process Variables**

- a. **Required Equipment.** The owner or operator of an emissions unit for which compliance tests are required shall install, operate, and maintain equipment or instruments necessary to determine process variables, such as process weight input or heat input, when such data are needed in conjunction with emissions data to determine the compliance of the emissions unit with applicable emission limiting standards.
- b. **Accuracy of Equipment.** Equipment or instruments used to directly or indirectly determine process variables, including devices such as belt scales, weight 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.]

4. **Frequency of Compliance Tests:** The following provisions apply only to those emissions units that are subject to an emissions limiting standard for which compliance testing is required.

- a. **General Compliance Testing.**
  1. The owner or operator of a new or modified emissions unit that is subject to an emission limiting standard shall conduct a compliance test that demonstrates compliance with the applicable emission limiting standard prior to obtaining an operation permit for such emissions unit.
  2. The owner or operator of an emissions unit that is subject to any emission limiting standard shall conduct a compliance test that demonstrates compliance with the applicable emission limiting standard prior to obtaining a renewed operation permit. Emissions units that are required to conduct an annual compliance test may submit the most recent annual compliance test to satisfy the requirements of this provision. In renewing an air

**SECTION 4. APPENDIX D**  
**Common Testing Requirements**

---

operation permit pursuant to sub-subparagraph 62-210.300(2)(a)3.b., c., or d., F.A.C., the Department shall not require submission of emission compliance test results for any emissions unit that, during the year prior to renewal:

- (a) Did not operate; or
  - (b) In the case of a fuel burning emissions unit, burned liquid and/or solid fuel for a total of no more than 400 hours,
3. During each federal fiscal year (October 1 – September 30), unless otherwise specified by rule, order, or permit, the owner or operator of each emissions unit shall have a formal compliance test conducted for visible emissions, if there is an applicable standard.
  4. The owner or operator shall notify the Department, at least 15 days prior to the date on which each formal compliance test is to begin, of the date, time, and place of each such test, and the test contact person who will be responsible for coordinating and having such test conducted for the owner or operator.
- b. *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 a Department rule or in a permit issued pursuant to those rules is being violated, it shall require the owner or operator of the emissions unit to conduct compliance tests which identify the nature and quantity of pollutant emissions from the emissions unit and to provide a report on the results of said tests to the Department.

[Rule 62-297.310(7), F.A.C.]

**RECORDS AND REPORTS**

5. **Test Reports:** The owner or operator of an emissions unit for which a compliance test is required shall file a report with the Department on the results of each such test. The required test report shall be filed with the Department as soon as practical but no later than 45 days after the last sampling run of each test is completed. The test report shall provide sufficient detail on the emissions unit tested and the test procedures used to allow the Department to determine if the test was properly conducted and the test results properly computed. As a minimum, the test report shall provide the following information.
  - a. The type, location, and designation of the emissions unit tested.
  - b. The facility at which the emissions unit is located.
  - c. The owner or operator of the emissions unit.
  - d. The normal type and amount of fuels used and materials processed, and the types and amounts of fuels used and material processed during each test run.
  - e. The means, raw data and computations used to determine the amount of fuels used and materials processed, if necessary to determine compliance with an applicable emission limiting standard.
  - f. The date, starting time and end time of the observation.
  - g. The test procedures used.
  - h. The names of individuals who furnished the process variable data, conducted the test, and prepared the report.
  - i. The applicable emission standard and the resulting maximum allowable emission rate for the emissions unit plus the test result in the same form and unit of measure.
  - j. A certification that, to the knowledge of the owner or his authorized agent, all data submitted are true and correct. The owner or his authorized agent shall certify that all data required and provided to the person conducting the test are true and correct to his knowledge.

[Rule 62-297.310(8), F.A.C.]

**SECTION 4. APPENDIX E**  
**On-Specification Used Oil Requirements**

The permittee shall comply with the following requirements for on-specification used oil.

1. **Specifications for Used Oil:** Only "on-specification" used oil containing a polychlorinated biphenyls (PCB) concentration of less than 50 ppm shall be fired at this facility.
  - a. "On-specification" used oil is defined as used oil that meets the specifications of 40 CFR 279 (Standards for the Management of Used Oil) as listed below.

Constituent/Property	Allowable Level
Arsenic	5 ppm, maximum
Cadmium	2 ppm, maximum
Chromium	10 ppm, maximum
Lead	100 ppm, maximum
Total Halogens	1000 ppm, maximum
Flash point	100° F, minimum

Used oil which fails to comply with any of these specification levels is considered "off-specification" used oil. The firing of off-specification used oil at this facility is prohibited.

- b. Used oil containing a PCB concentration of 50 ppm or more shall not be fired at this facility and shall not be blended to meet this requirement.
  - c. On-specification used oil with a PCB concentration of 2 ppm to less than 50 ppm shall be fired only at normal unit operating temperatures and shall not be fired during periods of startup or shutdown.
  - d. On-specification used oil with a PCB concentration of 2 ppm or less may be fired at any time.
  - e. On-specification used oil shall meet the maximum sulfur content specified in the permit.

[40 CFR 279.61]

2. **Used Oil Certifications:** For each delivery of used oil, the owner or operator shall receive from the marketer a certification that the used oil meets the specifications for "on-specification" used oil and that it contains a PCB concentration of less than 50 ppm. This certification shall also describe the basis for the certification, such as analytical results. Used oil to be fired for energy recovery is presumed to contain quantifiable levels (2 ppm) of PCB unless the marketer obtains analyses (testing) or other information that the used oil fuel does not contain quantifiable levels of PCBs. Note that a claim that used oil does not contain quantifiable levels of PCBs (<2 ppm) must be documented by analysis or other information. The first person making the claim that the used oil does not contain PCBs is responsible for furnishing the documentation. The documentation can be tests, personal or special knowledge of the source and composition of the used oil, or a certification from the person generating the used oil claiming that the used oil contains no detectable PCBs. [40 CFR 761.20]

3. **Notification to Marketers:** Before accepting from each marketer the first shipment of on-specification used oil with a PCB concentration of 2 to less than 50 ppm, the owner or operator shall provide each marketer with a one-time written and signed notice certifying that the owner or operator will fire the used oil in a qualified combustion device and must identify the class of combustion device. The notice must state that EPA or a RCRA-delegated state agency has been given a description of the used oil management activities at the facility and that an industrial boiler or furnace will be used to fire the used oil with a PCB concentration of 2 to 49 ppm. The description of the used oil management activities may be submitted to the Administrator, Hazardous Waste Regulation Section, Florida Department of Environmental Protection, 2600 Blair Stone Road, Tallahassee, FL 32399-2400. [40 CFR 761.20(e)]

4. **Sampling and Analysis:**

- a. If the owner or operator does not receive certification from the marketer as described above, the owner or operator shall sample and analyze each batch of used oil to be fired for the following parameters: arsenic, cadmium, chromium, lead, total halogens, flash point, PCBs, and percent sulfur content by weight, ash, and BTU value (BTU per gallon).

**SECTION 4. APPENDIX E**  
**On-Specification Used Oil Requirements**

---

- b. If the owner or operator receives the required certification from the marketer, the owner or operator shall sample at least one delivery of used oil received each calendar quarter and analyze the sample for arsenic, cadmium, chromium, lead, total halogens, flash point, PCBs, and percent sulfur content by weight, ash, and BTU value (BTU per gallon).
- c. Sampling and analysis shall be performed using approved methods specified in the latest edition of EPA Publication SW-846, Test Methods for Evaluating Solid Waste, Physical/Chemical Methods.
- d. If the analytical results show that the used oil does not meet the specifications for on-specification used oil, or that it contains a PCB concentration of 50 ppm or greater, the owner or operator shall immediately cease firing the used oil. The owner or operator shall also immediately notify the appropriate Compliance Authority of the analytical results and indicate the proposed means of disposal of the used oil.

[Rule 62-4.070(3), F.A.C.; 40 CFR Parts 279 and 761]

- 5. Used Oil Recordkeeping Required: The owner or operator shall obtain, make, and keep the following records related to the use of used oil in a form suitable for inspection at the facility by the Compliance Authority:
  - a. Within 15 days following each calendar month, record the gallons of on-specification used oil received and fired during the previous calendar month and the previous 12 calendar months.
  - b. The name and address of all marketers delivering used oil to the facility.
  - c. Copies of the marketer certifications and any supporting information.
  - d. If claimed, documentation that the used oil contains less than 2 ppm of PCBs, including the name and address of the person making the claim.
  - e. Results of any sampling/analyses conducted.
  - f. A copy of the notice to EPA and a copy of the one-time written notice provided to each marketer.

[Rule 62-4.070(3), F.A.C.; 40 CFR 279.61; and, 40 CFR 761.20(e)]

- 6. Used Oil Reporting Required: Within 30 days following each calendar quarter, the owner or operator shall submit to the appropriate Compliance Authority, the analytical results and the total amount of on-specification used oil received and fired during the quarter. [Rule 62-4.070(3), F.A.C.; 40 CFR Parts 279 and 761]

**SECTION 4. APPENDIX F**  
**NSPS Subpart Dc Provisions**

---

**NSPS Subpart Dc in 40 CFR 60**

**Standards of Performance for Small Industrial-Commercial-Institutional Steam Generating Units**

*If the rental package boiler for the refinery (EU-035) was originally constructed after June 9, 1989, the following regulations are applicable. The unit is permitted to fire only distillate oil that will meet the fuel sulfur limitations of NSPS Subpart Dc and will demonstrate compliance by maintaining fuel supplier certifications. Requirements that are not applicable have been omitted, but the original numbering has been maintained for ease of reference.*

**§ 60.40c Applicability and delegation of authority.**

- (a) Except as provided in paragraph (d) of this section, the affected facility to which this subpart applies is each steam generating unit for which construction, modification, or reconstruction is commenced after June 9, 1989 and that has a maximum design heat input capacity of 29 megawatts (MW) (100 million British thermal units per hour (MMBtu/hr)) or less, but greater than or equal to 2.9 MW (10 MMBtu/hr).
- (b) In delegating implementation and enforcement authority to a State under section 111(c) of the Clean Air Act, §60.48c(a)(4) shall be retained by the Administrator and not transferred to a State.

**§ 60.41c Definitions.**

*Distillate oil* means fuel oil that complies with the specifications for fuel oil numbers 1 or 2, as defined by the American Society for Testing and Materials in ASTM D396 (incorporated by reference, see §60.17).

*Heat input* means heat derived from combustion of fuel in a steam generating unit and does not include the heat derived from preheated combustion air, recirculated flue gases, or exhaust gases from other sources (such as stationary gas turbines, internal combustion engines, and kilns).

*Maximum design heat input capacity* means the ability of a steam generating unit to combust a stated maximum amount of fuel (or combination of fuels) on a steady state basis as determined by the physical design and characteristics of the steam generating unit.

*Oil* means crude oil or petroleum, or a liquid fuel derived from crude oil or petroleum, including distillate and residual oil.

*Steam generating unit* means a device that combusts any fuel and produces steam or heats water or any other heat transfer medium. This term includes any duct burner that combusts fuel and is part of a combined cycle system. This term does not include process heaters as defined in this subpart.

**§ 60.42c Standard for sulfur dioxide (SO<sub>2</sub>).**

- (d) On and after the date on which the initial performance test is completed or required to be completed under §60.8, whichever date comes first, no owner or operator of an affected facility that combusts oil shall combust oil in the affected facility that contains greater than 0.5 weight percent sulfur. The percent reduction requirements are not applicable to affected facilities under this paragraph.
- (h) For affected facilities listed under paragraphs (h)(1), (2), or (3) of this section, compliance with the emission limits or fuel oil sulfur limits under this section may be determined based on a certification from the fuel supplier, as described under §60.48c(f), as applicable.
  - (1) Distillate oil-fired affected facilities with heat input capacities between 2.9 and 29 MW (10 and 100 MMBtu/hr).
- (i) The SO<sub>2</sub> emission limits, fuel oil sulfur limits, and percent reduction requirements under this section apply at all times, including periods of startup, shutdown, and malfunction.

**§ 60.43c Standard for particulate matter (PM).**

- (e) (4) On and after the date on which the initial performance test is completed or is required to be completed under §60.8, whichever date comes first, an owner or operator of an affected facility that commences construction, reconstruction, or modification after February 28, 2005, and that combusts only oil that contains no more than 0.50 weight percent sulfur or a mixture of 0.50 weight percent sulfur oil with other fuels not subject to a PM standard under §60.43c and not using a post-combustion technology (except a wet scrubber) to reduce PM or SO<sub>2</sub> emissions is not subject to the PM limit in this section.

**SECTION 4. APPENDIX F**  
**NSPS Subpart Dc Provisions**

---

**§ 60.44c Compliance and performance test methods and procedures for sulfur dioxide.**

- (h) For affected facilities subject to §60.42c(h)(1), (2), or (3) where the owner or operator seeks to demonstrate compliance with the SO<sub>2</sub> standards based on fuel supplier certification, the performance test shall consist of the certification, the certification from the fuel supplier, as described under §60.48c(f), as applicable.

**§ 60.45c Compliance and performance test methods and procedures for particulate matter.**

- (d) The owner or operator of an affected facility seeking to demonstrate compliance under §60.43c(e)(4) shall follow the applicable procedures under §60.48c(f).

**§ 60.46c Emission monitoring for sulfur dioxide.**

- (e) The monitoring requirements of paragraphs (a) and (d) of this section shall not apply to affected facilities subject to §60.42c(h) (1), (2), or (3) where the owner or operator of the affected facility seeks to demonstrate compliance with the SO<sub>2</sub> standards based on fuel supplier certification, as described under §60.48c(f), as applicable.

**§ 60.47c Emission monitoring for particulate matter.**

- (c) Affected facilities that burn only distillate oil that contains no more than 0.5 weight percent sulfur and/or liquid or gaseous fuels with potential sulfur dioxide emission rates of 26 ng/J (0.06 lb/MMBtu) heat input or less and that do not use a post-combustion technology to reduce SO<sub>2</sub> or PM emissions are not required to operate a CEMS for measuring opacity if they follow the applicable procedures under §60.48c(f).

**§ 60.48c Reporting and recordkeeping requirements.**

- (a) The owner or operator of each affected facility shall submit notification of the date of construction or reconstruction and actual startup, as provided by §60.7 of this part. This notification shall include:
- (1) The design heat input capacity of the affected facility and identification of fuels to be combusted in the affected facility.
  - (2) If applicable, a copy of any federally enforceable requirement that limits the annual capacity factor for any fuel or mixture of fuels under §60.42c, or §60.43c.
  - (3) The annual capacity factor at which the owner or operator anticipates operating the affected facility based on all fuels fired and based on each individual fuel fired.
  - (4) Notification if an emerging technology will be used for controlling SO<sub>2</sub> emissions. The Administrator will examine the description of the control device and will determine whether the technology qualifies as an emerging technology. In making this determination, the Administrator may require the owner or operator of the affected facility to submit additional information concerning the control device. The affected facility is subject to the provisions of §60.42c(a) or (b)(1), unless and until this determination is made by the Administrator.
- (d) The owner or operator of each affected facility subject to the SO<sub>2</sub> emission limits, fuel oil sulfur limits, or percent reduction requirements under §60.42c shall submit reports to the Administrator.
- (e) The owner or operator of each affected facility subject to the SO<sub>2</sub> emission limits, fuel oil sulfur limits, or percent reduction requirements under §60.42c shall keep records and submit reports as required under paragraph (d) of this section, including the following information, as applicable.
- (1) Calendar dates covered in the reporting period.
  - (11) If fuel supplier certification is used to demonstrate compliance, records of fuel supplier certification is used to demonstrate compliance, records of fuel supplier certification as described under paragraph (f)(1), (2), (3), or (4) of this section, as applicable. In addition to records of fuel supplier certifications, the report shall include a certified statement signed by the owner or operator of the affected facility that the records of fuel supplier certifications submitted represent all of the fuel combusted during the reporting period.
- (f) Fuel supplier certification shall include the following information:
- (1) For distillate oil:

**SECTION 4. APPENDIX F**  
**NSPS Subpart Dc Provisions**

---

- (i) The name of the oil supplier;
  - (ii) A statement from the oil supplier that the oil complies with the specifications under the definition of distillate oil in §60.41c; and
  - (iii) The sulfur content of the oil.
- (g) (2) As an alternative to meeting the requirements of paragraph (g)(1) of this section, the owner or operator of an affected facility that combusts only natural gas, wood, fuels using fuel certification in §60.48c(f) to demonstrate compliance with the SO<sub>2</sub> standard, fuels not subject to an emissions standard (excluding opacity), or a mixture of these fuels may elect to record and maintain records of the amount of each fuel combusted during each calendar month.
- (i) All records required under this section shall be maintained by the owner or operator of the affected facility for a period of two years following the date of such record.
  - (j) The reporting period for the reports required under this subpart is each six-month period. All reports shall be submitted to the Administrator and shall be postmarked by the 30th day following the end of the reporting period.

**Harvey, Mary**

**From:** Harvey, Mary  
**Sent:** Tuesday, May 06, 2008 9:17 AM  
**To:** 'Mr. Neil Smith, U.S. Sugar Corporation'; 'Mr. Keith Tingberg, U.S. Sugar Corporation'; 'Mr. David Buff, Golder Associates'; Satyal, Ajaya  
**Cc:** Koerner, Jeff; Walker, Elizabeth (AIR); Gibson, Victoria  
**Subject:** Draft Air Permit No. 051003-045-AC - U.S. Sugar Corporation Corporation  
**Attachments:** 0510003-045-AC - Draft Permit.PDF; 0510003-045-AC - Public Notice.PDF; 0510003-045-AC - TEPD.PDF; 0510003-045-AC - Written Notice.PDF; Document.pdf

Tracking:	Recipient	Delivery	Read
✓	'Mr. Neil Smith, U.S. Sugar Corporation'		
✓	'Mr. Keith Tingberg, U.S. Sugar Corporation'		
✓	'Mr. David Buff, Golder Associates'		
✓	Satyal, Ajaya	Delivered: 5/6/2008 9:17 AM	Read: 5/6/2008 9:38 AM
	Koerner, Jeff	Delivered: 5/6/2008 9:17 AM	
	Walker, Elizabeth (AIR)	Delivered: 5/6/2008 9:17 AM	
✓	Gibson, Victoria	Delivered: 5/6/2008 9:17 AM	Read: 5/6/2008 9:24 AM

Dear Sir/Madam:

Please send a "reply" message verifying receipt of the attached document(s); this may be done by selecting "Reply" on the menu bar of your e-mail software and then selecting "Send". We must receive verification of receipt and your reply will preclude subsequent e-mail transmissions to verify receipt of the document(s).

The document(s) may require immediate action within a specified time frame. Please open and review the document(s) as soon as possible.

The document is in Adobe Portable Document Format (pdf). Adobe Acrobat Reader can be downloaded for free at the following internet site:  
<http://www.adobe.com/products/acrobat/readstep.html>.

The Bureau of Air Regulation is issuing electronic documents for permits, notices and other correspondence in lieu of hard copies through the United States Postal System, to provide greater service to the applicant and the engineering community. Please advise this office of any changes to your e-mail address or that of the Engineer-of-Record.

Thank you,

DEP, Bureau of Air Regulation

5/7/2008



## Harvey, Mary

---

**From:** < Satyal, Ajaya  
**Sent:** Tuesday, May 06, 2008 9:39 AM  
**To:** Harvey, Mary  
**Subject:** RE: Draft Air Permit No. 051003-045-AC - U.S. Sugar Corporation Corporation

Received the documents. Thanks.

AJ Satyal  
South District

---

**From:** Harvey, Mary  
**Sent:** Tuesday, May 06, 2008 9:17 AM  
**To:** 'Mr. Neil Smith, U.S. Sugar Corporation'; 'Mr. Keith Tingberg, U.S. Sugar Corporation'; 'Mr. David Buff, Golder Associates'; Satyal, Ajaya  
**Cc:** Koerner, Jeff; Walker, Elizabeth (AIR); Gibson, Victoria  
**Subject:** Draft Air Permit No. 051003-045-AC - U.S. Sugar Corporation Corporation

Dear Sir/Madam:

Please send a "reply" message verifying receipt of the attached document(s); this may be done by selecting "Reply" on the menu bar of your e-mail software and then selecting "Send". We must receive verification of receipt and your reply will preclude subsequent e-mail transmissions to verify receipt of the document(s).

The document(s) may require immediate action within a specified time frame. Please open and review the document(s) as soon as possible.

The document is in Adobe Portable Document Format (pdf). Adobe Acrobat Reader can be downloaded for free at the following internet site:  
<http://www.adobe.com/products/acrobat/readstep.html>.

The Bureau of Air Regulation is issuing electronic documents for permits, notices and other correspondence in lieu of hard copies through the United States Postal System, to provide greater service to the applicant and the engineering community. Please advise this office of any changes to your e-mail address or that of the Engineer-of-Record.

Thank you,

DEP, Bureau of Air Regulation

## Harvey, Mary

---

**From:** Gibson, Victoria  
**To:** Harvey, Mary  
**Sent:** Tuesday, May 06, 2008 9:27 AM  
**Subject:** Read: RE: Draft Air Permit No..051003-045-AC - U.S. Sugar Corporation Corporation

Your message

**To:** Gibson, Victoria  
**Subject:** RE: Draft Air Permit No. 051003-045-AC - U.S. Sugar Corporation Corporation  
**Sent:** 5/6/2008 9:26 AM

was read on 5/6/2008 9:27 AM.

## Harvey, Mary

---

**From:** Satyal, Ajaya  
**To:** Harvey, Mary  
**Sent:** Tuesday, May 06, 2008 9:38 AM  
**Subject:** Read: Draft Air Permit No. 051003-045-AC - U.S. Sugar Corporation Corporation

### Your message

**To:** 'Mr. Neil Smith, U.S. Sugar Corporation'; 'Mr. Keith Tingberg, U.S. Sugar Corporation'; 'Mr. David Buff, Golder Associates'; Satyal, Ajaya  
**Cc:** Koerner, Jeff; Walker, Elizabeth (AIR); Gibson, Victoria  
**Subject:** Draft Air Permit No. 051003-045-AC - U.S. Sugar Corporation Corporation  
**Sent:** 5/6/2008 9:17 AM

was read on 5/6/2008 9:38 AM.

## Harvey, Mary

---

**From:** Keith Tingberg [ktingberg@ussugar.com]  
**To:** Harvey, Mary  
**Sent:** Tuesday, May 06, 2008 1:00 PM  
**Subject:** Read: Draft Air Permit No. 051003-045-AC - U.S. Sugar Corporation Corporation

Your message

To: ktingberg@ussugar.com  
Subject:

was read on 5/6/2008 1:00 PM.

**Harvey, Mary**

---

**From:** Keith Tingberg [ktingberg@ussugar.com]  
**Sent:** Tuesday, May 06, 2008 1:01 PM  
**To:** Harvey, Mary  
**Subject:** RE: Draft Air Permit No. 051003-045-AC - U.S. Sugar Corporation Corporation

We have received the document.

**Keith Tingberg**  
Environmental Manager  
U.S. Sugar Corporation  
ktingberg@ussugar.com  
111 Ponce de Leon Avenue  
Clewiston, FL 33440  
Office: (863) 902-3186  
Cell: (863) 233-1297  
Fax: (863) 902-3149

---

**From:** Harvey, Mary [mailto:Mary.Harvey@dep.state.fl.us]  
**Sent:** Tuesday, May 06, 2008 9:17 AM  
**To:** Neil Smith; Keith Tingberg; Mr. David Buff, Golder Associates; Satyal, Ajaya  
**Cc:** Koerner, Jeff; Walker, Elizabeth (AIR); Gibson, Victoria  
**Subject:** Draft Air Permit No. 051003-045-AC - U.S. Sugar Corporation Corporation

Dear Sir/Madam:

Please send a "reply" message verifying receipt of the attached document(s); this may be done by selecting "Reply" on the menu bar of your e-mail software and then selecting "Send". We must receive verification of receipt and your reply will preclude subsequent e-mail transmissions to verify receipt of the document(s).

The document(s) may require immediate action within a specified time frame. Please open and review the document(s) as soon as possible.

The document is in Adobe Portable Document Format (pdf). Adobe Acrobat Reader can be downloaded for free at the following internet site:  
<http://www.adobe.com/products/acrobat/readstep.html>.

The Bureau of Air Regulation is issuing electronic documents for permits, notices and other correspondence in lieu of hard copies through the United States Postal System, to provide greater service to the applicant and the engineering community. Please advise this office of any changes to your e-mail address or that of the Engineer-of-Record.

Thank you,

DEP, Bureau of Air Regulation

5/6/2008

## Harvey, Mary

---

**From:** <Buff, Dave [DBuff@GOLDER.com]>  
**To:** undisclosed-recipients  
**Sent:** Tuesday, May 06, 2008 9:23 AM  
**Subject:** Read: Draft Air Permit No. 051003-045-AC - U.S. Sugar Corporation Corporation

Your message

To: DBuff@GOLDER.com  
Subject:

was read on 5/6/2008 9:23 AM.

## Harvey, Mary

---

**From:** Neil Smith [nsmith@ussugar.com]  
**Sent:** Tuesday, May 06, 2008 9:19 AM  
**To:** Harvey, Mary  
**Subject:** RE: Draft Air Permit No. 051003-045-AC - U.S. Sugar Corporation Corporation

---

**From:** Harvey, Mary [mailto:Mary.Harvey@dep.state.fl.us]  
**Sent:** Tuesday, May 06, 2008 9:17 AM  
**To:** Neil Smith; Keith Tingberg; Mr. David Buff, Golder Associates; Satyal, Ajaya  
**Cc:** Koerner, Jeff; Walker, Elizabeth (AIR); Gibson, Victoria  
**Subject:** Draft Air Permit No. 051003-045-AC - U.S. Sugar Corporation Corporation

Dear Sir/Madam:

Please send a "reply" message verifying receipt of the attached document(s); this may be done by selecting "Reply" on the menu bar of your e-mail software and then selecting "Send". We must receive verification of receipt and your reply will preclude subsequent e-mail transmissions to verify receipt of the document(s).

The document(s) may require immediate action within a specified time frame. Please open and review the document(s) as soon as possible.

The document is in Adobe Portable Document Format (pdf). Adobe Acrobat Reader can be downloaded for free at the following internet site:  
<http://www.adobe.com/products/acrobat/readstep.html>.

The Bureau of Air Regulation is issuing electronic documents for permits, notices and other correspondence in lieu of hard copies through the United States Postal System, to provide greater service to the applicant and the engineering community. Please advise this office of any changes to your e-mail address or that of the Engineer-of-Record.

Thank you,

DEP, Bureau of Air Regulation

*The Department of Environmental Protection values your feedback as a customer. DEP Secretary Michael W. Sole is committed to continuously assessing and improving the level and quality of services provided to you. Please take a few minutes to comment on the quality of service you received. Simply click on [this link to the DEP Customer Survey](#). Thank you in advance for completing the survey.*

5/6/2008

## Harvey, Mary

---

**From:** Lisa Pickron [lpickron@ussugar.com]  
**To:** Harvey, Mary  
**Sent:** Tuesday, May 06, 2008 9:27 AM  
**Subject:** Read: Draft Air Permit No. 051003-045-AC - U.S. Sugar Corporation Corporation

Your message

To: lpickron@ussugar.com  
Subject:

was read on 5/6/2008 9:27 AM.



**Harvey, Mary**

**From:** Harvey, Mary  
**Sent:** Tuesday, May 06, 2008 9:17 AM  
**To:** 'Mr. Neil Smith, U.S. Sugar Corporation'; 'Mr. Keith Tingberg, U.S. Sugar Corporation'; 'Mr. David Buff, Golder Associates'; Satyal, Ajaya  
**Cc:** Koerner, Jeff; Walker, Elizabeth (AIR); Gibson, Victoria  
**Subject:** Draft Air Permit No. 051003-045-AC - U.S. Sugar Corporation Corporation  
**Attachments:** 0510003-045-AC - Draft Permit.PDF; 0510003-045-AC - Public Notice.PDF; 0510003-045-AC - TEPD.PDF; 0510003-045-AC - Written Notice.PDF; Document.pdf

Tracking:	Recipient	Delivery	Read
<input checked="" type="checkbox"/>	'Mr. Neil Smith, U.S. Sugar Corporation'		
<input checked="" type="checkbox"/>	'Mr. Keith Tingberg, U.S. Sugar Corporation'		
<input checked="" type="checkbox"/>	'Mr. David Buff, Golder Associates'		
<input checked="" type="checkbox"/>	Satyal, Ajaya	Delivered: 5/6/2008 9:17 AM	Read: 5/6/2008 9:38 AM
<input checked="" type="checkbox"/>	Koerner, Jeff	Delivered: 5/6/2008 9:17 AM	
	Walker, Elizabeth (AIR)	Delivered: 5/6/2008 9:17 AM	
<input checked="" type="checkbox"/>	Gibson, Victoria	Delivered: 5/6/2008 9:17 AM	Read: 5/6/2008 9:24 AM

Dear Sir/Madam:

Please send a "reply" message verifying receipt of the attached document(s); this may be done by selecting "Reply" on the menu bar of your e-mail software and then selecting "Send". We must receive verification of receipt and your reply will preclude subsequent e-mail transmissions to verify receipt of the document(s).

The document(s) may require immediate action within a specified time frame. Please open and review the document(s) as soon as possible.

The document is in Adobe Portable Document Format (pdf). Adobe Acrobat Reader can be downloaded for free at the following internet site:  
<http://www.adobe.com/products/acrobat/readstep.html>.

The Bureau of Air Regulation is issuing electronic documents for permits, notices and other correspondence in lieu of hard copies through the United States Postal System, to provide greater service to the applicant and the engineering community. Please advise this office of any changes to your e-mail address or that of the Engineer-of-Record.

Thank you,

DEP, Bureau of Air Regulation

5/13/2008

## Harvey, Mary

---

**From:** Satyal, Ajaya  
**To:** Harvey, Mary  
**Sent:** Monday, May 12, 2008 10:20 AM  
**Subject:** Read: RE: Draft Air Permit No: 051003-045-AC - U.S. Sugar Corporation Corporation

### Your message

**To:** Harvey, Mary; 'Mr. Neil Smith, U.S. Sugar Corporation'; 'Mr. Keith Tingberg, U.S. Sugar Corporation'; 'Mr. David Buff, Golder Associates'; Satyal, Ajaya  
**Cc:** Koerner, Jeff; Walker, Elizabeth (AIR); Gibson, Victoria  
**Subject:** RE: Draft Air Permit No. 051003-045-AC - U.S. Sugar Corporation Corporation  
**Sent:** 5/12/2008 10:10 AM

was read on 5/12/2008 10:20 AM.

## Harvey, Mary

---

**From:** Gibson, Victoria  
**To:** Harvey, Mary  
**Sent:** Monday, May 12, 2008 12:39 PM  
**Subject:** Read: RE: Draft Air Permit No. 051003-045-AC - U.S. Sugar Corporation Corporation

### Your message

**To:** Harvey, Mary; 'Mr. Neil Smith, U.S. Sugar Corporation'; 'Mr. Keith Tingberg, U.S. Sugar Corporation'; 'Mr. David Buff, Golder Associates'; Satyal, Ajaya  
**Cc:** Koerner, Jeff; Walker, Elizabeth (AIR); Gibson, Victoria  
**Subject:** RE: Draft Air Permit No. 051003-045-AC - U.S. Sugar Corporation Corporation  
**Sent:** 5/12/2008 10:10 AM

was read on 5/12/2008 12:39 PM.

## Harvey, Mary

---

**From:** Koerner, Jeff  
**To:** Harvey, Mary  
**Sent:** Monday, May 12, 2008 12:18 PM  
**Subject:** Read: RE: Draft Air Permit No. 051003-045-AC - U.S. Sugar Corporation Corporation

Your message

**To:** Harvey, Mary; 'Mr. Neil Smith, U.S. Sugar Corporation'; 'Mr. Keith Tingberg, U.S. Sugar Corporation'; 'Mr. David Buff, Golder Associates'; Satyal, Ajaya  
**Cc:** Koerner, Jeff; Walker, Elizabeth (AIR); Gibson, Victoria  
**Subject:** RE: Draft Air Permit No. 051003-045-AC - U.S. Sugar Corporation Corporation  
**Sent:** 5/12/2008 10:10 AM

was read on 5/12/2008 12:18 PM.

## Harvey, Mary

---

**From:** Lisa Pickron [lpickron@ussugar.com]  
**To:** Harvey, Mary  
**Sent:** Monday, May 12, 2008 10:26 AM  
**Subject:** Read: RE: Draft Air Permit No. 051003-045-AC - U.S. Sugar Corporation Corporation

Your message

To: lpickron@ussugar.com  
Subject:

was read on 5/12/2008 10:26 AM.

## Harvey, Mary

---

**From:** Keith Tingberg [ktingberg@ussugar.com]  
**To:** Harvey, Mary  
**Sent:** Monday, May 12, 2008 10:14 AM  
**Subject:** Read: RE: Draft Air Permit No. 051003-045-AC - U.S. Sugar Corporation Corporation

Your message

**To:** ktingberg@ussugar.com  
**Subject:**

was read on 5/12/2008 10:14 AM.

**Harvey, Mary**

---

**From:** Buff, Dave [DBuff@GOLDER.com]  
**To:** undisclosed-recipients  
**Sent:** Monday, May 12, 2008 8:44 PM  
**Subject:** Read: Draft Air Permit No. 051003-045-AC - U.S. Sugar Corporation Corporation

Your message

To: DBuff@GOLDER.com  
Subject:

was read on 5/12/2008 8:44 PM.

**Harvey, Mary**

---

**From:** Buff, Dave [DBuff@GOLDER.com]  
**Sent:** Monday, May 12, 2008 9:18 AM  
**To:** Harvey, Mary; Mr. Neil Smith, U.S. Sugar Corporation; Mr. Keith Tingberg, U.S. Sugar Corporation; Satyal, Ajaya  
**Cc:** Koerner, Jeff; Walker, Elizabeth (AIR); Gibson, Victoria  
**Subject:** RE: Draft Air Permit No. 051003-045-AC - U.S. Sugar Corporation Corporation

Note this email did not include the Appendices. Could you please forward these to Golder and U.S. Sugar?  
Thanks.

David A. Buff, P.E., Q. E. P.  
Golder Associates Inc.  
Phone: (352)336-5600 x 545  
Fax: (352)336-6603 Mobile: (352)514-5600  
E-Mail: [dbuff@golder.com](mailto:dbuff@golder.com)

**Disclaimer Notice:**

This e-mail transmission is confidential and may contain proprietary information for the express use of the intended recipient. Any use, distribution or copying of this transmission, other than by the intended recipient, is strictly prohibited. If you are not the intended recipient, please notify the sender and delete all copies. Electronic media are susceptible to unauthorized modification, deterioration, and incompatibility. Accordingly, the electronic media version of any work product may not be relied upon.

**From:** Harvey, Mary [mailto:Mary.Harvey@dep.state.fl.us]  
**Sent:** Tuesday, May 06, 2008 9:17 AM  
**To:** Mr. Neil Smith, U.S. Sugar Corporation; Mr. Keith Tingberg, U.S. Sugar Corporation; Buff, Dave; Satyal, Ajaya  
**Cc:** Koerner, Jeff; Walker, Elizabeth (AIR); Gibson, Victoria  
**Subject:** Draft Air Permit No. 051003-045-AC - U.S. Sugar Corporation Corporation

Dear Sir/Madam:

Please send a "reply" message verifying receipt of the attached document(s); this may be done by selecting "Reply" on the menu bar of your e-mail software and then selecting "Send". We must receive verification of receipt and your reply will preclude subsequent e-mail transmissions to verify receipt of the document(s).

The document(s) may require immediate action within a specified time frame. Please open and review the document(s) as soon as possible.

The document is in Adobe Portable Document Format (pdf). Adobe Acrobat Reader can be downloaded for free at the following internet site:  
<http://www.adobe.com/products/acrobat/readstep.html>.

The Bureau of Air Regulation is issuing electronic documents for permits, notices and other correspondence in lieu of hard copies through the United States Postal System, to provide greater service to the applicant and the engineering community. Please advise this office of any changes to your e-mail address or that of the Engineer-of-Record.

Thank you,

5/12/2008